

**Cabinet**Date and Time - **Monday 8 June 2020 – 6:30pm**Venue - **Remote Meeting****Councillors appointed to the Committee:**

Councillor D.B. Oliver (Leader), Mrs C.A. Bayliss, J.H.F. Brewerton, T.J.C. Byrne, K.P. Dixon, K.M. Field, S.M. Prochak (Deputy Leader), H.L. Timpe and J. Vine-Hall.

AGENDA**1. MINUTES**

To authorise the Leader to sign the Minutes of the meeting held on 9 March 2020 as a correct record of the proceedings.

2. APOLOGIES FOR ABSENCE**3. ADDITIONAL AGENDA ITEMS**

To consider such other items as the Leader decides are urgent and due notice of which has been given to the Head of Paid Service by 9:00am on the day of the meeting.

4. URGENT DECISIONS

The Leader to give details of those reports that have been referred to the Chairman of the Council to consider designating as urgent, in accordance with Rule 17 of the Overview and Scrutiny Procedure Rules contained within Part 4 of the Council Constitution, and to which the call-in procedure will not therefore apply.

5. 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.

6. CORPORATE PLAN AND DELIVERY PROGRAMME CONSULTATION EXERCISE (Pages 1 - 6)

At the discretion of the Leader, the order of the items set out in the agenda may be varied

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Rother District Council aspiring to deliver...

an Efficient, Flexible and Effective Council, Sustainable Economic Prosperity, Stronger, Safer Communities and a Quality Physical Environment

7. **PUBLIC SPACES PROTECTION ORDER (NO 1) DOG CONTROL** (Pages 7 - 12)
8. **DISTRICT OF ROTHER (OFF-STREET) PARKING PLACES ORDER 2020** (Pages 13 - 14)
9. **RESIDENTIAL DEVELOPMENT AT BLACKFRIARS, BATTLE** (Pages 15 - 32)
10. **STREET NAMING AND NUMBERING POLICY** (Pages 33 - 52)
11. **PROPERTY INVESTMENT STRATEGY** (Pages 53 - 64)
12. **ECONOMIC RECOVERY STEERING GROUP TERMS OF REFERENCE** (Pages 65 - 68)
13. **BEXHILL LEISURE CENTRE STEERING GROUP - UPDATED TERMS OF REFERENCE** (Pages 69 - 72)
14. **DE LA WARR PAVILION FUNDING AGREEMENT** (Pages 73 - 76)
15. **COVID-19 - THE COUNCIL'S RESPONSE - UPDATE** (Pages 77 - 98)
16. **MEMBERS' ALLOWANCE SCHEME - PROPOSED CABINET SPOKESPERSONS' SPECIAL RESPONSIBILITY ALLOWANCE** (Pages 99 - 104)
17. **EXCLUSION OF PRESS AND PUBLIC (EXEMPT INFORMATION)**

The following item includes material which is exempt from publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972, as amended, and it is recommended that the press and public be excluded. The relevant paragraph of Schedule 12A indicating the nature of the exempt information is stated after the item and is reproduced in full at the end of the agenda. In all the circumstances of each case, it is considered that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

18. **RESIDENTIAL DEVELOPMENT AT BLACKFRIARS, BATTLE - CONFIDENTIAL APPENDIX 5 (PARAGRAPH 3)** (Pages 105 - 110)

Dr Anthony Leonard
Executive Director

Agenda Despatch Date: 29 May 2020

Extract from Schedule 12A of the Local Government Act 1972 (as amended)

3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).

Local Authorities (Executive Arrangements) (Meetings and Access to Information)
(England) Regulations 2012

* In accordance with Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, if Cabinet decides at the meeting that it will be necessary to go into confidential session to discuss the contents of the confidential appendices to Agenda Item 9, agreement will need to be obtained from, the Chairman of the Overview and Scrutiny Committee or the Chairman or Vice-Chairman of Council in attendance at the Cabinet meeting.

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Rother District Council

Report to	-	Cabinet
Date	-	6 April 2020
Report of the	-	Executive Director
Subject	-	Corporate Plan and Delivery Programme Consultation Exercise

The Overview and Scrutiny Committee meeting held on 16 March 2020, considered a report on the Corporate Plan and Delivery Programme Consultation Exercise. The recommendation and minute arising is reproduced below. Attached at Appendix 1 is a revised timetable for the progression of the Corporate Plan in light of the delay caused by the Covid-19 pandemic.

Recommendation: It be **RESOLVED:** That the draft Corporate Plan 2020-27 be approved for a 12-week period of consultation as per the revised timetable in light of the delay caused by the Covid-19 pandemic.

OSC19/60. **CORPORATE PLAN AND DELIVERY PROGRAMME CONSULTATION EXERCISE**

Members received the report of the Executive Director which presented a draft Corporate Plan 2020-2027 for a 12-week period of consultation. The aim of the consultation was to ensure residents, statutory partners, voluntary partners and interested parties had an opportunity to comment on whether the Council had identified the correct vision for the district and to give a wide audience the opportunity to forward their views on what the priorities for the district should be.

Since the Corporate Plan (2014-21) was agreed there had been a number of changes; political, social and economic, which together, with increasing demand for Council services, had proved challenging and would require a change in priorities. A State of The District report had been produced which summarised data into the areas of: Population; Health & Wellbeing; the Local Economy; Housing; and the Environment. This report enabled the Council to ensure decisions about what the Corporate Plan priorities should be were based on evidence of need.

The Council met for a series of presentations and workshops in November 2019; discussions from these sessions had been summarised into action plans set out to compliment the Corporate Plan and designed to deliver on the visions and four priority areas identified, namely; Growing People; Growing Prosperity; Growing Places; and Growing Performance.

The new administration had since provided further direction in the form of a set of 10 strategic objectives which had also been included within the draft Corporate Plan. To ensure these objectives were given a

higher priority, they had been included within the action plans as overall ‘priority targets’.

The consultation exercise would last 12 weeks and then a period of analysis of the results would be required to prepare a final draft Plan for Cabinet to consider on 2 November 2020. External consultation was to consist of an on-line survey (back up postal survey). Internal consultation would focus on developing the delivery programme.

