

Report to	-	Overview and Scrutiny Committee
Date	-	29 April 2019
Report of the	-	Chairman, Councillor Paul Osborne
Subject	-	Draft Annual Report to Council

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**Recommendation:** It be **RESOLVED:** That the contents of the Overview and Scrutiny Committee Draft Annual Report to Council be considered and recommended as appropriate to Council.

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## Introduction

1. The Local Government Act 2000 states that where councils operate an executive style administration, there must be at least one committee that has the power to review or scrutinise decisions or actions which affect the authority's area or its residents. The Overview and Scrutiny Committee (OSC) acts as a critical friend to the Cabinet (Executive) and other local service providers, helping to monitor performance and develop policies. The OSC also has the power to hold the Cabinet to account by "calling in" decisions before or after they have been taken.
2. The OSC cannot make decisions or policies themselves, but they have the power of influence. They make recommendations informed by partner and public opinions, performance information, examples of best practice and professional advice.
3. In accordance with Article 6, paragraph 6.3. (d) of Rother District Council's (RDC) Constitution, the OSC must report annually to Council on their workings and make recommendations for future work programmes and amend working methods, if appropriate.
4. In compiling this report, consideration has been given to the terms of reference contained within Article 6 of the Constitution and how the OSC has fulfilled its role under these terms.
5. This report covers the period from April 2018 through to the end of March 2019; the report has been prepared before the last scheduled meeting of the OSC for the 2018/19 municipal year has been held.

## Scrutiny at Rother

6. Currently, Rother District Council has 38 elected Members who represent 20 wards within the boundaries of Rother. With 10 Cabinet Members, this enables 28 Members to have the opportunity to be involved in Scrutiny.
7. During the period of this report, 57% of non-Cabinet Members have been involved in Scrutiny either through membership of the Council's Scrutiny Committee or in the Task and Finish Group(s).

## **Structure of Scrutiny Committees**

8. During the period of this report, two Task and Finish Groups have been in operation. In addition to Scrutiny meetings, the Council can have up to four active Task and Finish Groups in place at any one time.
9. There are 12 Members appointed on the OSC and they meet formally eight times a year. The OSC is politically balanced in that its make-up reflects that of the Council as a whole and its Chairman and Vice-Chairman are elected annually from amongst its membership.

## **Overview and Scrutiny Committee**

10. Membership as at 29 April 2019 is:  
  
P.N. Osborne (Chairman), M. Mooney (Vice-Chairman), J. Barnes, G.S. Browne, C.A. Clark, Mrs D.C. Earl-Williams, S.D. Elford, R.V. Elliston, J.M. Johnson (ex-officio), J. Potts, Mrs S.M. Prochak, G.F. Stevens and M.R. Watson.
11. The membership changed during the municipal year with Councillor Mrs D.C. Earl-Williams replacing Councillor S.H. Earl, who had sadly passed away. The Committee has met eight times between April 2018 and the end of March 2019. This figure does not include the meeting of the Committee directly following the Annual Council Meeting when the Chairman and Vice-Chairman are elected.
12. Attendance at meetings by Members appointed to the Committee has been good with an average of 89% of the Committee attending the meetings during the period of this report.
13. The average number of reports on the agenda for each meeting was four and the average length of a meeting was one hour and twenty six minutes. The press attended two meetings and a total of 28 members of the public were in attendance at eight of the Committee meetings held during the period of this report. Dependent on the business to be considered, the relevant Cabinet Portfolio Holders continued to be invited to attend meetings.
14. Between April 2018 and the end of March 2019, the OSC received reports on a number of issues including:
  - Coastal Environments Corporate Project – East Parade
  - Council Tax Reduction Scheme 2019/20
  - Council Tax Reduction Scheme Consultation Report
  - Final Recommendations of the Housing Issues Task and Finish Group
  - Flexible Homelessness Support Grant 2019/20
  - Formal Substitute System for Committees
  - Housing and Homelessness Strategy – Consultation
  - Housing Benefit Performance Update
  - Housing Benefit – Service Issues and Proposals for Improvement
  - Medium Term Financial Strategy 2019/20 to 2023/24
  - Rother District Council Corporate Programme Update
  - The District of Rother Parking Places Order
  - The Progression of the Rother District Public Realm Strategic Framework

- Tourism Task and Finish Group

15. Standing items reviewed by the Committee included:

- Annual Work Programme
- Call-in and Urgency Procedures
- Draft Annual Report to Council
- Draft Revenue Budget
- Key Performance Targets
- Quarterly Progress Reports on the Annual Performance Plan
- Revenue Budget and Capital Monitoring Programme

