

Overview and Scrutiny Committee

Date and Time - **Monday 9 September 2019 – 6:30pm**

Venue - **Council Chamber, Town Hall, Bexhill-on-Sea**

Councillors appointed to the Committee:

P.N. Osborne (Chairman), B.J. Drayson (Vice-Chairman), J. Barnes, T.J.C. Byrne (ex-officio), J.J. Carroll, Mrs V. Cook, P.C. Courtel, S.J. Errington, P.J. Gray, A.K. Jeeawon, L.M. Langlands, C.R. Maynard and M. Mooney.

AGENDA

1. MINUTES

To authorise the Chairman to sign the Minutes of the meeting of the Overview and Scrutiny Committee held on 22 July 2019 as a correct record of proceedings.

2. APOLOGIES FOR ABSENCE

3. ADDITIONAL AGENDA ITEMS

To consider such other items as the Chairman decides are urgent and due notice of which has been given to the Head of Paid Service by 12 Noon on the day of the meeting.

4. DISCLOSURE OF INTERESTS

To receive any disclosure by Members of personal and disclosable pecuniary interests in matters on the agenda, the nature of any interest and whether the Member regards the personal interest as prejudicial under the terms of the Code of Conduct. Members are reminded of the need to repeat their declaration immediately prior to the commencement of the item in question.

5. PRESENTATION ON PROJECT MANAGEMENT

6. PERFORMANCE PROGRESS REPORT: FIRST QUARTER 2019/20 (Pages 1 - 14)

7. REVENUE BUDGET AND CAPITAL PROGRAMME MONITORING - QUARTER 1 2019/20 (Pages 15 - 24)

This agenda can be made available in large print, Braille, audiotape/CD or in another language upon request. For all enquiries – please contact louise.hollingsworth@rother.gov.uk (Tel: 01424 787815)

**Rother District Council's aspiring to deliver
an Efficient, Flexible and Effective Council; Sustainable Economic Prosperity;
Stronger, Safer Communities; and a Quality Physical Environment.**

8. **PROPOSED OPERATIONAL CHANGES TO THE PLANNING COMMITTEE**
(Pages 25 - 30)
9. **WORK PROGRAMME** (Pages 31 - 32)

Malcolm Johnston
Executive Director

Agenda Despatch Date: 30 August 2019

Rother District Council

Report to	-	Overview and Scrutiny Committee
Date	-	9 September 2019
Report of the	-	Executive Director
Subject	-	Performance Report: First Quarter 2019/20

Recommendation: It be **RESOLVED:** That:

- 1) it be recommended to Cabinet that the Asset Income target be increased to £1,939,000, keeping in line with the income requirement as part of the approved annual Revenue Budget; and
 - 2) the Overview and Scrutiny Committee consider these findings and recommend any other actions to Cabinet, as necessary.
-

Head of Service: Ben Hook

Introduction and Background

1. For the financial year 2019/20, Members of the Overview and Scrutiny Committee (OSC) and Cabinet selected a set of 10 key performance indicators (KPIs). These indicators stand as a barometer of the delivery of the Council's Corporate Plan and those service areas Members wish to scrutinise over the year (Cabinet Minute CB18/69 refers). For the 2019/20 financial year, the focus was set on four themes:
 - Housing and homelessness in order to monitor the delivery of the Housing and Homelessness & Rough Sleeping Strategy that was adopted in 2019.
 - Benefits performance in order to monitor the improvements to service delivery through a number of projects.
 - Waste and recycling in order to monitor the start and roll-out of the new waste and recycling contract from July 2019.
 - The financial performance of investment assets in order to monitor the value for money from the Property Investment Strategy adopted in 2018.
2. This report brings before Members a summary of the Council's performance against the selected indicators, giving the position at the end of the first financial quarter (1 April to 30 June 2019) and for the financial year 2019/20. The report gives Members an opportunity to scrutinise the progress towards the Council's stated aims, outcomes and actions in the Corporate Plan and make any necessary recommendations to Cabinet for future service delivery.

Overview

3. Within Housing and Homelessness, during quarter one, two measures met or exceeded their target (green) and four did not meet their target (red). Indicators within Benefits Performance met or exceeded their target; Asset

Income did not meet its forecast, although return on investment did, and within Recycling, two met or exceeded their forecast and one did not.

4. The results are summarised in the table below with the detail reported in the appendices. The table below provides current traffic light status (red, amber, green). Performance is compared to the previous quarter result and to the same period last year.

HOUSING & HOMELESSNESS			
PI Name	Status	Compared to previous quarter	Compared to previous year
Weeks in Temporary Accommodation			
Homelessness Prevention Cases per 1,000 homes			
New Homes Built (net) Supply target			
New Homes Built (net) Local Plan target			
Affordable Homes Built (gross) Supply target			
Affordable Homes Built (gross) Local Plan target			
BENEFITS PERFORMANCE			
New Benefit Claims: calendar days to decision			
Existing Benefit Claims: calendar days to decision			
WASTE & RECYCLING			
Re-use, Recycling, Composting: ESCC (2018/19)			
Re-use, Recycling, Composting: Contractor (April)			
Missed Bins per 10,000 homes			
ASSET INCOME			
Investment Assets: Net Income			
Investment Asset: Return on Investment %			
Green, on target, amber, off target a little, red, off target & at risk better than previous, worse than previous, same as previous			

Table 1: KPI summary performance, Quarter One 2019/20

5. Attached at Appendices 1, 2, 3 and 4 are the tables of performance and explanation accompanying each of the four themes.

Asset Income

6. It is noted at Appendix 4 that the original income target of £1,520,000 was set prior to the budget setting for 2019/20. The budget was forecast at £1,939,000 including the income from the property investment strategy. Therefore, it is recommended the target in the performance indicator be adjusted accordingly.

Performance by Exception

7. Members requested to have reported, by exception, any other performance that is doing significantly better or significantly worse than its target. There are two indicators to report (Appendix 5). Those not on target are:
 - a. Car park income
 - b. Planning income

Conclusion

8. This report sets our performance against the agreed key indicators for the four themes, for the first quarter of 2019/20. As set out in Appendix 4 (paragraph 4.3) Members are requested to recommend to Cabinet a change to the asset income target, in order to bring the target in line with expectations set out within the agreed 2019/20 Revenue Budget.
9. Members are requested to consider performance against targets or forecasts and pass any additional recommendations for action to Cabinet for consideration.

Dr Anthony Leonard
Executive Director

Risk Assessment Statement

There are financial, reputational, and statutory and health risks to Rother District Council and, more importantly, the wider community if Rother District Council does not monitor and manage its performance across all the services.

This report mitigates those risks because it ensures that reporting performance to Members takes place and gives Members an opportunity to scrutinise results and make remedial recommendations.

Any changes to risks on individual performance areas are included in the report and its appendices.

HOUSING & HOMELESSNESS

Average Weeks Households in Temporary Accommodation (TA) ●

1.1 This measurement is the average number of weeks that households in temporary accommodation (TA) have remained in TA. The target for 2019/20 is 10 weeks. The result at the end of the first quarter was 16.81 weeks.

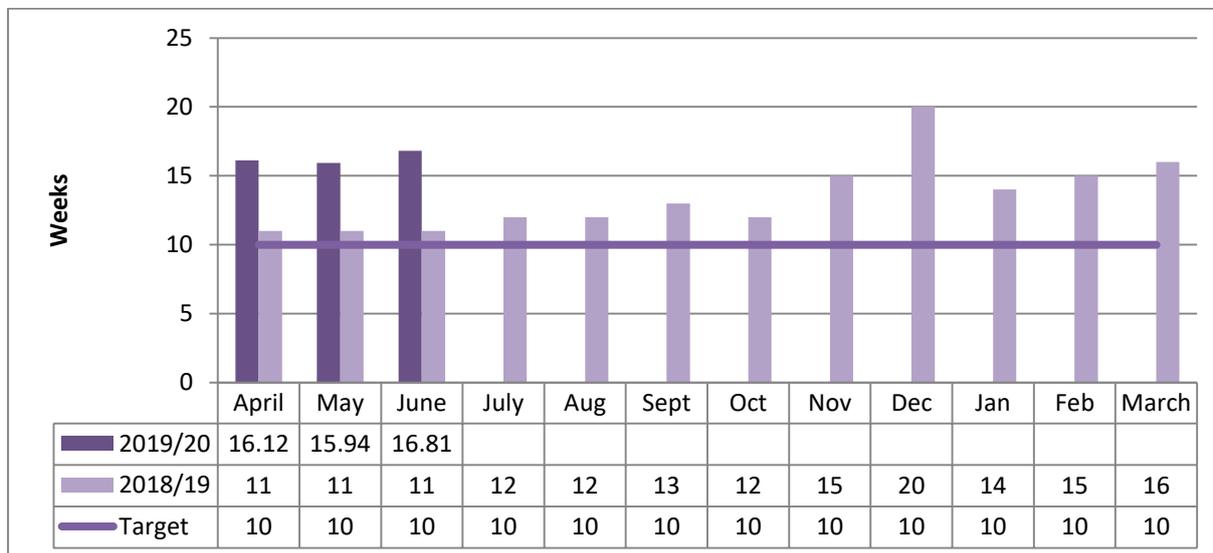


Figure 1: Average Weeks Households Stay in Temporary Accommodation
Polarity: Lower is better

Prevention of Homelessness Cases per 1,000 Rother Households ●

1.2 This measurement shows the number of households the Housing Needs service prevented from becoming homeless through intervention, advice, assistance and relief. It is expressed as the number of cases in proportion to 1,000 Rother households and can be benchmarked against other district councils in England.