Members discussed the four action plans in turn and the following points were noted during the discussion:

Growing People

- not necessary to use the word ‘continue’ throughout;
- rented housing had been identified in the actions points as residents using the private rented sector had little choice themselves in how to improve accommodation. The Council would look to work with landlords;
- the Anti-Poverty Task and Finish Group would be considering the Council Tax Reduction Scheme. Members suggested changing priority target 1 to read ‘Enact the agreed outcome from the recommendations of the Anti-Poverty Task and Finish Group concerning the Council Tax Reduction Scheme’; and
- action point ‘Review the council tax reduction scheme to support the most vulnerable residents’ implied that support was not already being provided through the scheme. It was suggested and agreed that the wording be changed to ‘Review the council tax reduction scheme to ensure it supports the most vulnerable residents’.

Growing Prosperity

- the suggested priority target would mean achieving a 16% increase in the average wage by end of 2023. Members suggested amending the target to ‘...National league table...’ from ‘...East Sussex league table...’ which was more achievable. Officers agreed to review the target and suggest an appropriate level before reporting to Cabinet;
- Members were advised that the aim ‘Support businesses to comply with legislation (e.g. food businesses)’ was included within the action plan to help grow the local economy through business support services and to ensure jobs were maintained;
- it was suggested and agreed that action point 4 of aim 2 be amended to read ‘Encourage appropriate eco-tourism (e.g. glamping, biking holidays)’; and
- ‘Hastings Advice and Representation Centre’ and ‘Hastings Furniture Service’ to be added to action point 5 of aim 4.

Growing Places

- Members were concerned that as socially rented affordable homes were a very specific tenure and would have had to have been on site or in the planning system at the time to be completed by 2023, priority target 2 would not be achievable. Members suggested therefore to amend the target date to 2025;

- Members suggested amending priority target 3 to read ‘Improve the Housing Land Supply position for the district to maintain a 5-year land supply by the end of 2023, as per the review of the local plan’;
- Members suggested adding ‘Build integrated transport initiatives’ to the action points for aim 2, ‘Deliver carbon reduction initiatives’; and
- Members suggested adding ‘amongst others’ to action points for aim 4, ‘Promote strong partnership working’.

Growing Performance

- Members suggested and agreed to amend priority target 2 to read ‘Further open the Council to the public ensuring transparency at meetings, better consultation and better visibility by the end of 2023’
- Priority target 3, ‘Rectify the inherited financial deficit and bring the Council to a secure financial footing by the end of 2023’ would involve an additional £1m in savings and was not in line with the Medium Term Financial Plan (MTFP), recently agreed by Cabinet. Members suggested and agreed to adjust this target to 2025 in line with the MTFP and delete the words ‘Rectify the inherited financial deficit and bring...’; and
- members of the public were referred to as clients, customers and residents throughout the action plans according to whether they were business owners, worked in the district or lived in the district. Members requested this was clarified in the action plans.

Members requested that the sentence ‘a place where housing is available to meet housing needs’ of the Strategic Vision be amended to read ‘a place where good housing is available to meet all housing needs’ and paragraph 6 of the report amended accordingly. In addition, the Bexhill Town Forum and Equality Groups to be added to the Voluntary Sector Partners with whom to be consulted with in the Consultation Plan document.

(Overview and Scrutiny Committee Agenda Item 8).

Dr Anthony Leonard
Executive Director

Rother District Council Corporate Plan 2020-27 Consultation Plan

The Corporate Plan aims to set out the Council's priorities for the district and will include a plan of how we will meet these priorities. Those priorities should be firmly based upon a two-way dialogue between the Council and its partners and residents.

Development of the Corporate Plan will follow the process set out below:

TASK	TIMEFRAME
Undertake Review	August – October 2019
Member workshops	November 2019
Develop set of proposed aims/objectives/priorities/draft plan	November 2019 – January 2020
Develop Engagement Plan	February 2020
Service Manager engagement	February 2020
Report to Senior Management Team	February 2020
Report to Overview & Scrutiny Committee	March 2020
Report to Cabinet – agreement to Engagement Exercise	8 June 2020
12-week Consultation Exercise	22 June – 14 September 2020
Consultation Exercise Analysis	September - October 2020
Analysis of Equality Impact Assessment	October 2020
Drafting of Corporate Plan and Programme	October - December 2020
Report to Senior Management Team	December 2020
Cabinet	11 January 2021
Full Council	22 February 2021

Aims of the engagement exercise:

- To validate the Plan with internal audiences.
- To give a wide audience of partners, residents and interested parties the opportunity to give their views on what the priorities for the Council should be.

External consultation: Who we will engage with:

Resident Target Groups	Statutory Partners	Business	Voluntary Sector Partners
<ul style="list-style-type: none">• Parish Councils• Citizens panel• Residents Associations	<ul style="list-style-type: none">• DWP• ESCC• Sussex Police• NHS/CCGs• Neighbouring Local Authorities• Schools/colleges	<ul style="list-style-type: none">• Local businesses• Organisations representing business interests	<ul style="list-style-type: none">• CAB• AiRS• RVA

How we will engage:

1. Twelve week internal and external consultation on:
 - Vision
 - Priorities
 - Actions

External consultation will consist of an on-line survey (back up postal survey)

2. Internal consultation on programme development.

Following the Consultation Period:

Following the consultation period, all feedback will be analysed and used to develop a final Plan. Alongside this, the Corporate Programme will be developed as the framework for delivery of the Plan. The Council's Programme Office has been set up as a means to develop and monitor the delivery of this framework.

Cabinet approval of the Corporate Plan 2020-2027 and Corporate Programme will be sought in January 2021; full Council approval will be sought in February 2021.

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Rother District Council

Report to	-	Cabinet
Date	-	8 June 2020
Report of the	-	Executive Director
Subject	-	Public Spaces Protection Order (No 1) – Dog Control

Recommendation: It be RESOLVED: That officers be authorised to consult with the Police, Police and Crime Commissioner, East Sussex County Council and Parish and Town Councils on renewing the Public Spaces Protection Order (No 1) – Dog Control and if no amendments are requested, the Dog Control Orders be renewed for a further three years until January 2024 without further recourse to Cabinet.