### **Crime and Disorder Committee**

16. In 2009, the Scrutiny Committee was designated as the Council's 'Crime and Disorder Committee' under section 19 of the Police and Justice Act 2006. This is not a separate working or steering group; it simply means that on an annual basis, as part of their regular Scrutiny business, the OSC reviews the work of the Safer Rother Partnership (SRP) as the Council's Crime and Disorder Committee.
17. The opportunities and challenges for 2018/19 included: rough sleeping and members of the street community, white ribbon campaigns, training on the tools and powers available to address anti-social behaviour, criminal damage, drug taking, victim domestic abuse support, rural crime (including cross border crime), tackling modern slavery, cuckooing and the use of cocaine across Rother. Youth Engagement Officers had been working within secondary schools to raise awareness of County Lines and the issues of drug supply and cuckooing, and inter-agency working enabled the Partnership to share information to assist the police with tackling crime across the district.

### **Scrutiny Reviews**

#### **September 2018**

18. **Strategic Overview and Regeneration / Cabinet Portfolio Holder Overview:** The Leader of the Council provided Members with an update on the main aims for regeneration across the region, namely the Rother 2020 Programme, the South East Local Enterprise Partnership (SELEP), the North Bexhill development and the work of the Bexhill Town Centre Steering Group.
19. **Rother District Council Corporate Programme Update:** Members were updated on 29 key projects linked to the four aims within the Council's Corporate Programme 2014-2021. 11 projects had been completed, two were currently in the planning phase with completion by end 2018/19 and the remainder were all underway. The cost to deliver all projects amounted to £57.8m, however not all funding had been secured. The Committee were shown a brief video showing interviews with Cabinet Members and members of the public, who spoke about some of the key projects which formed part of the Programme.

#### **October 2018**

20. **Technology and Infrastructure:** Katy Thomas, Team Manager, Economic Development, East Sussex County Council (ESCC) gave Members a

presentation and general update on the roll-out of Superfast Broadband across the Rother district. ESCC had appointed BT in 2013 as their delivery partner to roll out faster broadband over three years, until mid-2016. The £34m project was being funded by ESCC and central Government, through their delivery arm Broadband Delivery UK (BDUK) and BT was essentially an infrastructure investment programme. The project would bring faster, more reliable speeds and connectivity to areas not viable for private sector telecoms infrastructure providers. Since the completion of project one in 2016, there had been two further contracts signed with BT, the third and final project due to commence at the end of 2018.

## November 2018

21. **Housing Benefit Performance Update:** Members received and considered the report of the Executive Director which gave an update on the Housing Benefit Performance against key actions. The resilience contract with Reigate and Bansted Borough Council was in place and operational, Capita's performance had improved with more experienced officers being deployed to undertake the Council's work, the training for new in-house staff had been delivered and more training was being planned. Service performance showed improvement in processing times in the second quarter of the year. Members congratulated staff and officers on the improvement in performance, but recognised this is a journey the Council is on.
22. The OSC also scrutinised the performance of services and the resources they use on a quarterly basis. In conjunction, the OSC looked into the wider, strategic implications for the district and the lives of residents that are represented by individual indicators and targets. Just some of the themes addressed over the period were:
  - **Homelessness:** Members were advised that there had been the anticipated rise in the number of homelessness applications received by the Council as a result of new legislation introduced in 2017 (Homelessness Reduction Act). Members agreed it was important that the Council continued to monitor performance. In January 2019, Members received the report of the Executive Director which recommended a series of measures which would improve rates of homelessness prevention by utilising ring-fenced central government funding.
  - **New Affordable Homes Completed:** Members were concerned that the target for 2018/19 of 10 new homes seemed very low, particularly as this had already been exceeded by the end of quarter one 2018/19. Members were advised that the completion of the development in Peasmarsh had been delayed from quarter four of 2017/18, reducing delivery for the last financial year, but increasing it for this year. The target set for 2018/19 had been as a result of reviewing all the housing sites due to commence during the financial year. Lengthy lead-in times in the past had often resulted in fewer homes actually being completed during the year, which accounted for the target set. Members also considered the fact that developers were often able to reduce the number of affordable homes provided on a site if they were deemed not viable and more explanation was requested for a later meeting.
  - **Public Land and Highways with Unacceptable Amounts of Detritus:** Members were concerned at the amount of detritus on streets and it was explained that this was due to Kier staff having to be taken off street cleansing duties to assist with refuse collection. It was suggested that this

may also have been due to a hot summer and therefore more visitors to the area. Members noted that the Council were continuing to attend weekly operational team meetings with the contractor in an attempt to manage the contract performance and to sustain a positive relationship with the contractor, so that performance did not deteriorate further.