1.3 The target for 2019/20 was 1.25 preventions per 1,000 households (above median performance). The result in the first quarter was 0.4 per 1,000 Rother households. In real terms it is 18 households assisted. This is in the worst quartile performance for district councils.

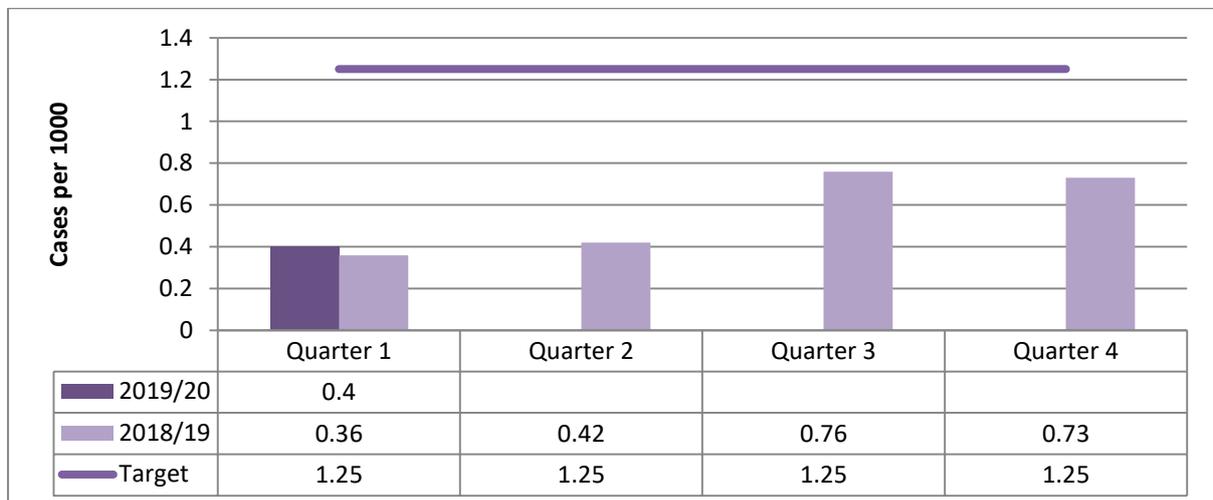


Figure 2 Cases of Homelessness Prevention per 1,000 Households. Polarity: Higher is better

Net Additional New Homes in Rother ●

1.4 This measurement counts the number of all new homes in Rother, allowing for demolitions and change of use to give a net gain. This measurement monitors the delivery of the Corporate Plan outcomes to manage spatial development and the provision of affordable and decent housing stock. This indicator also has a supply target based on known planned development and a Local Plan target based on local need. The supply target for 2019/20 is 384 new homes and the Local Plan target is 448 new homes. The targets for the first quarter are 96 for the supply target and 112 for the Local Plan target. The estimated result was 45 new homes. This is nine fewer homes than in the first quarter 2018/19 (54).

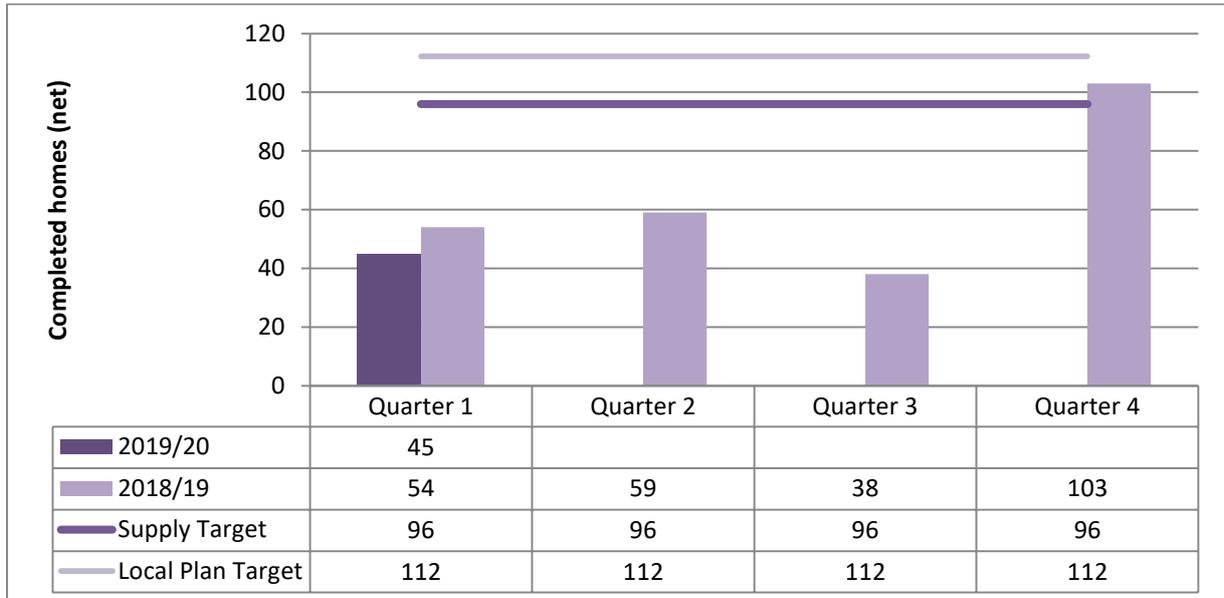


Figure 3: Net additional new homes. Polarity: Higher is better

New Affordable Homes ✔

1.5 This measurement is the gross number of new affordable homes that have been completed in the district. By completed we mean that the home has been built and handed over from the developer to the provider for occupation by a tenant or purchaser. The home may not yet be occupied. This measurement monitors the delivery of the Corporate Plan outcome for affordable and decent housing stock, specifically the action to support the development of affordable accommodation.

1.6 The indicator has two targets: the supply target and the Local Plan target. The supply target is based on anticipated delivery from planned sites that we knew about at the time of setting the target. The supply target is 46 new homes for 2019/20. The Local Plan target is based on local housing need set out in the Local Plan and is set at 138 new affordable homes by the end of 2019/20. We exceeded the supply target for the whole year in the first quarter with 56 new affordable homes. We are on target for the Local Plan target but estimated outturn suggests we will not be on target at the end of the year.