Head of Service: Richard Parker-Harding
Lead Cabinet Member: Councillor Field

Introduction

1. In 2016, the Council approved making a Public Spaces Protection Order (No 1) to control dogs (Minute CB16/14 refers). The Order expires in January 2021 and if Members want the Order to remain in force, it must be amended or renewed without amendment. There may be a requirement to carry out public consultation if amendments are proposed.

Dog Control

2. The current Order was first adopted in June 2008 (Minute CB08/13 refers) following extensive consultation with Parish and Town Councils and the public. Several iterations to the Order were considered prior to adoption, whereby it was felt a reasonable compromise had been achieved between the requirements of the public and the needs of dog owners. The Order is set out at Appendix A.

Future Position

3. The current Public Spaces Protection Order (PSPO) controlling dogs expires in January 2021.
4. This report seeks Cabinet approval to consult with the Police, Police and Crime Commissioner, East Sussex County Council and Parish and Town Councils on renewing the Order for a further three years without amendment.

Public Spaces Protection Orders

5. PSPOs are intended to deal with a nuisance or problem in a particular area that is detrimental to the local community's quality of life, by imposing conditions on the use of that area which apply to everyone. They are designed to ensure the law-abiding majority can enjoy public spaces, safe from anti-social behaviour.

6. A PSPO can be made by the Council if they are satisfied on reasonable grounds that the activity/activities carried out, or are likely to be carried out, in a public space:
 - have had, or are likely to have, a detrimental effect on the quality of life of those in the locality;
 - is, or is likely to be, persistent or continuing in nature;
 - is, or is likely to be, unreasonable; and
 - justifies the restrictions imposed.
7. The restrictions specified in a PSPO can be set by the Council; these can be blanket restrictions or requirements or can be targeted against certain behaviours by certain groups at certain times. They can restrict access to public rights of way where that route is being used to commit anti-social behaviour.
8. PSPOs have a maximum duration of three years but they can last for shorter periods of time where appropriate. Short-term PSPOs could be used where it is not certain that restrictions will have the desired effect, for instance, when closing a public right of way, councils may wish to make an initial PSPO for 12 months and then review the decision at that point. At any point before expiry, the Council can extend a PSPO by up to three years if they consider that it is necessary to prevent the original behaviour from occurring or recurring.
9. The breach of a PSPO is a criminal offence; however, Enforcement officers can issue a Fixed Penalty Notice (FPN) of up to £100 if appropriate, but a fine of up to £1,000 can be made on prosecution.
10. More than one restriction can be added to the same PSPO, meaning that a single PSPO can deal with a large range of behaviours.

Enforcement

11. PSPOs can be enforced by council officers, the Police or Police Community Support Officers.
12. In the past, 16 FPNs (£50 fine) for failing to comply with Dog Controls have been issued, 10 by Coastal Control officers, four by the Police and two by Environmental Health staff.
13. Members should not equate the level of enforcement with the effectiveness of the PSPO in controlling anti-social behaviour. It can be argued that if there were no controls and signage then more people would act in an anti-social way.

Conclusion

14. The Public Spaces Protection Order (No 1) Dog Control expires in January 2021. There is the opportunity to amend the Order. The Police, Police and Crime Commissioner, East Sussex County Council, Parish and Town Councils must be consulted about renewing the Order for a further three years without amendment. If amendments are proposed there may be a requirement for public consultation.

Malcolm Johnston
Executive Director

Risk Assessment Statement

Failure to replace the PSPOs controlling dogs by January 2021 will mean the Council will not have any enforcement powers in relation to dog fouling, dogs on leads and dogs in prohibited places.

DOG FOULING (CLEANING UP REQUIREMENT)

Any land within the administrative area of Rother District Council which is open to the air, including covered land which is open to the air on at least one side and to which the public are entitled or permitted to have access (with or without payment) of the following descriptions:

- (a) Any highway, footways, footpaths, twittens, promenades, steps and towpaths within the area of Rother District Council and any adjoining verges or ornamental areas, which are maintained at the public expense. This may include some areas of access land.
- (b) All pedestrianised areas within the Rother District Council.
- (c) All Parks, Gardens, Recreation and Sports Grounds, Commons, Amenity Areas of other open spaces owned, occupied or maintained by or on behalf of any of: Rother District Council, East Sussex County Council, Hastings Borough Council, a registered social landlord/housing association, any town or parish council within Rother District, any other public authority or any charity.
- (d) Any cemetery, burial ground or churchyard.
- (e) Any public car park or parking space.
- (f) All beaches and dunes.

Exempted Land: Any woodland, marsh or agricultural land and any Access Land as defined in Part I of the Countryside and Rights of Way Act 2000.

DOGS ON LEADS IN DESIGNATED AREASPart A (all year)

Battle – High Street, Market Square, Market Road and Market Road Car Park, Mount Street from the High Street to the entrance to the Car Park, Abbey Court and the Recreation Grounds at North Trade Road and at Telham

Beckley – Beckley Sports and Recreation Ground; Buddens Green (by Buddens Green Houses) and the School Field (Beckley CE School)

Bexhill – Egerton Park and Manor Gardens

Burwash – High Street

Etchingham – Queens Gardens

Iden – Burial Ground; Churchyard; Children's Play Area; Sports Pavilion

Northiam – Playing Fields and Village Green, Main Street and Cemetery

Salehurst and Robertsbridge – The Clapper Recreation Ground (Northbridge Street) Robertsbridge

Sedlescombe – Sportsfield

Udimore – Play Area adjacent to Lower Cross Cottages

Part B (1 May to 30 September)

Bexhill – The Promenade (between Groynes 34 and 78) and the Jubilee (Metropole) Lawns

SCHEDULE 2

Specification of times or periods during which the offence is to apply. The Order applies to the land designated in Part A of Schedule 1 all year and the land designated in Part B of Schedule 1 between 1 May and 30 September.