- **Return on Investment from Investment Assets:** This was reported in cash terms as well as achieving the target percentage return that was agreed at Cabinet and full Council. The Council had forecasted a net income of £195,210.77, in quarter three, the result was £242,510.57 (net). This gave a total income for the financial year so far of £997,627.23 (net).
- **Temporary Accommodation (TA):** Members were concerned that many households that required TA were placed in Eastbourne due to the lack of suitable accommodation in Bexhill. The Head of Service for Housing and Community advised that a piece of work was being undertaken on the issue and a number of reports would be brought forward based on recommendations made by the Housing Issues Task and Finish Group.

### **Recommendations to Cabinet**

23. During the period of the report a total of 12 recommendations were made to Cabinet, all of which were supported by Cabinet. Details of all recommendations made to Cabinet by the OSC can be seen at Appendix 1.

### **Call-In**

24. The OSC has not found it necessary to Call-In any decisions of the Cabinet for further scrutiny during the last year. The annual report on the Call-In and Urgency Procedures can be seen elsewhere on the Agenda for this meeting.

### **Task and Finish Groups**

25. During the period of this report, the OSC established one new Task and Finish Groups: Tourism Task and Finish Group (TT&FG). The Housing Issues Task and Finish Group (HIT&FG) was still on-going until it was dissolved in July 2018. The Public Realm Working Group had not met during 2017/18 or 2018/19 and was dissolved in November 2018 having completed its Terms of Reference with the Public Realm Strategy being recommended to Cabinet in January 2019.
26. Members have previously requested that this Annual Report to Council incorporates a cumulative examination of the results of working groups, when they have concluded their work, to see if their recommendations and outcomes have delivered their set objectives.

#### Housing Issues Task and Finish Group (completed objectives / disbanded)

27. The HIT&FG was established to carry out a review of a number of housing issues across the district, namely land supply issues / development options; affordable and social housing delivery; homelessness; and managing the impact of welfare reform. The main desired outcome of the Group was to present a forward looking and solution-focused report to OSC and Cabinet incorporating innovative ways of addressing housing issues in Rother District. The Group comprised of Councillors J. Barnes (Chairman), G.S. Browne, C.A. Clark, S.H. Earl, Mrs S.M. Prochak, J. Potts, G.F. Stevens and M.R. Watson whilst undertaking its Terms of Reference.

The HIT&FG met six times in total. Representatives from several organisations attended the meetings including Brighton Housing Trust, Clinical Commissioning Group, Department for Work and Pensions, Developers East Sussex, East Sussex County Council, Hastings Unity Group, Homes and Communities Agency, Ministry of Housing, Communities and Local Government, Optivo and Rother Voluntary Action. The recommendations from the Group were presented to the OSC on 23 July 2018 for onward recommendation to Cabinet on 30 July, but are not replicated here in the interests of economy.

**OUTCOME:** A consultation draft Housing and Homelessness Strategy was developed and submitted to the OSC in September and approved by Cabinet in October, with the final strategy being approved and adopted by the Council in April 2019. Measures to ensure a sufficient, continuous supply of housing land are being actively promoted.

Having fulfilled its terms of reference, the HIT&FG was disbanded.

#### Tourism Task and Finish Group (on going)

The TT&FG was established to review the current support to the tourism sector, including a summary of available visitor research across the district; agree work within the four areas of Future Opportunities and Trends Within the Tourism Sector, Marketing, Events and Visitor Accommodation; consult relevant identified partners and key stakeholders to inform discussions; and produce a draft revised visitor economy chapter within the Economic Regeneration Strategy. The desired outcomes of the group were to review and inform Rother's visitor economy chapter and present a draft revised visitor economy chapter to Cabinet within the Economic Regeneration Strategy following the review. The Group comprised of Councillors Mrs M. Barnes, K.P. Dixon (Chairman), Mrs D.C. Earl-Williams, S.D. Elford, G.F. Stevens and M.R. Watson whilst undertaking its Terms of Reference.