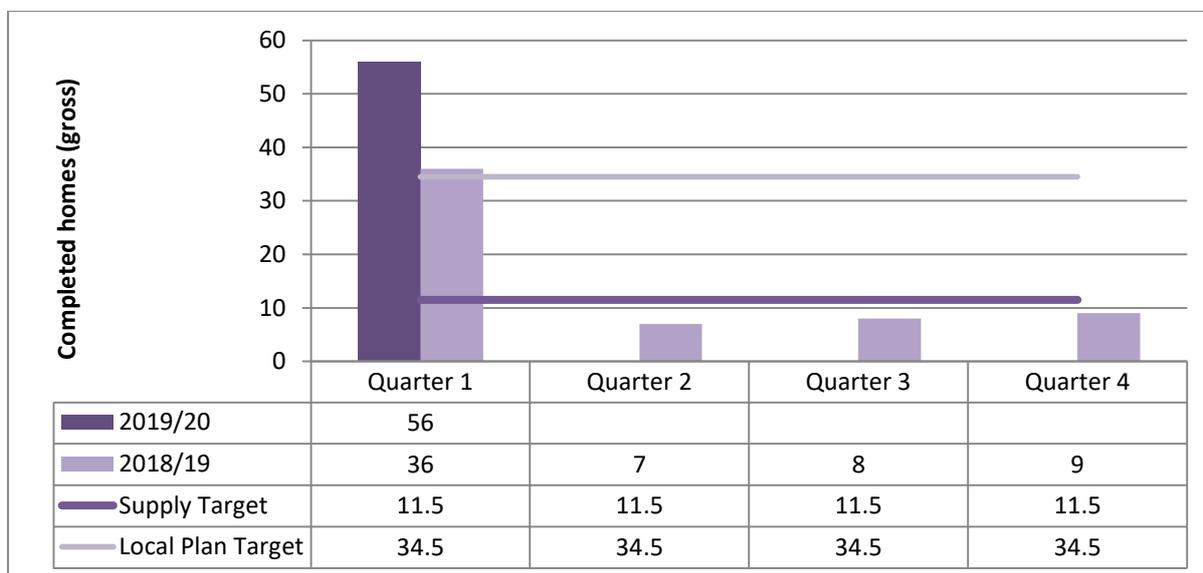


Figure 4: New affordable homes delivered (gross) quarterly. Polarity: Higher is better.

Housing and Homelessness Summary

- 1.7 Four of the performance indicators have red status and are not on target. Two of the measurements have green status and are on or exceeding target.
- 1.8 The Housing Service continues to experience high demand and low levels of access to all forms of housing, a problem which is driven by low household incomes relative to the cost of rents and low housing supply. As a result, homeless households are spending increased amounts of time in temporary accommodation. Prevention and relief of homelessness is improved from the same point last year; however, the wider trend is one of a worsening situation. The Council is dealing with more homeless households and access to housing in the private sector and social housing is proving increasingly difficult; a successful funding bid to Government has provided additional staff, who commenced duties in July 2019, to help access to private sector housing through improved support to tenants and incentives for landlords.
- 1.9 The supply of all new homes continues to be less than the target. However, the 2019/20 target has been exceeded for new affordable homes in Rother in the first quarter. In addition, the district has another seven wheelchair accessible affordable homes. More completions are coming in Bexhill and four rural villages.
- 1.10 The Council is responding positively to the challenge of meeting housing needs and seeking to increase and accelerate the rate of housing delivery across the district. The allocation of land to accommodate some 1,562 new homes, outside of designated Neighbourhood Areas, is being made through the Development and Site Allocations (DaSA) Local Plan, which is currently at examination and scheduled for Adoption in autumn 2019.
- 1.11 A Housing Delivery Test Action Plan has recently been agreed (<http://www.rother.gov.uk/CHttpHandler.ashx?id=32302&p=0>); this is in response to a Government requirement to publish an action plan where housing delivery over the previous three years has been less than 95% of the housing requirement. It sets out the causes of under delivery and the intended actions to increase delivery.

BENEFITS PERFORMANCE

New Housing Benefit Claims Processed on Time ✓

2.1 This measurement is the average number of calendar days it takes to process a new housing benefit claim from the date the claim is received to the date the decision is taken. The 2019/20 target is 28 calendar days for the average processing time. This measurement and the next related measurement monitors the delivery of the Corporate Plan outcome on addressing deprivation and welfare needs and the actions on managing the impact of welfare reform and monitoring deprivation levels. It also monitors the outcomes of quality customer services and communications and for value for money, performance improvement and efficiency.

2.2 The result for the first quarter is 17.53 calendar days to process a claim, which is better than the Council target (green status). Performance is above the median of 20 days for all English districts and best quartile performance starts at 15 days. Results are reported to and monitored by the Department of Work and Pensions and published online.

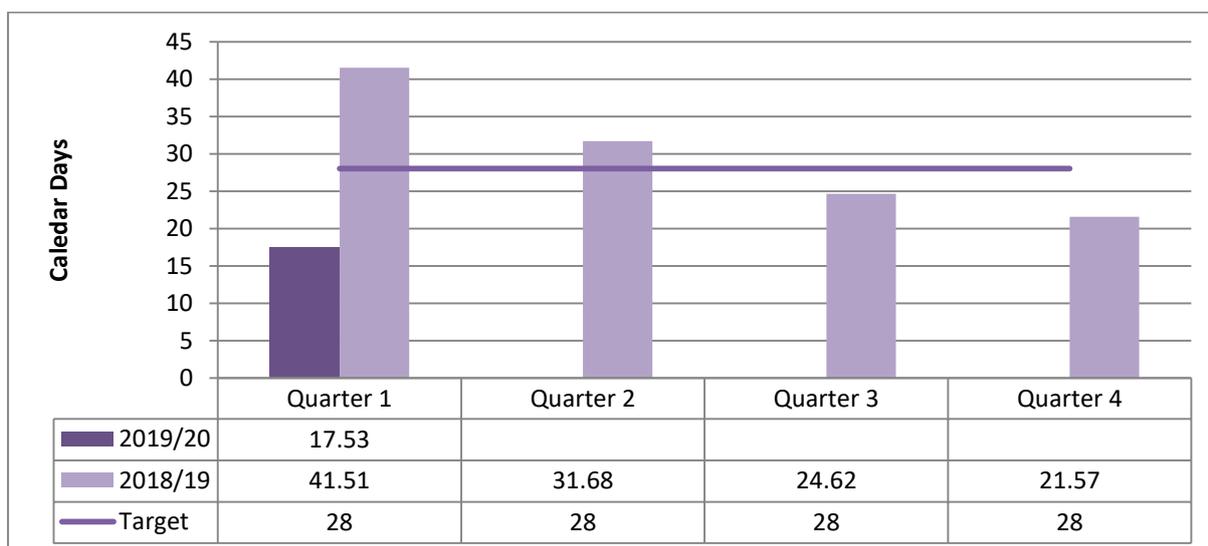


Figure 5: Processing time, new housing benefit claims. Polarity: Lower is better.

Changes to Existing Housing Benefit Claims on Time ✓

2.3 This measurement is the average number of calendar days it takes to process a submitted change to an existing housing benefit claim from the date of submission to the date of the decision. The end of year target is an average of 14 calendar days processing time. The target for the first quarter is 14 calendar days.

2.4 The result for the first quarter is an average of 6.15 calendar days to process a claim (green status). This is above median performance. Median is seven days and best quartile is five days for all English districts. Results are reported to and monitored by the Department of Work and Pensions and published by the Government.

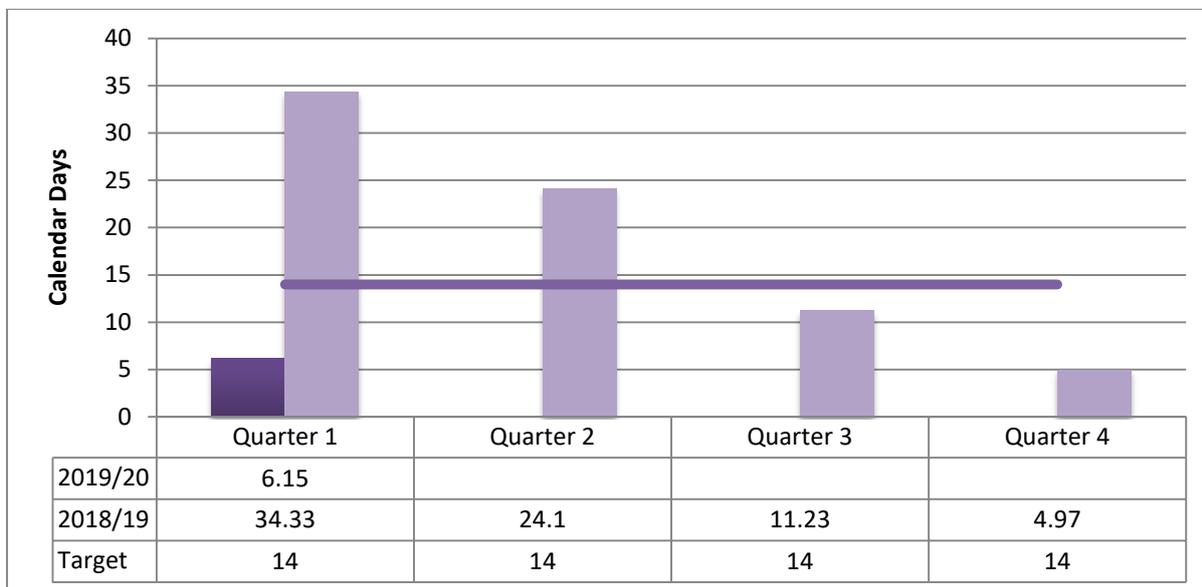


Figure 6: Processing time, changes to existing housing benefit claims. Polarity: Lower is better.