EXCLUSION OF DOGS FROM DESIGNATED AREAS

SCHEDULE 1

Specification/description of land, or lands, to which the Order applies

Part A (all year)

Bowling Greens

Enclosed Children's Play Areas

Sports and Playing Fields under the control of educational establishments

Ornamental Planted Areas of Public Walks and Pleasure Grounds

Barrack Road Cemetery, Bexhill-on-Sea

Bexhill Cemetery, Turkey Road, Bexhill-on-Sea

Hastings Cemetery* (part within Rother District)

Northiam Cemetery

Rye Cemetery, Rye Hill

Walled Garden at Manor Gardens, Bexhill-on-Sea

Brede – Recreation Ground, Udimore Road, Broad Oak

Camber – Jubilee Green, Lydd Road

Crowhurst – George VI Recreation Ground, Hastings Road

Ewhurst- Staplecross Playing Field, Northiam Road and The Herdsman Bequest

Playing Field, Village Street, Ewhurst Green

Guestling Playing Field

Sedlescombe – Red Barn Field Nature Park*

Rye – The Gun Garden

Westfield – Recreation Ground, Church Lane

Part B (1 May to 30 September)

Bexhill Beach between Brockley Road and Sea Road.

Camber beach and dunes bounded on the east by an imaginary straight line from the south west corner of 21 The Suttons and extending seawards at an angle of 90 degrees to the low water mark; bounded on the west by an imaginary straight line from the end of the footpath that leads to the shoreline from the central public car park conveniences in Western Car Park and extending seawards at an angle of 90 degrees to low water mark; and bounded on the north by an imaginary line on the boundary of

the dunes (marked by location posts) and continuing to 21 The Suttons to the seaward side of the buildings.

That part of the seashore at Pett Level located between the western edge of the slipway adjacent to St Nicholas Church westwards towards Fairlight Cliffs for 150 metres.

That part of the seashore at Dogs Hill, Winchelsea Beach located from the eastern edge of the access steps adjacent to the public convenience and westwards for 558 metres to the western edge of the access steps to the beach.

SCHEDULE 2

Specification of times or periods during which the offence is to apply

The Order applies to the land designated in Part A all year and the land designated in Part B between 1 May and 30 September.

For maps see

https://www.rother.gov.uk/wp-content/uploads/2020/01/PSPO_Dogs.pdf

Rother District Council

Report to	-	Cabinet
Date	-	8 June 2020
Report of the	-	Executive Director
Subject	-	District of Rother (Off-Street) Parking Places Order 2020

Recommendation: It be **RESOLVED:** That the District of Rother (Off-Street) Parking Places Order 2020 be 'made' and brought into effect from 1 July 2020.

Head of Service: Joe Powell

Lead Cabinet Member: Councillor Field

Introduction

1. The Council currently operates its designated car parks under the District of Rother (Off Street) Parking Places Order 1983 (PPO). A copy of the current PPO can be found on the website at the following link:

<https://www.rother.gov.uk/wp-content/uploads/2020/05/ParkingPlacesOrder.pdf>

2. The PPO provides a framework under which the Council can manage the car parks under its ownership and enforce parking conditions to ensure proper use. The current PPO has been in use since 1983 and despite a number of minor variations has not been significantly updated since its inception and is therefore out of date.
3. At the Cabinet meeting on 4 November 2019 (Minute CB19/56 refers), the new District of Rother (Off-Street) Parking Places Order 2019 (PPO 2019) was recommended to Council, subject to two amendments.
4. The amendments were made and subsequently approved by full Council on 11 November 2019 (Minute C19/49 refers) therefore the final order is from hereon to be referred to as the District of Rother (Off-Street) Parking Places Order 2020 (PPO 2020).

Amendments to PPO 2019

5. Cabinet suggested that the time in which a standard parking charge (parking fine) must be paid be extended from seven to 21 working days; following consultation with legal officers this amendment has been included in the PPO 2020.
6. Members did not support the proposed exemption from charges for the first three hours of any one day for Disabled Person's Badge Holders and so, this exemption has been removed from the PPO 2020 clause 33 and replaced with the original wording from the PPO 1983, that allows Disabled Persons Badge Holders to be exempt from any limitation on time specified in column 5 of the Second Schedule to this Order.

PPO 2020 Implementation

7. Once Members have 'made' the PPO 2020 and approved the effective date of 1 July 2020, officers will have 14 days in which to comply with legislation to both advise the public that the order has been 'made' and the effective date of the PPO 2020. We will inform the public using a press release and notices in car parks both of which will be in place by the 14 July 2020. We will also write to inform those people for whom we have contact details and whom objected to the new PPO.
8. In addition, officers are preparing new permanent car park signage in line with the revised PPO 2020 and these will be erected from 15 July 2020 onwards. The signs will be erected in priority order starting with those car parks where charges are already applied, followed by those car parks new into the order. It is anticipated that all car parks will have relevant signage in place by December 2020.
9. It should be noted that until relevant new signage is in place within a car park enforcement cannot be fully applied in that car park under the PPO 2020 but may be applied under the 1983 PPO.

Conclusion

10. Members are hereby requested to approve the 'making' of the District of Rother (Off-Street) Parking Places Order 2020 (PPO 2020), with an effective date of 1 July 2020.

Malcom Johnston
Executive Director

Risk Assessment Statement

There is a risk that the introduction of civil parking enforcement by East Sussex County Council in 2020 will increase demand for off-street parking in the District of Rother. The new PPO being proposed will allow the Council to manage this increased demand more effectively.

It is important that the Council meet the cost of maintenance and enforcement of its car parks. There is a risk that if the new PPO being proposed is not adopted, the Council will not be able to meet its costs or properly control parking within the 'amenity open space parking areas' and certain rural car parks which are not named in the current 1983 PPO.

Rother District Council

Report to	-	Cabinet
Date	-	8 June 2020
Report of the	-	Executive Director
Subject	-	Residential Development at Blackfriars, Battle

Recommendation to COUNCIL: That the Capital Programme be amended to reflect the new Housing Infrastructure Fund grant of £8.7m and additional uplift budget as outlined in Confidential Appendix 5, to be funded by borrowing as part of the overall development costs.