The TT&FG have met six times and representatives from several organisations have attended including Blue Sail Consultancy, Tourism South East, Brochure Connect, East Sussex County Council, Battle Marketing Group, 1066 Country, HEM Events, 18 Hours, De La Warr Pavilion, Rye International Jazz Festival and Strand House Guest Accommodation. The Group's recommendations are scheduled to be presented to the OSC elsewhere on the Agenda for this meeting for onward recommendation to Cabinet.

### **Steering Groups**

#### Bexhill Town Centre Steering Group

28. The Bexhill Town Centre Steering Group (BTCSG) has been established by Cabinet to deliver the vision and objectives of the Bexhill Town Centre Strategy June 2013; the Strategy seeks to collaborate with key groups and agencies in the area in its delivery plan.
29. The overarching aims of the town centre strategy are to achieve enhanced commercial vitality; to reduce levels of deprivation and to maintain and enhance the quality of the built environment and public realm. In carrying out

its purpose the BTCSG will engage fully with town centre communities and drive collaboration between the key agencies with responsibilities in this area.

30. By working with the community, businesses and partners, there is an opportunity to create a positive, attractive identity for the town centre that will see enhanced commercial and social vitality, reduce levels of deprivation and attract innovative and entrepreneurial people.
31. The BTCSG comprises: Councillors I.R. Hollidge (Chairman), A.K. Azad, Mrs J.M. Hughes, B. Kentfield and C.R. Maynard and the following officers: Dr Anthony Leonard, Executive Director, Ben Hook, Head of Service Acquisitions, Transformation and Regeneration and Melanie Powell, Regeneration Officer.
32. In November 2018, Cabinet agreed the revised Terms of Reference and timescale for delivery to undertake a more strategic approach to defining the shared vision for the town centre. To develop this shared vision and a new strategy, focused workshops with key stakeholders from the current BTCSG membership, as well as additional partners, were held on 19 and 20 March 2019.

### **Overview and Scrutiny Chairman's Statement**

33. From the contents of this report it is evident that this has been another busy and productive year for the OSC. As Chairman, I am pleased with the progress that has been made in terms of improved scrutiny processes and comprehensive contributions from outside representatives. I would like to thank the Members of the Committee for their attendance and their input to the many debates that have taken place.
34. The Task and Finish Groups that we have established continue to do a lot of good work with regard to the individual tasks that they have been set. I would particularly like to thank the Members of these Task and Finish Groups, as well as outside representatives and officers for their time and input.
35. I would like to thank Councillor Martin Mooney, my Vice-Chairman and Democratic Services, in particular Louise Hollingsworth for their continued support throughout the year.

Councillor Paul Osborne  
Chairman, Overview and Scrutiny Committee

### **Risk Assessment Statement**

Failure to produce this report would be in breach of Article 6, paragraph 6.3. (d) of the Constitution.

## REFERENCES TO CABINET

From April 2018 until March 2019, the Overview and Scrutiny Committee (OSC) referred the following reports to Cabinet:

### 23 APRIL 2018

1. **CALL-IN AND URGENCY PROCEDURES:** The OSC received a report on the Council's Call-In and Urgency Procedures. The Committee requested an amendment be made that any two non-executive Members of Council who need not be Members of the OSC be able to call-in a decision with effect from the new civic year and the Constitution be amended accordingly.

Cabinet agreed to support the recommendation to Council on the proviso that at least one of the two Members requesting a call-in must have been present at the Cabinet meeting in question and have heard first-hand the debate and reasons for decision; the proposed new structure would also be subject to review after one year.

2. **COASTAL ENVIRONMENTS CORPORATE PROJECT – EAST PARADE:** The OSC received a report from Cabinet and a detailed presentation from Cheryl Poole, Programme and Projects Officer and Julian Porter, District Curator, on the four projects proposed for the Bexhill East Parade. Members were supportive of Project A, improvements to the easternmost end of East Parade and a new Bexhill Sea Angling Club building, but requested that the architects reconsidered the design of the clubhouse to be sympathetic with the heritage theme and recommended that the remaining three projects be further developed and brought before Members as appropriate.

Cabinet was fully supportive of the project and agreed to recommend to Council that the project proceed as submitted. The project was considered long overdue and all Members were looking forward to it coming to fruition. It was hoped that as a consequence, public access to the Sea Angling Club and its facilities would be improved.

### 11 JUNE 2018

3. **COUNCIL TAX REDUCTION SCHEME 2019/20:** The OSC considered the report of the Executive Director and given a presentation by Chris Watchman, Revenue and Benefits Manager, detailing the proposed changes to the Council Tax Reduction Scheme (CTRS) for the financial year 2019/20. The proposals were the result of work undertaken jointly by all the East Sussex Councils. Cabinet were requested to approve the proposals set out within the report and the Council Tax for Care Leavers be approved for consultation.