Benefits Performance Summary

2.5 Both of the performance indicators relating to benefits performance have green status. The time taken to process new housing benefit claims has improved significantly and now places the Council in the best 25% of all English districts. The time taken to process changes to existing housing benefit claims has also improved to be above median for all English districts. The service continues to work on improvements in its systems and processes, in accordance with the adopted business improvement plan.

WASTE & RECYCLING

Household Waste Sent for Re-use, Recycling and Composting ✓

3.1 This measurement is the percentage of collected household waste sent for re-use, recycling and composting. There are two measurements. The first based on data reported by East Sussex County Council using all waste collection streams but is reported one quarter in arrears. The other measurement is the data provided by the contractor that uses most but not all waste collection streams. It is not the official result but gives an indication of likely outturn.

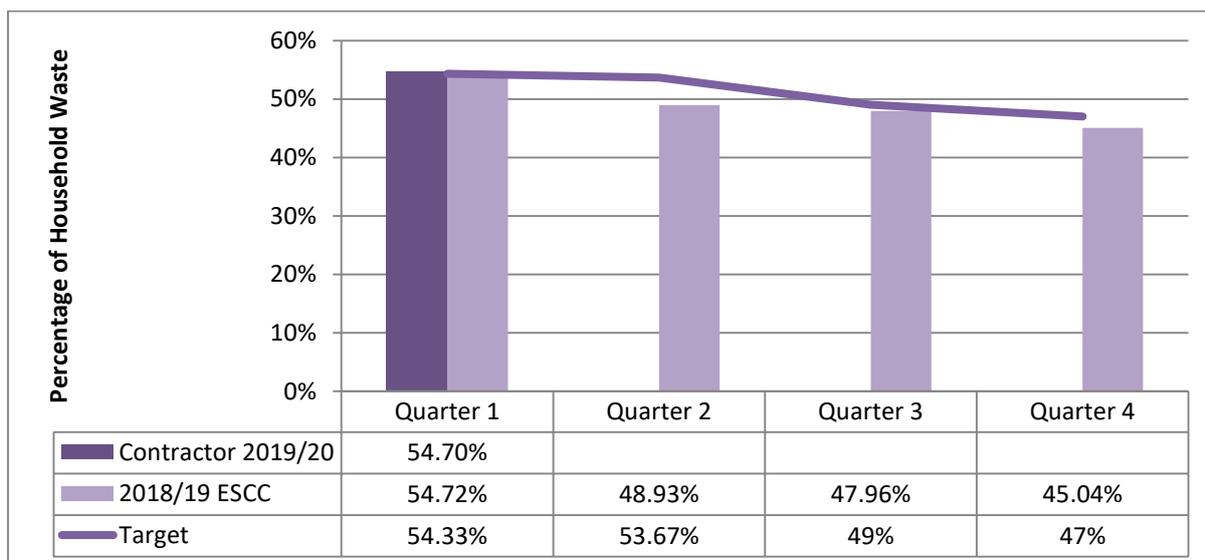


Figure 7: Household waste: re-use, recycling and composting. Polarity: Higher is better

Missed Bins for every 100,000 Collections ●

3.2 This measurement is calculated dividing the number of missed bins by 100,000 collections in order to make data comparable to other waste collection services. The target for 2019/20 is 120 missed bins per 100,000 collections. The result for the first quarter is 207 missed bins.

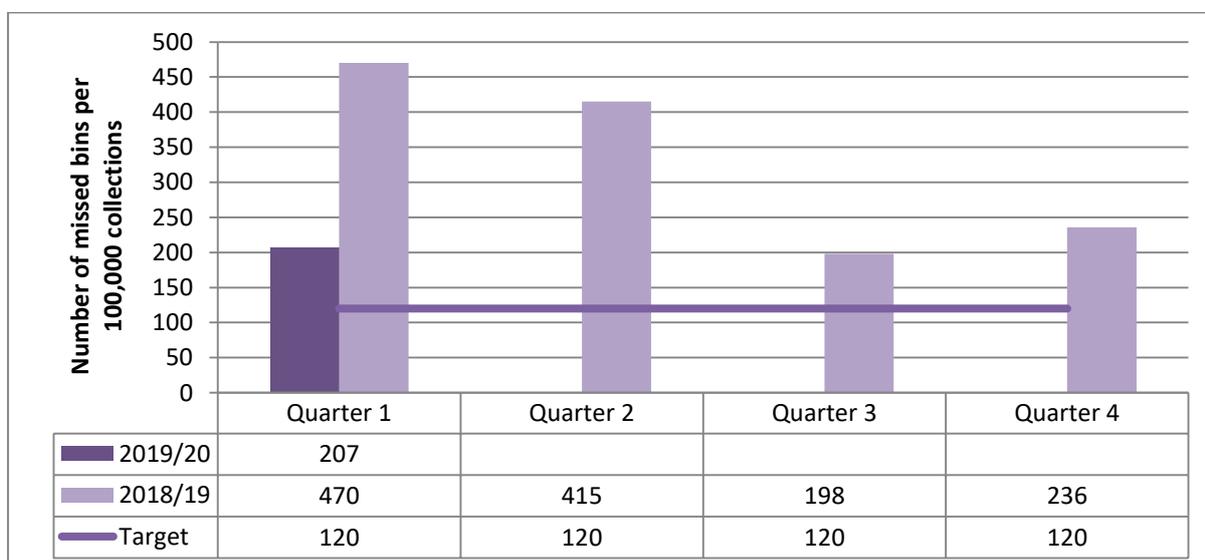


Figure 8: Missed bins per 100,000 collections. Polarity: Lower is better.

Waste and Recycling Summary

- 3.3 The new contract started in June 2019 so most of the quarter represents the performance of the previous contractor. Two of the performance indicators are green, for the percentage of household waste that is re-used, recycled and composted. The district continues to have above median collection rates for an English district. The number of missed bins is not on target; however, the early indications are that the new contractor's approach is reducing the number of waste and recycling contacts the Council receives both online and through our contact centre, which indicates that the missed bin rate is improving.

ANNUAL ASSET INCOME

**Percentage Return on Investment from Rother District Council
Investment Assets** ✓

4.1 The Council calculates its return on investment based on the valuation of the investment assets, their combined income and combined expenditure. The target for 2019/20 is a 6% return on investment. The current forecasted result is 6.93%.

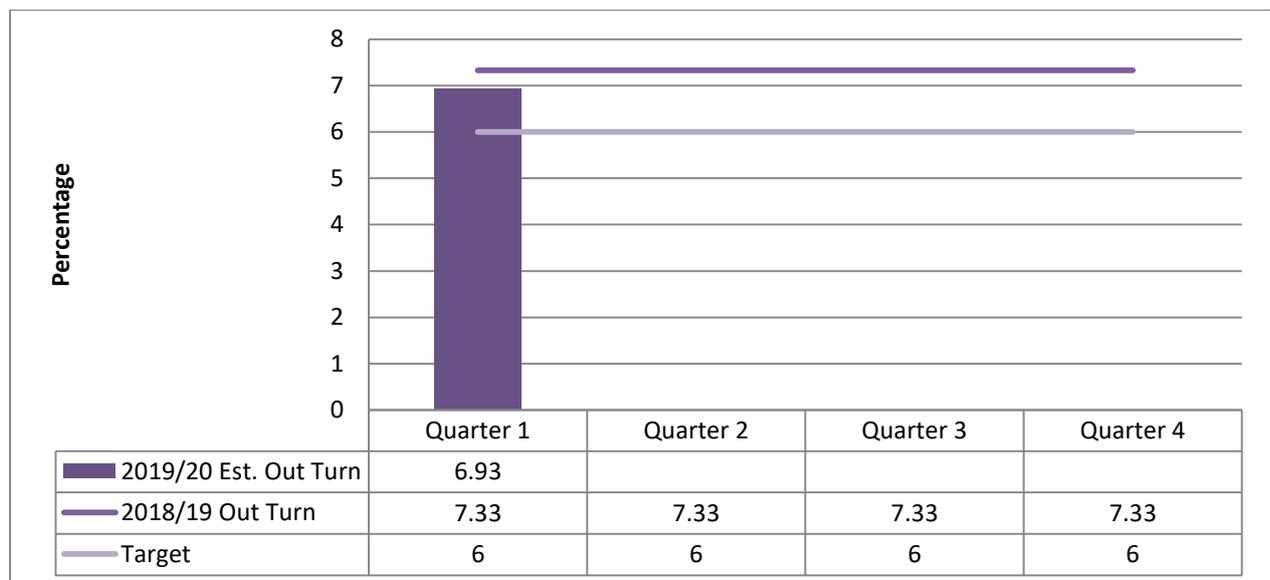


Figure 9: Percentage return on investment for investment assets. Polarity: Higher is better.