AND

It be **RESOLVED:** That:

- 1) the Council seeks to exercise its power under Section 226(1)(a) of the Town and Country Planning Act 1990 through the drafting of a Compulsory Purchase Order to acquire interests in land to enable the construction of a spine road to serve a residential development, with vehicular access off Harrier Lane and The Spinney, with up to 220 dwellings and associated works;
 - 2) the Executive Director be authorised to commence the preparatory work required for the making of the Compulsory Purchase Order including (but not limited to) the completion of land referencing;
 - 3) all reasonable endeavours continue to be used to acquire, by negotiation, the various land interests affected by the Compulsory Purchase Order and delegated authority be granted to the Executive Director to complete the acquisitions and disposals of land as necessary within the budget outlined at Confidential Appendix 5; and
 - 4) to report back at a later date to seek a recommendation to Council for authority to secure the making, confirmation and implementation of the Compulsory Purchase Order.
-

Head of Service: Ben Hook

Lead Cabinet Member: Councillor Byrne

Introduction

1. On 13 January 2020, Cabinet authorised the commencement of the compulsory purchase process for land at Blackfriars, Battle subject to a further report (Minute CB19/86 refers).
2. The issuing of a Compulsory Purchase Order (CPO) is a two-stage process. Cabinet must first resolve that the Council will seek to exercise its compulsory purchase powers under Section 226(1)(a) of the Town and Country Planning Act 1990 to acquire a number of interests in land to enable the construction of

a spine road to serve a residential development, with vehicular access off Harrier Lane and The Spinney, and the construction of up to 220 dwellings and associated works ('the Development').

3. Following the further actions as set out in this report, a CPO will be prepared for consideration by Cabinet and full Council.

Background and Planning Position

4. The Planning Committee resolved to grant planning permission for the Development at Blackfriars in October 2019, subject to the completion of a planning agreement (Planning Application Reference: RR/2019/604).

5. The Development is described in the planning permission as:

"Outline: Detailed proposals for a spine road to serve residential development, with vehicular access off Harrier Lane and The Spinney, with Master Plan for up to 220 dwellings and associated works".

6. The principal of residential development on the site off Harrier Lane and The Spinney known as Blackfriars ("the Site") is long established. In 1967 part of the Site was allocated for housing in East Sussex County Council's (ESCC) Battle Draft Town Plan, and in the 1972 Battle Town Plan and Town Centre Map.

7. The current Development Plan comprises the saved policies of the adopted Rother District Local Plan (2006) ('2006 Local Plan'), the Rother Local Plan Core Strategy which was adopted in September 2014 ('Core Strategy') and the Development and Site Allocations Local Plan (adopted December 2019) ("DaSA").

8. The Site was allocated in the 2006 Local Plan to provide at least 220 dwellings. Policy BT2 of the 2006 Local Plan states:

"Land at Blackfriars, Battle, as defined on the Proposals Map, is allocated for housing, education and open space purposes, to be brought forward through a comprehensive scheme.

Two areas, totalling approximately 7.3 hectares, would be allocated for residential use, providing at least 220 dwellings 40% of which would be affordable¹... The development will be accessed by a new spine road, from the south from Hastings Road, off The Spinney, and from the north via Harrier Lane off Marley Lane."

9. Policy BA1 of the Local Plan Core Strategy identified a need for 475-500 new homes in Battle over the plan period (until 2028), assuming that a number of these homes would be delivered on this Site. The construction of the Development is a key element in the Council's Corporate Plan (2014-2021), economic development and planning policies.

10. The most recent calculation of residual residential need for areas within the District demonstrates a requirement (post-permissions granted and housing completions) of 238 new homes for which Battle has resolved to undertake a Neighbourhood Plan. This means that housing allocations for Battle will be made in the Neighbourhood Plan and not included in the Council's DaSA.

11. Planning permission for the Development will be granted following the agreement and signing of a Section 106 Agreement.

Reasons for Exercise of Compulsory Purchase Powers

12. The road infrastructure which is required to enable residential development on the Site takes the form of a spine road, traversing the site from north (off Harrier Lane) to the south (off The Spinney). The Council has been negotiating to acquire interests in the land required for the spine road and the overall development over an extended period of time. The principle of commencing this process was authorised by Cabinet in 2018 (Minute CB18/27 refers).
13. Whilst the access point for the spine road at the north is entirely within the Council's ownership, the access point at the south is currently in third party ownership. Furthermore, whilst the Council owns more than 50% of the developable land, three further parcels of land, necessary to deliver the road and thus the housing, are not in the Council's ownership, as indicated on the plan included as Appendix 1. Appendix 2 is a parameters plan which demonstrates the developable area across the site; this was submitted as part of the outline planning application.
14. In order that the housing is delivered, there is a need to acquire the remaining land interests as set out below and shown in Appendix 1:
 - Taylor Wimpey (Shaded pink) Measuring 5.8ha
 - Piper Venture Battle Limited (Shaded blue) 9.5ha
 - Joyne Finance Corporation (Shaded yellow) 2ha
15. The Council will continue to seek to acquire all interests by negotiation but, in order to ensure that the development is not delayed any further, it is considered that there is no alternative to the use of compulsory purchase powers. In addition, Homes England (HE) has confirmed that it will make available a grant of £8.7m to fund the delivery of the spine road from the Housing Infrastructure Fund (HIF). The HIF allocation is subject to conditions, including a timescale and milestones which must be met for funding to be drawn down. If the land required for the Development is not acquired in sufficient time in order to allow the Development to proceed in accordance with the timetable set by HE there is a concern that the HIF allocation could be lost.
16. Furthermore, under the conditions of the HIF funding agreement, the Council is required to use all available powers including CPOs, to acquire the necessary land for the delivery of the road and housing should negotiations fail.
17. The decision to use compulsory purchase powers is as a last resort to ensure the delivery of the Development and secure the funding for the spine road. It is hoped that a resolution by Cabinet to proceed with the making of the CPO will encourage owners to reach appropriate settlements and transfers of their interest to the Council as soon as possible.

Powers of Compulsory Purchase

18. It is proposed that the Council should use its powers under Section 226(1)(a) of the Town and Country Planning Act 1990 to acquire the various land interests needed to deliver the Development. Under Section 226(1)(a) of the Act, the Council, on being authorised to do so by the Secretary of State, can acquire any land in their area:

"if the authority thinks that the acquisition will facilitate the carrying out of development, redevelopment or improvement on or in the land".