Cabinet was supportive of the OSC's recommendation submitted.

4. **HOUSING BENEFIT – SERVICE ISSUES AND PROPOSALS FOR IMPROVEMENT:** The OSC received the report of the Executive Director detailing the processing times for housing benefits, which had been picked up through the performance reports as an area of concern. The Assistant Director Resources explained that processing times were in the bottom quartile of local authority performance and, within this quartile, were also



towards the bottom. Members were supportive of the proposals for improvement detailed in the report.

Cabinet was supportive of the OSC's recommendation submitted.

## 10 SEPTEMBER 2018

5. **HOUSING AND HOMELESSNESS STRATEGY - CONSULTATION:** Members considered a report of the Executive Director detailing the draft Consultation Plan and Consultation Document for a Rother Housing and Homelessness Strategy. The aim of the consultation plan was to provide statutory and voluntary partners, resident groups and interested parties an opportunity to certify that Rother District Council had identified the key housing issues that affected Rother, and to give their views on what the housing priorities for the Rother district should be. The outcomes of the consultation exercise would formulate a final Housing and Homelessness Strategy, which would be used to steer the direction of Housing Services, including the homelessness and housing options services, over the next five years (2019-24) and be in place for April 2019. The OSC were supportive of the proposed questionnaire and approach and agreed to recommend to Cabinet.

Cabinet was supportive of the approach and approved both documents for the consultation process.

## 15 OCTOBER 2018

6. **MEDIUM TERM FINANCIAL STRATEGY 2019/20 TO 2022/23:** The OSC considered the report of the Executive Director on the Medium Term Financial Strategy 2019/20 to 2022/23 which set out the main financial issues affecting the Council's Revenue Budget, Capital Programme and Reserves.

Cabinet considered the OSC's comments and were supportive of the recommendations submitted.

## 26 NOVEMBER 2018

7. **THE PROGRESSION OF THE ROTHER DISTRICT PUBLIC REALM STRATEGIC FRAMEWORK:** The OSC gave consideration to the report of the Executive Director that detailed progression of the Rother District Public Realm Strategic Framework (PRSF). A draft PRSF had been produced by officers and was presented as an appendix to the report for Members' consideration and recommendation to Cabinet for public consultation (including relevant stakeholders).

Cabinet was pleased to endorse the draft PRSF.

8. **COUNCIL TAX REDUCTION SCHEME CONSULTATION REPORT:** The OSC received and considered the report of the Executive Director, which gave Members an update on the outcome of the Council Tax Reduction Scheme (CTRS) consultation and made the final recommendations for the scheme design. Cabinet were requested to approve the proposals set out in the report.

Cabinet was supportive of the recommendations submitted.

9. **THE DISTRICT OF ROTHER PARKING PLACES ORDER:** The OSC considered the report of the Executive Director detailing the proposed changes to the Parking Places Order and which gave three options to consider for recommendation to Cabinet. The Committee were supportive of the option to draft and consult on one new District of Rother Parking Places Order and requested for approval from Cabinet.

Cabinet agreed that the option recommended by the OSC be approved.

## 28 JANUARY 2019

10. **DRAFT REVENUE BUDGET 2019/20:** The OSC considered the draft Revenue Budget proposals which detailed the financial settlement figures for 2019/20 and made recommendations to Cabinet, to be considered at its meeting on 11 February 2019.

Cabinet noted the OSC's comments and agreed to increase Council Tax at Band D by £5.13 (2.9%) per annum and set at £179.45.

11. **KEY PERFORMANCE TARGETS 2019/20:** The OSC considered the report of the Key Performance Targets for 2019/20, which proposed that the Council measured 10 Key Performance Indicators (KPI): Housing and Homelessness (4 indicators), Benefits Performance (2 indicators), Waste and Recycling (2 indicators) and Asset Income (2 indicators).

Cabinet was supportive of the OSC's recommendations. It was acknowledged that the KPIs selected would adequately reflect a review of the Council's performance.

12. **FLEXIBLE HOMELESSNESS SUPPORT GRANT 2019/20:** The OSC considered the report of the Executive Director which recommended a series of measures which would improve the rates of homelessness prevention, by utilising ring-fenced central government funding in the form of a Flexible Homelessness Support Grant.

Cabinet was supportive of the OSC's recommendation submitted.