Net Income from All Investment Assets ●

4.2 This measurement is the forecast annual net income from investment assets calculated from gross income less expenditure excluding borrowing and interest payments. The original target for 2019/20 was set at £1,520,000. The estimated outturn for 2019/20 is £1,650,267.

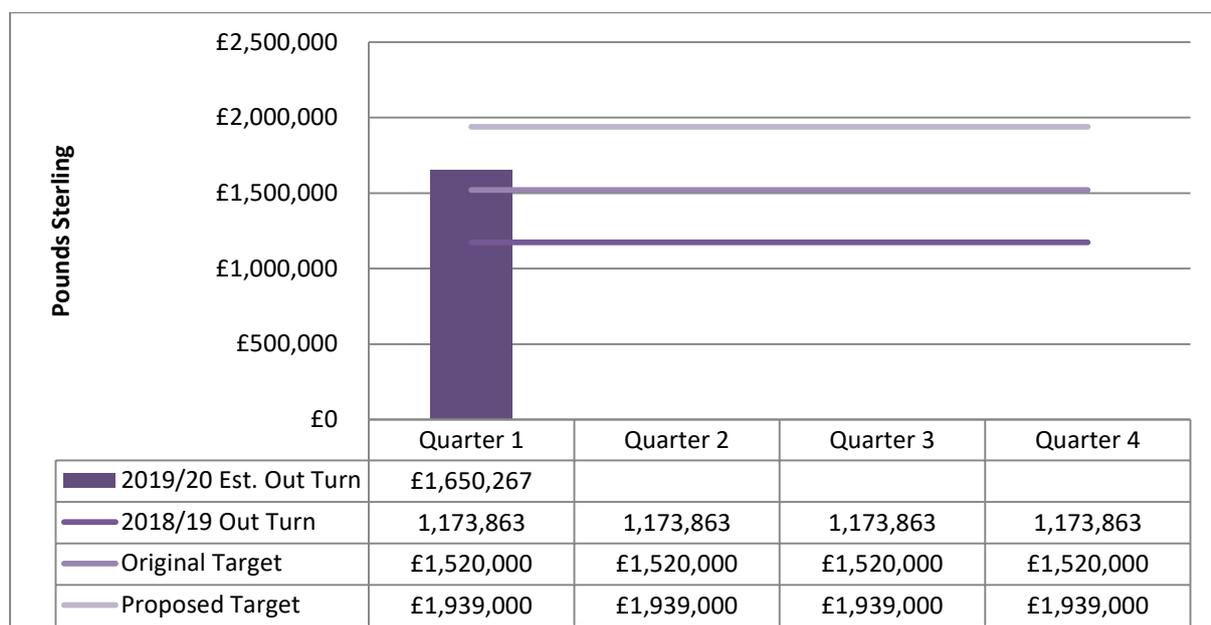


Figure 10: Net income from all investment assets. Polarity: Higher is better.

Annual Asset Income Summary and Suggested Target Change

- 4.3 The Head of Acquisitions, Transformation and Regeneration reports that performance in 2019/20 remains strong and includes the additional rent being collected as a result of the four properties purchased through the Property Investment Strategy in 2018/19. This includes Glover's House which will generate gross income in excess of £400,000 this financial year.
- 4.4 Whilst the Council is still achieving a good return on its investments (in excess of the 6% target) the overall budget deficit remains high and the need to generate further income through investment persists. It is recommended that the original target of £1,520,000 be changed to £1,939,000. Changing this target would be consistent with the income expectations included in the approved 2019/20 budget. This is made up of £970,000 for the existing assets and £969,000 for those properties purchased through the property investment strategy. The budget was finalised after the KPI set and targets were recommended by Overview and Scrutiny Committee to Cabinet. The estimated outturn for 2019/20 is £1,650,267, meaning without further property purchases there will be a shortfall of £288,918.

PERFORMANCE INDICATORS BY EXCEPTION: QUARTER ONE 2019/20

1. Car Park Income ●

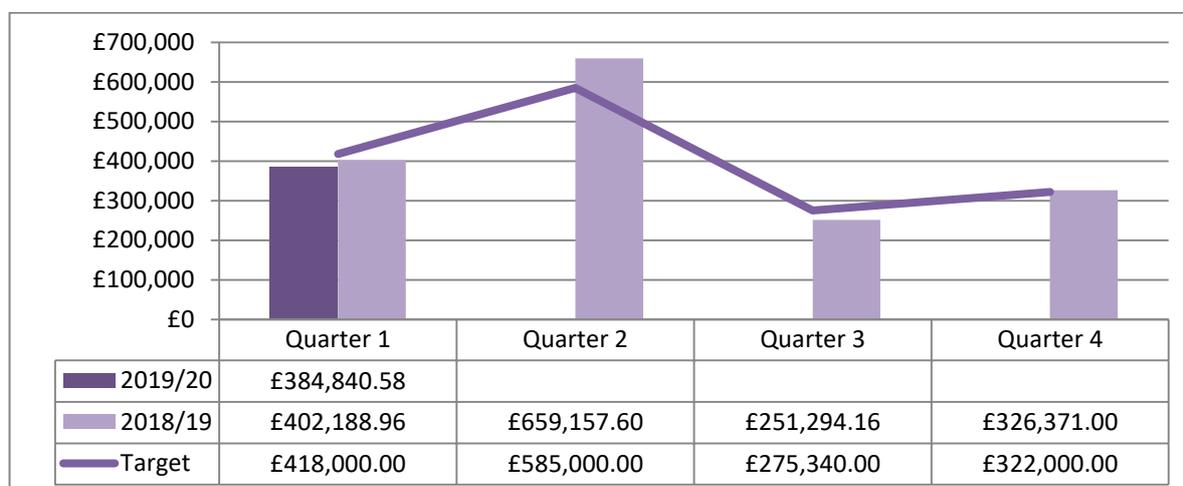


Figure 1: RDC Car Park Income. Polarity: Higher is better.

- The Head of Service Housing and Community reports that the car park income budget for 2019/20 was set in line with the income collected in 2018/19. Car parking income is very dependent on the weather – particularly at Camber Sands and Bexhill – and the spring weather has not been as good during 2019/20 as it was in 2018/19. This has led to a small shortfall of £33,000 in the first quarter.
- There has been an increase in the number of fines issued during the period as result of a second parking enforcement officer being employed in February 2019. For the first quarter there was an increase of 299 tickets issued compared to the first quarter of 2018/19 (see table below).

	Q1 2018 Tickets	Amount	Q1 2019 Tickets	Amount
Paid	280	£17,670.00	437	£26,890.00

N.B. Notices which have been cancelled are not included in these totals – outstanding Notices include those which are being chased by the Operations Team and those which have progressed to the Legal Department.