19. The exercise of the power also requires that the Council
- "thinks, that the development, redevelopment or improvement is likely to contribute to the achievement of any one or more of the following objects:*
- *the promotion or improvement of the economic wellbeing of their area*
 - *the promotion or improvement to the social wellbeing of their area*
 - *the promotion or improvement of the environmental wellbeing of their area"*
20. It is considered that the making of this CPO will deliver much needed housing and therefore will contribute to the improvement of both the economic and social wellbeing of the area.
21. The alternative route for the delivery of the spine road would be for ESCC acting as highway authority to exercise its compulsory purchase powers under Section 239 Highways Act 1980. This route is not considered to be appropriate as there is no independent highways case for the construction of the spine road and it is not required to alleviate any specific congestion issues in the surrounding road network (although it may assist in alleviating congestion in Battle town centre). An additional factor that weighs against the use of Section 239 Highways Act powers is that only land that is required for the construction of the spine road would be permitted to be included within the CPO, and it would not be possible to include any land that is needed to deliver the residential development.

The use of Compulsory Purchase Powers and Process

22. The Ministry of Housing, Communities and Local Government Guidance on Compulsory Purchase Process and the Crichel Down Rules sets out guidance for acquiring authorities in relation to the making of CPOs, including when it is appropriate for compulsory purchase powers to be utilised. The Guidance sets out the key tests which need to be satisfied before a CPO will be confirmed – these are considered by the Secretary of State prior to deciding whether to confirm the CPO and must be considered by the Council now prior to making the CPO. These tests are detailed in Appendix 3.
23. Following a resolution from Cabinet to proceed, officers will undertake a series of actions to prepare the CPO. A draft timetable is attached at Appendix 4). The CPO would list details of all occupiers and interests that are included within the red line identified on the attached plan or have or are believed to have an interest over the land which could include adjoining owners. All owners and tenants will be contacted as part of the land referencing process that precedes the making of the CPO. The land referencing exercise will be undertaken by an external specialist agent, the costs of which will be met by the Council.

24. This exercise will identify all owners, tenants, occupiers and others with a legal interest in the land affected by the CPO and/or who may become eligible for compensation. The Council will also issue requests for information from those appearing to have an interest in the land to be compulsorily acquired under Section 5A of the Acquisition of Land Act 1981 and/or Section 16 of the Local Government (Miscellaneous Provisions) Act 1976.
25. Once the land referencing exercise has been completed and the CPO and Map have been prepared, a further report will be submitted to a future meeting of Cabinet with a recommendation to full Council requesting authorisation for the making of the CPO. This report will identify the land to be covered by the CPO, the interests to be acquired and will be accompanied by a copy of the draft CPO and Map together with a Statement of Reasons, which will set out a full justification for the CPO being made.
26. Following Council approval, the CPO must be submitted to the Secretary of State for confirmation, notified to those persons affected by it and advertised in the local press.
27. Any party who wishes to object to the making of the CPO has 21 days within which to do so from the date of notification. All statutory objectors have a right to be heard at a public inquiry although it is possible for the Secretary of State to deal with objections in writing. Although any Inquiry will be held on the earliest possible date, typically this could be six months or more after submission of the CPO to the Secretary of State.
28. The Council cannot exercise its compulsory purchase powers until such time as the CPO has been confirmed by the Secretary of State, or the Secretary of State permits the Council itself to confirm the CPO. Following confirmation of a CPO, the Council has three years within which to exercise its compulsory purchase powers. Once the interests included in the proposed CPO have been acquired for planning purposes, the site will benefit from the operation of Section 237 of the Town and Country Planning Act 1990, which (subject to the payment of compensation on the statutory basis) extinguishes all existing third party rights that could prevent the development or use of the land from proceeding.

Financial Details

29. In order to ensure that land negotiations can be progressed it is necessary for Cabinet to approve a budget. The Council has commissioned an independent land valuation for the whole site. Due to the ongoing nature of these negotiations, details of the land valuations and requested budget, including fees and costs related to the CPO, are contained within Confidential Appendix 5.
30. The funding for the spine road will be met through the £8.7m of HIF funding. The acquisition of land is not an eligible cost as part of the HIF funding and therefore will need to be met by the Council. The acquisition of land will be funded through borrowing and incur associated revenue costs as a result, all of which will be recouped as part of the overall development costs.
31. The Council is considering various options regarding the funding and delivery of the Development including joint venture arrangements with a development partner (potentially a Registered Provider) or delivery via the Council's Local

Housing Company. The Council's intended approach will be presented in the subsequent report that will seek authorisation for the making of a CPO.

32. The proposed budget for the land acquisition is set out in Confidential Appendix 5. A provisional budget and cash flow for the full housing development is currently being prepared and will be presented as part of the report to follow.

Human Rights

33. The Human Rights Act 1998 places direct obligations on public bodies such as the Council to demonstrate that the use of compulsory purchase powers is in the public interest, and the use of such powers is proportionate to the ends being pursued.
34. It is acknowledged that the compulsory acquisition of the land included within the CPO will amount to an interference with the human rights of those with an interest in such land. These include rights under article 1 of the first protocol of the Human Rights Act 1998 (which provides that every natural or legal person is entitled to peaceful enjoyment of his possessions and no one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by the law).
35. When the further report is presented for consideration by Members, it will be necessary for Members to consider whether there is a compelling case in the public interest for compulsory acquisition of the various interests referred to in the CPO which outweigh such rights, and whether the use of compulsory purchase powers in respect of the CPO land is proportionate.

Conclusion and Recommendations

36. At this stage, Members need to be satisfied that it is still appropriate for the CPO to be made under Section 226 (1)(a) of the Town and Country Planning Act 1990.
37. It is clear from the rationale presented that, as it stands, in the event the Council is unable to acquire the proposed land through negotiation, any development of housing at this site is at serious risk. The benefits to the social and economic well-being of the area leading from this development are clear.
38. As such it is recommended that the Council pursues the issuing of a CPO and delegates the necessary authority to the Executive Director to commission the preparatory works.
39. Should negotiations with landowners be successful a budget, sufficient to complete on the transfers of land, is required. This budget is outlined in the Confidential Appendix 5. It is recommended that authority is delegated to the Executive Director to conclude these negotiations and complete the land transfers where possible.