4. Planning Income (All Sources) ●

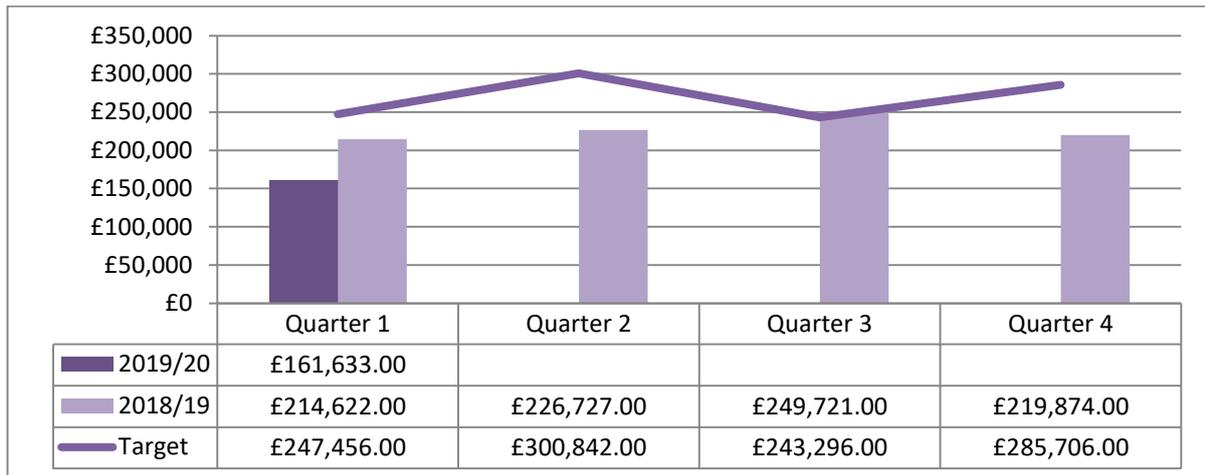


Figure 2: Planning Income. Polarity: Higher is better.

Head of Service's Comments:

- The Head of Service Strategy and Planning reports that all income sources (applications, advice, land charges) are below budget. It is indicative of a slowdown in the housing market.

Rother District Council

Report to	-	Overview and Scrutiny Committee
Date	-	9 September 2019
Report of the	-	Executive Directors
Subject	-	Revenue Budget and Capital Programme Monitoring - Quarter 1 2019/20

Recommendation: It be **RESOLVED:** That the report be noted.

Assistant Director Resources: Robin Vennard

This report, considered by Cabinet on 29 July 2019, has been referred to this Committee for Members' information. The report has been reproduced as submitted to Cabinet.

Changes to the Revenue Budget

- This report updates Members on the Council's finances as at the end of June and projects a provisional outturn for 2019/20. The financial position for the Council is shown in the table below and further analysis is shown in subsequent paragraphs:

Rother District Council General Fund Summary	Revised 2019/20 Budget £ (000)	2019/20 Estimated Outturn £ (000)	2019/20 Variance £ (000)	2019/20 Variance %
Executive Directors & Corporate Core	2,084	2,139	55	2.6%
Environmental Services	750	638	(112)	-14.9%
Strategy and Planning	961	911	(50)	-5.2%
Acquisitions, Transformation and Regeneration	(591)	(523)	68	-11.5%
Housing and Community Services	7,148	7,145	(3)	0.0%
Resources	3,288	3,388	100	3.0%
Total Cost of Services	13,640	13,698	58	0.4%
Interest from Investments	(512)	(512)	0	0.0%
Capital Expenditure Charged to Revenue	1,670	1,670	0	0.0%
Rother 2020 Savings				
(i) Increase income - investment in property	0	0	0	0.0%
(ii) MRP	156	156	0	0.0%
(iii) Interest payments	220	220	0	0.0%
Net Cost of Services	15,174	15,232	58	0.4%

	Revised 2019/20 Budget £ (000)	2019/20 Estimated Outturn £ (000)	2019/20 Variance £ (000)	2019/20 Variance %
Parish Precepts	1,549	1,549	0	0.0%
Special Expenses	(674)	(674)	0	0.0%
Business Rates				
Local Share of Business Rates	(8,020)	(8,020)	0	0.0%
s31 Grants	(1,297)	(1,297)	0	0.0%
Tariff	5,715	5,715	0	0.0%
Non-Specific Revenue Grants				
New Homes Bonus Grant	(449)	(449)	0	0.0%
Local Council Tax Support Grant	(100)	(100)	0	0.0%
Benefits Administration Grant	(233)	(233)	0	0.0%
Homelessness Grant - New Burdens	(43)	(43)	0	0.0%
Flexible Homeless Support Grant	(275)	(275)	0	0.0%
Council Tax Requirement (Rother and Parishes)	(8,379)	(8,379)	0	0.0%
Other Financing				
Collection Fund (Surplus)/Deficit	336	336	0	0.0%
Contributions to/(from) Earmarked Reserves	(3,304)	(3,362)	(58)	1.8%
Total Income	(15,174)	(15,232)	(58)	0.4%
Net Cost	0	0	0	0.0%

2. Since the last report to Cabinet there has been the two reportable virements which have been reflected in the table above. At the end of April, the Council acquired Glovers House, Bexhill for the sum of £7.8m including costs. This will generate an annual rent of £425,000 rising to £475,000 in December 2020. The income estimated for 2019/20 is in the order of £402,000 and is included in the Acquisitions, Transformation and Regeneration forecast and the Rother 2020 income target amended.

Review of significant variations to the Net Cost of Services

3. Overall the cost of services above shows a small deficit of £58,000, which is 0.4% greater than the Revised Budget. This, however, needs to be treated with considerable caution as it is too early to predict the year end position in view of the recent introduction of the new Joint Waste contract, volatility in Planning application income and the delivery of the Property Investment Strategy. Other budget risks will be monitored as and when they occur and the Assistant Director Resources will work with Heads of Services to identify corrective action and minimise any impact.

The main reasons for the variations identified at this stage are detailed in the paragraphs below.

Executive Directors – Deficit £55,000

4. The variation is mainly due to the May district council election costs £36,000, which will be met from earmarked reserves or any overall Revenue Budget surplus at financial year end. In addition there were costs incurred relating to the implementation of Modern.gov software £19,000. This is expected to reduce print costs further in the medium term.

Environmental Services – Surplus (£112,000)

5. Environmental Services are predicted to achieve at least £112,000 savings on staff costs resulting from two posts held vacant indefinitely and temporary vacancies, which are currently advertised. Additional income from food hygiene courses may further increase the surplus from the service depending on demand for the remainder of the year.

Strategy and Planning – Surplus £50,000

6. Strategy and Planning are predicted to achieve savings of £50,000 savings on staff costs due to the time taken to fill vacancies. There is an unquantified risk around the achievement of Planning fee income, possibly due to the uncertainty around BREXIT, which we will monitor closely and look to mitigate any negative budget impact.

Acquisitions, Transformation and Regeneration – Deficit £68,000

7. The predicted deficit of £68,000 comprises of several variations across the service e.g. staff salaries, a feasibility study, partially offset by the award of an arts grant.

Housing and Community Services – Surplus £3,000

8. The new Joint Waste contract is expected to be £150,000 overspent due to a higher than budgeted cost of garden waste collections. This has arisen from a change in the number of chargeable properties estimated at tender compared to the final agreed number which falls into a higher charging band rate. The activity levels required by Rother under the contract with the new supplier Biffa are currently being revised and the outcome review of the core element of the waste collection service will be known shortly. It is also possible that variable charges for services such as Garden Waste are likely to be more volatile in this first year of contract, and therefore will be monitored closely.
9. Unbudgeted recycling credits of £153,000 have already been received this year. These were expected to be phased out this year so this additional income will offset some of the unplanned expenditure referred to in the above paragraphs.

Resources – Deficit £100,000

10. Accountancy is forecast to overspend by £100,000 for two main reasons. Firstly additional staffing costs have arisen from a restructure to enable resources to be directed to the Council's Rother 2020 programme and Property Investment Strategy. Secondly, it has been necessary to have external cover in place for a specialist member of staff on long term sick leave.

Non Cost of Services Budgets:

Interest from Investments

11. At this point investment returns are in line with the budget. The final year end position will depend on treasury management and property investment decisions made between now and March 2020.

Collection Fund

12. The figures shown below reflect our collection performance for Council Tax as at 31 May 2019 against monies due to the Council and against the forecasted budget yield. At the time of writing, the June collection figures were not available.

	2019/20	Equivalent Period 2018/19	2017/18
Collectable Annual debit (at 100% collection)	£75,650,126.92	£72,225,929.14	£67,768,823.41
Income Received	£15,610,533.98	£14,904,510.15	£14,062,007.68
Income Received as a % of collectable debit	20.64%	20.64%	20.75%
Budgeted yield (at 98.5% collection)	£74,549,856.52	£71,114,683.69	£66,599,906.61
Income Received as a % of budgeted yield	20.94%	20.96%	21.11%

13. As can be seen the collection rate is very comparable to the previous year and at this stage the outturn is expected to be broadly in line with the original estimate.
14. The performance of Business Rates as at 31 May 2019 is shown below:

	2019/2020	Equivalent Period 2018/2019
Collectable debit	£18,735,189.91	£18,560,809.93
Income Received	£4,003,098.84	£4,049,811.25
Income Received as a % of collectable debit	21.37%	21.82%
Amount outstanding for year	£14,732,091.07	£14,510,998.68

The figures shown above exclude Government Transitional Reduction Grant

15. As can be seen collection performance is slightly lower than the same period last year but at this stage the outturn is expected to be broadly in line with the original estimate.

Capital Programme

16. The Capital Programme shown at Appendix A and B, takes account of any slippage from the 2018/19 programme previously reported to Members (Cabinet minute CB19/16 refers). At this early stage of the year no significant variances are predicted to the 2019/20 estimated spend of £24m. The revised programme does however require full Council approval. Of note is the successful purchase of a commercial property known as Glovers House in Bexhill at a cost of £7.8m including costs. This purchase, as referred to above, will deliver in excess of £425,000 of income per annum for the Council whilst safeguarding a number of local jobs.

Conclusion

17. Overall the Council overspend is expected to be £58,000 by the end of the financial year. As commented earlier this is an early forecast but Members will be concerned to see the new waste contract costs are expected to be higher than originally forecast. Officers are looking at measures of mitigation to help contain this expected increase in cost and any other budget risks that occur during the financial year.

Malcolm Johnston
Executive Director

Dr Anthony Leonard
Executive Director

Risk Assessment Statement

Regular financial reporting is integral to good decision making and therefore Members and officers need an up-to-date understanding of the Council's financial position.

Capital Programme 2019/20

	2019/20 Budget £'000	2019/20 Spend to 30 June 2019 £'000	2019/20 Projected Outturn £'000	Variance £'000
<u>Acquisitions, Transformation and Regeneration</u>				
Community Grants	130	23	130	0
East Parade - project A - Bexhill East Beach	0	0	0	0
East Parade - project B - Shelters and Heritage Hub	32	0	32	0
Cemetery Entrance	240	5	240	0
Community Led Housing Schemes	650	0	650	0
Blackfriars Housing Development	3,052	11	3,052	0
<u>Rother 2020 Programme</u>				
Property Investment Strategy	4,426	0	4,426	0
Property Investment Strategy – Glovers House	7,812	7,812	7,812	0
Demolition of Site C Beeching Road, Bexhill	250	5	250	0
Rother 20/20 ICT Investment	390	0	390	0
Corporate Document Image Processing System	435	0	435	0
<u>Housing and Community Services</u>				
De La Warr Pavilion – Capital Grant	53	27	53	0
Fairlight Coastal Protection	70	11	70	0
Sidley Sports and Recreation	292	3	292	0
Land Swap re Former High School Site	1,085	0	1,085	0
Bexhill Leisure Centre – site development (move to ATR)	2,113	3	2,113	0
Disabled Facilities Grant	1,062	375	1,062	0
New Bins	13	10	13	0
Replacement/New Bins – New Contract	108	0	108	0
Camber Western Car Park	360	0	360	0
Bexhill Promenade – Protective Barriers	50	0	50	0

	2019/20 Budget £'000	2019/20 Spend to 30 June 2019 £'000	2019/20 Projected Outturn £'000	Variance £'000
Bexhill Promenade – Outflow Pipe	100	0	100	0
Housing (purchases – temp accommodation)	1,000	0	1,000	0
<u>Corporate Core including Executive Directors</u>				
Accommodation Strategy	TBD		TBD	0
Lift for Amherst Road Offices	100	0	100	
<u>Resources</u>				
Enterprise Resource Planning System upgrade	36	0	36	0
ICT Infrastructure - Ongoing Upgrade Programme	166	0	166	0
Total Capital Programme	24,025	8,285	24,025	0
Funded By:				
Capital Receipts	3,198		3,198	0
Grants and contributions	4,064		4,064	0
Borrowing	12,488		12,488	0
Capital Expenditure Charged to Revenue	2,765		2,765	0
Unfunded	1,510		1,510	0
Total Funding	24,025		24,025	0

Rother District Council – Capital Programme 2019/20 to 2023/24

	2019/20 Budget £ (000)	2020/21 Budget £ (000)	2021/22 Budget £ (000)	2022/23 Budget £ (000)	2023/24 Budget £ (000)
<u>Acquisitions, Transformation and Regeneration</u>					
Community Grants	130	130	130	130	130
East Parade - project A - Bexhill East Beach	0	360	327	0	0
East Parade - project B - Shelters and Heritage Hub	32	358	0	0	0
Cemetery Entrance	240	0	0	0	0
Community Led Housing Schemes	650	0	0	0	0
Blackfriars Housing Development	3,052	0	0	0	0
Rother 2020 Programme					
Property Investment Strategy	12,238	20,000	0	0	0
Demolition	250	0	0	0	0
Rother 20/20 ICT Investment	390	0	0	0	0
Corporate Document Image Processing System	435	0	0	0	0
<u>Housing and Community Services</u>					
De La Warr Pavilion - Capital Grant	53	0	0	0	0
Fairlight Coastal Protection	70	0	0	0	0
Sidley Sports and Recreation	292	0	0	0	0
Land Swap re Former High School Site	1,085	0	0	0	0
Bexhill Leisure Centre – site development (move to ATR)	2,113	11,810	0	0	0
Disabled Facilities Grant	1,062	0	0	0	0
New Bins	13	0	0	0	0
Replacement/New Bins – New Contract	108	108	108	108	108
Camber Western Car Park	360	0	0	0	0

	2019/20 Budget £ (000)	2020/21 Budget £ (000)	2021/22 Budget £ (000)	2022/23 Budget £ (000)	2023/24 Budget £ (000)
Bexhill Promenade – Protective Barriers	50	0	0	0	0
Bexhill Promenade – Outflow Pipe	100	0	0	0	0
Housing (purchases – temp accommodation)	1,000	1,000	0	0	0
<u>Corporate Core including Executive Directors</u>					
Accommodation Strategy	TBD				
Lift for Amherst Road Offices	100				
<u>Resources</u>					
Enterprise Resource Planning System upgrade	36	0	0	0	0
ICT Infrastructure – Ongoing Upgrade Programme	166	0	0	0	0
Total Capital Programme	24,025	33,766	565	238	238
Funded By:					
Capital Receipts	3,198	0	0	0	0
Grants and contributions	4,064		0	0	0
Borrowing	12,488	20,000	-	-	-
Capital Expenditure Charged to Revenue	2,765	535	238	238	238
Unfunded	1,510	13,231	327	0	
Total Funding	24,025	33,766	565	238	238

This page is intentionally left blank

Rother District Council

Report to	-	Overview and Scrutiny Committee
Date	-	9 September 2019
Report of the	-	Executive Director
Subject	-	Proposed Operational Changes to the Planning Committee

Recommendation: It be **RESOLVED:** That the following proposed changes to the operation of the Planning Committee be agreed and recommended to Cabinet for onward recommendation and approval by full Council:

- 1) the cut off time for any late submissions be 9:00am on the Monday before the Thursday Planning Committee;
 - 2) all meetings of the Planning Committee be audio recorded in their entirety;
 - 3) non-Planning Committee Members addressing Planning Committee be limited to five minutes per application or at the Chairman's discretion;
 - 4) attendance at the formal Planning Committee site visits be compulsory for Planning Committee Members in order to be part of the decision making at the subsequent Planning Committee meeting; and
 - 5) the Executive Director be authorised to make all consequential amendments to the Council's Constitution, Council practice and the Statement of Community Involvement.
-

Head of Service: Tim Hickling

Foreword

This report was considered by the Planning Committee at its meeting held on 15 August 2019. The report has been reproduced in full for the Overview and Scrutiny Committee as submitted; the comments of the Planning Committee and the resulting minute have been reproduced at Appendix A to this report.

At the Planning Committee it was noted that the proposed changes would also involve changes to the Statement of Community Involvement in addition to the Constitution and Council Practice.

The Planning Committee also recommended that Recommendation 3) be amended by the addition of "...or at the Chairman's discretion", as detailed above.

Introduction

1. The Planning Committee (PC) plays a vital role in considering and determining planning applications, dealing with the more complex schemes against the National Planning Policy Framework, Local Development Plan and

all other material considerations. In order to improve the efficiency of the PC, it is proposed that a number of changes take place which will involve changes to the Constitution and Council practice.