Dr Anthony Leonard
Executive Director

Risk Assessment Statement

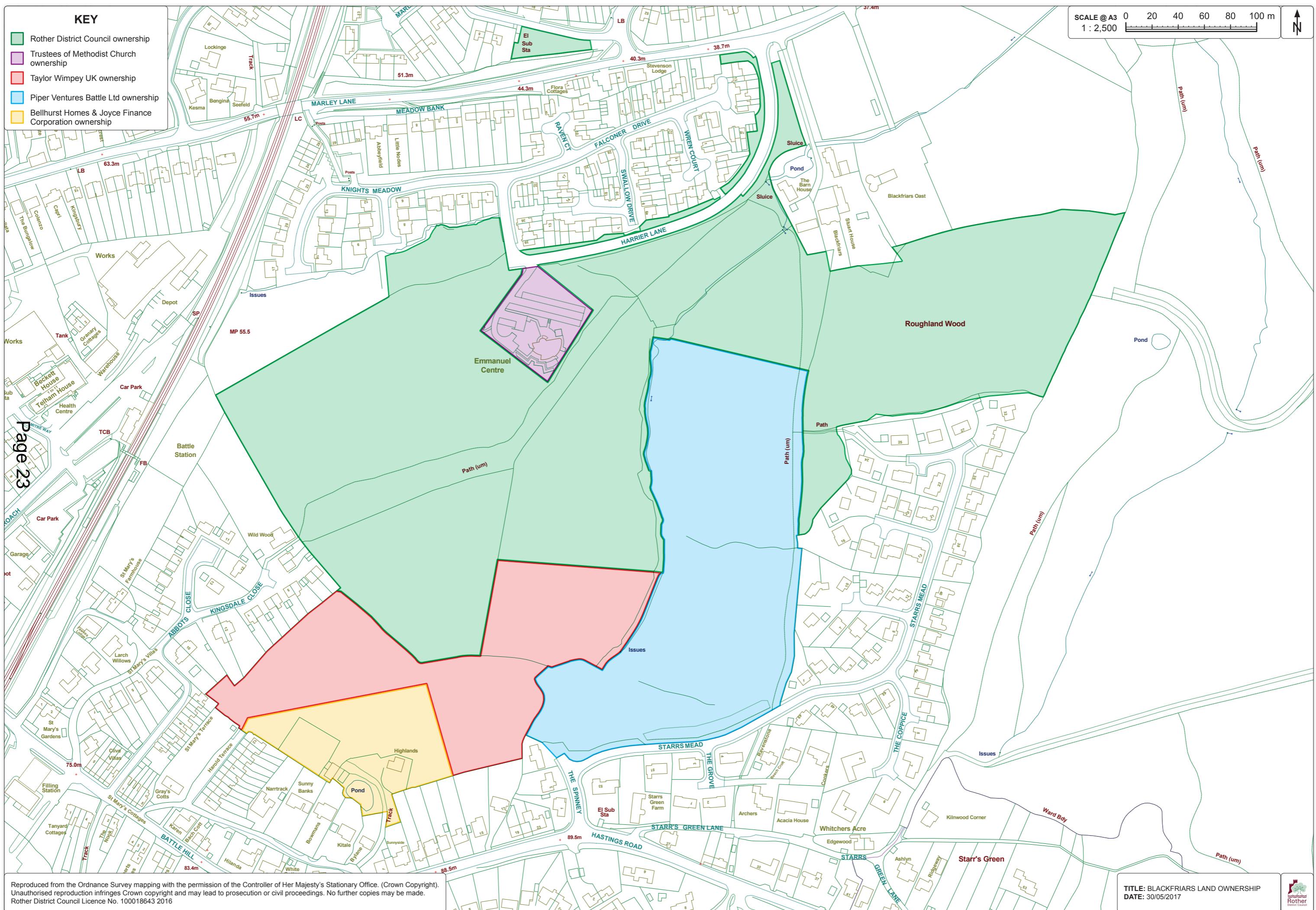
Not progressing the CPO process will put delivery of housing at the Blackfriars site at significant risk. The £8.7m HIF is reliant on the Council using its powers where necessary to ensure that the scheme can progress, this includes pursuing CPO powers. Should the Council not progress then this funding would likely be withdrawn. Failure to secure sufficient budget for land acquisition, as laid out in the Confidential Appendix 5, would result in the Council not being able to continue negotiations with the other landowners. This could mean that the CPO fails to be approved by the Secretary of State because of a failure to adhere to due process.

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KEY

- [Green square] Rother District Council ownership
- [Purple square] Trustees of Methodist Church ownership
- [Red square] Taylor Wimpey UK ownership
- [Blue square] Piper Ventures Battle Ltd ownership
- [Yellow square] Bellhurst Homes & Joyce Finance Corporation ownership