2. As the proposed changes will involve changes to the Constitution and Council practice these matters will have to be subject to approval through the decision making machinery. Any changes to the Council's Constitution must be made via the Council's Overview and Scrutiny Committee (OSC) that recommends changes to the Cabinet and ultimately full Council. This report will therefore be considered by the OSC at its meeting on 9 September which in turn will make recommendations to Cabinet. The PC are therefore requested to consider and approve the contents of this report and make any additional comments which will be submitted to the Overview and Scrutiny to aid their deliberations.
3. The proposed changes are as follows and are explored in more detail below:
 - 1) the cut off time for any late submissions be 9am on the Monday before the Thursday PC;
 - 2) all meetings of the PC be audio recorded in their entirety;
 - 3) non-PC Members addressing PC be limited to five minutes per application; and
 - 4) attendance at the formal PC site visits be compulsory for PC Members in order to be part of the decision making at the subsequent PC meeting.

Cut off time for any late submissions

4. The current practice is that the cut off time for any late submission is 9:00am the Monday before the PC on the Thursday. This is made clear on the front page of the PC Agenda. However, this is not currently part of the Constitution. The purpose of this cut-off time is to prevent late submissions from third parties (supporters or objectors) which due to the time constraints, do not allow for scrutiny by Members and the public or allow officers sufficient time to respond.
5. The statutory requirement for receiving comments from third parties is 21 days from the application being advertised. Almost without exception PC items are reported well in excess of this time period. Imposing this deadline formally, through the Constitution will not be to the disadvantage of third parties in their ability to submit comments on the application but to formally adopt past practice. It will also give Planning Officers and Members the formal framework and authority to reject and disregard late submissions.

Audio recording of all Planning Committee meetings

6. As a result of the Openness of Local Government Bodies Regulations 2014 any person can attend a public meeting of a "relevant local government body", which includes district councils, for the purposes of reporting, and allow any persons with the aim of reporting to use any communication methods, including the internet, to publish, post or otherwise share the results of their reporting activities, during or after the meeting.
7. This can include:
 - filming, photographing or audio recording of proceedings;

- using any other means for enabling persons not present to see or hear proceedings of a meeting as it takes place or later; and
 - reporting or providing commentary on proceedings of a meeting, orally or in writing.
8. At the time when these regulations were brought in, Members considered this matter and whilst concerns were raised about the Council not having its own audio recording of meetings, it was agreed not to introduce a blanket policy of recording all meetings. However, at its meeting in June 2019, Cabinet did resolve to re-consider the decision not to audio / video record meetings.
9. Ahead of this general consideration, and in specific reference to the PC, it is recommended that PC meetings are audio recorded as standard and the Constitution amended accordingly. The audio file will subsequently be made available on the website alongside the PC Minutes.

Non-Planning Committee Members addressing the Planning Committee to be limited to five minutes per application

10. Any Member of the Council can attend meetings of the PC either in its entirety or for a particular application. In addition any Member can be invited to speak on any item by the Chairman. Currently, custom and practice allows for non-PC Members to address the PC for an unspecified time; the PC does not operate in accordance with the current Rules of Debate within the Council Procedure Rules (although these technically apply to meetings of the PC). In order to increase efficiency and transparency it is proposed to allow non-PC Members to continue to be able to address Committee, but be given the same length of time as members of the public under the terms of the Public Speaking Scheme (five minutes).
11. The proposal to allow speaking of up to five minutes for non-PC Members is not only more generous than if the formal Council Procedure Rules were applied, but also brings into line the time allowed by Members to address the PC to that which is afforded to the public under the Public Speaking Scheme. Should the time to speak permitted under the Public Speaking Scheme change in the future, both public speaking and non-PC Member speaking would remain equal.

Planning Member site visits to be compulsory

12. When considering and debating on a planning application at PC it is important that all Members of the decision making body are given the same level of information in order to fully assess the merits of the case before them. Therefore when an application is subject to a PC site visit it is very important that all the PC Members making this decision attend. Whilst this is currently good practice, it is not a compulsory requirement.
13. Therefore for clarity and to enable good decision making, it is considered that this should become a compulsory requirement in order for the Member to subsequently vote on the application at the PC meeting. Members who were not present at site visits will be required to declare this at the commencement of the relevant application(s) and will not be permitted to vote on the item; the Member will be allowed to stay and contribute the debate, but not vote.

Conclusion

14. It is considered that the above changes to the way in which the PC operates will improve the efficiency of the PC. The PC is invited to consider and agree the proposals within the report and make any supplementary comments to the OSC. The OSC will be invited to consider these matters, together with any comments from the PC and recommend to Cabinet that the Constitution be amended to reflect these changes.

Dr Anthony Leonard
Executive Director

Risk Assessment Statement

Failure to regularly review and streamline Committee processes may result in unnecessarily protracted meetings, reputational damage and potentially poor decision making.

PL19/43.
(10)

PROPOSED OPERATIONAL CHANGES TO THE PLANNING COMMITTEE

The Committee considered the report of the Executive Director which detailed a number of proposed operational changes to the Planning Committee for referral to the Overview and Scrutiny Committee, then onward recommendation and approval.

The Head of Service Strategy and Planning advised Members that the proposed changes would also involve changes to the Statement of Community Involvement in addition to the Constitution and Council Practice.

The Head of Service Strategy and Planning led Members through each recommendation and during the discussion the following points were noted:

- audio recordings of Planning Committee meetings would aid transparency;
- interested parties unable to travel to attend could access records of meetings in their entirety;
- audio recordings of all Council meetings could be something to consider in the future;
- limiting non-Planning Committee Members addressing the Planning Committee to five minutes per application would give equality between both parties;
- it was recommended and agreed that the Chairman be given discretion to allow a non-Planning Committee Member to exceed the five minutes if he/she felt it necessary, particularly in the case of the relevant Ward Member;
- on an occasion of a site visit clashing with other responsibilities or a medical emergency, it was unreasonable not to allow voting rights on the relevant application; and
- it was acknowledged that site visits often gave a greater insight into an application and enabled a more informed decision to be made.

RESOLVED: That the following proposed changes to the operation of the Planning Committee be agreed and referred to the Overview and Scrutiny Committee for onward recommendation and approval:

- 1) the cut off time for any late submissions be 9:00am on the Monday before the Thursday Planning Committee;
- 2) all meetings of the Planning Committee be audio recorded in their entirety;
- 3) non-Planning Committee Members addressing Planning Committee be limited to five minutes per application or at the Chairman's discretion; and
- 4) attendance at the formal Planning Committee site visits be compulsory for Planning Committee Members in order to be part of the decision making at the subsequent Planning Committee meeting.

This page is intentionally left blank

OVERVIEW AND SCRUTINY COMMITTEE

WORK PROGRAMME 2019 – 2020		
DATE OF MEETING	SUBJECT – MAIN ITEM (Capitalised)	Cabinet Portfolio Holder
09.09.19	PRESENTATION ON PROJECT MANAGEMENT <ul style="list-style-type: none"> • Performance Progress Report: First Quarter 2019/20 • Revenue Budget and Capital Programme Monitoring – Quarter 1 2019/20 • Proposed Operational Changes to the Planning Committee 	Oliver
14.10.19	<ul style="list-style-type: none"> • Medium Term Financial Strategy 2020/21 to 2023/24 • Review of Child Poverty 	Oliver
25.11.19	REPORT OF SERVICE LEVEL AGREEMENT TASK AND FINISH GROUP <ul style="list-style-type: none"> • Environmental Policy Proposals • Performance Progress Report: Second Quarter 2019/20 • Revenue Budget and Capital Programme Monitoring to September 2019 • Housing (including affordable and social) 	Clark Field Oliver
27.01.20	DRAFT REVENUE BUDGET PROPOSALS 2020/21 KEY PERFORMANCE TARGETS 2020/21	Oliver
16.03.20	CRIME AND DISORDER COMMITTEE: TO RECEIVE AN REPORT FROM THE COMMUNITY SAFETY PARTNERSHIP <ul style="list-style-type: none"> • Performance Progress Report: Third Quarter 2019/20 • Revenue Budget and Capital Programme Monitoring to January 2020 	Brewerton Oliver
27.04.20	WASTE CONTRACT REVIEW <ul style="list-style-type: none"> • Call-in and Urgency Procedures • Draft Annual Report to Council • Review of Task and Finish Groups / Outcomes 	Oliver Prochak
ITEMS FOR CONSIDERATION		
Tourism Review [Minute OSC18/52 – 29 April] Regeneration		

This page is intentionally left blank