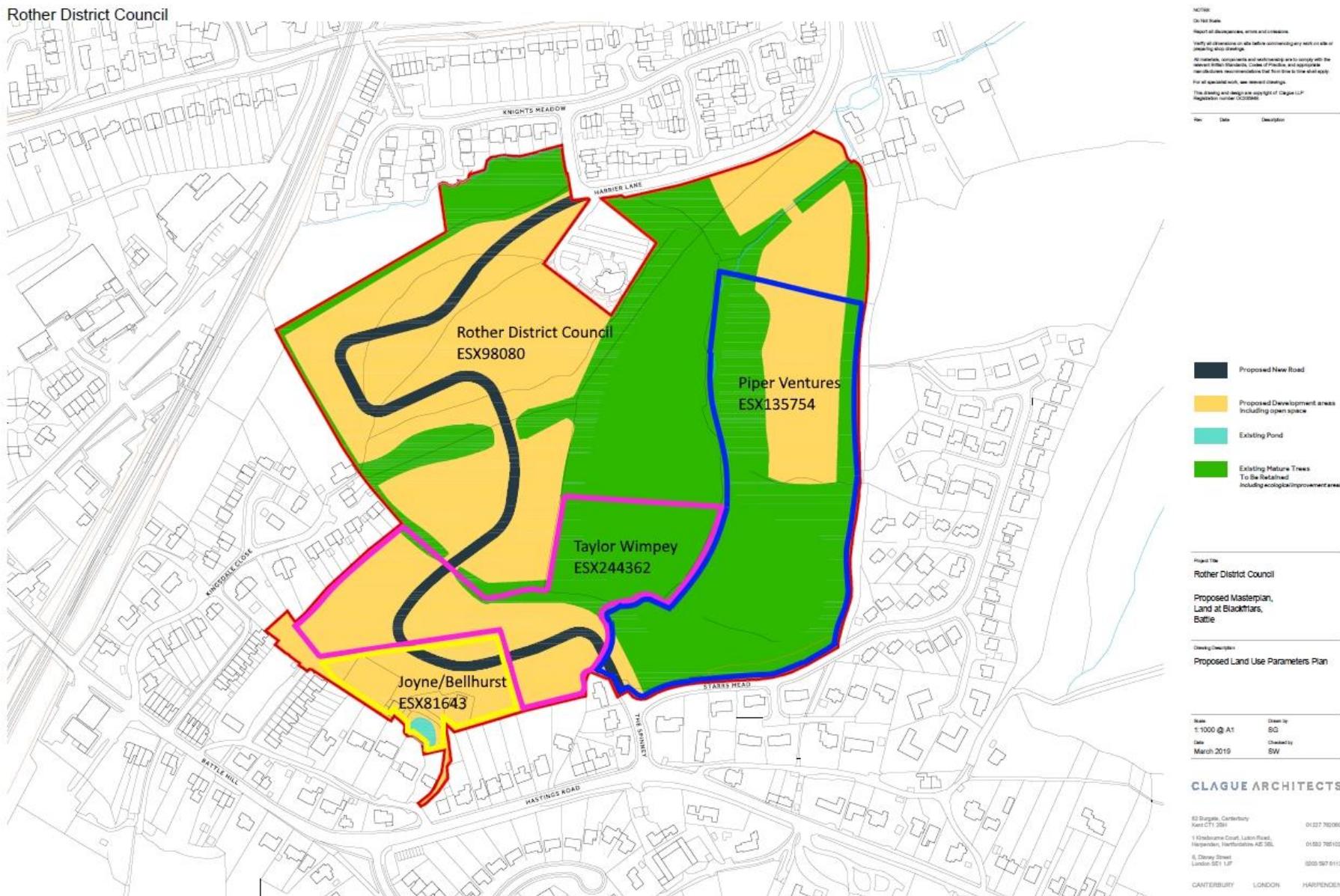
SCALE @ A3 0 20 40 60 80 100 m
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Appendix 2

Rother District Council



Proposed Masterplan, Land at Blackfriars, Battle

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GUIDANCE REQUIREMENT	SECTION IN GUIDANCE	COUNCIL'S RESPONSE
Demonstrate that there is a compelling case in the public interest to make the compulsory purchase order.	Tier 1, Stage 2 – Paragraph 12	The scheme generates significant benefits to both the local and wider area and is a significant positive for both. The scheme is of a scale and nature that will provide a catalyst for wider regeneration and revitalisation of the surrounding area and in particular will enhance the local environment and improve links to the wider area.
Demonstrate that the purposes for which the Order is made justify interfering with the human rights of those with an interest in the land affected.	Tier 1, Stage 2 – Paragraph 12	See below
The extent to which the proposed purpose will contribute to achieving the promotion or improvement of the economic, social or environmental wellbeing of the area.	Tier 2, Section 1 - Paragraph 73	<p>The Council considers that there is a compelling case in the public interest. The scheme will secure the redevelopment of the Order Land, which will in turn bring about social, economic and environmental benefits for the area. The scheme will bring widespread and compelling public benefits through much needed new housing to meet housing demand, public open space and environmental improvements.</p> <p>Battle has significant new housing need as demonstrated in the Battle Town Study and there are currently 109 households waiting for affordable rented housing on the Council's housing register.</p> <p>In particular, the Development is likely to deliver:</p> <ul style="list-style-type: none"> • 220 housing units responding to local Housing Need comprising <ul style="list-style-type: none"> • 10% 1 bedroom flats • 30% 2 bedroom houses • 30% 3 bedroom houses • 20% 4 bedroom homes • 35% Affordable Housing • Spine road which should assist in the alleviation of congestion in the town centre • Public open space

GUIDANCE REQUIREMENT	SECTION IN GUIDANCE	COUNCIL'S RESPONSE
		<ul style="list-style-type: none"> • Ecology mitigation and biodiversity compensation and improvements • Local Employment and Skills Plan • Habitat improvement and enhancement to adjacent ancient woodland • The creation of jobs during construction <p>These benefits justify interfering with the human rights of those with an interest in the land affected.</p>
Present a clear idea of how it intends to use the land which it is proposing to acquire.	Tier 1, Stage 2 – Paragraph 13	The land acquired by the Order will be used to secure the delivery of 220 dwellings, a spine road, public open space and associated works.
Demonstration that the scheme is unlikely to be blocked by any impediments to implementation. This needs to consider include financial, physical and legal considerations.	Tier 1, Stage 2 – Paragraph 15	The Council considered at Planning Committee on 10 October 2019 the various issues affecting the Order Land. This resulted in a resolution to grant planning permission for the Development. There are not considered to be any planning or other impediments which would prevent the scheme being delivered.
Demonstrate the planning framework provides the justification for an order and that there are no planning or other impediments to the implementation of the scheme.	Tier 2, Section 1 – Paragraph 74	See above
Show that all the necessary resources are likely to be available to achieve that end within a reasonable time-scale.	Tier 1, Stage 2 – Paragraph 13	<p>HIF Funding has been secured for construction of the spine road.</p> <p>The Council is considering its options regarding the funding of the remainder of the Development (see sections 25 and 26).</p>
The acquiring authority should provide substantive information as to the sources of funding available for both acquiring the land and implementing the scheme for which the land is required.as much information as possible	Tier 1, Stage 2 – Paragraph 14 (a)	See above

GUIDANCE REQUIREMENT	SECTION IN GUIDANCE	COUNCIL'S RESPONSE
<p>about the resource implications of both acquiring the land and implementing the scheme for which the land is required. Details of how any shortfalls are intended to be met. This should include:</p> <ul style="list-style-type: none"> • the degree to which other bodies (including the private sector) have agreed to make financial contributions or underwrite the scheme; and • the basis on which the contributions or underwriting is to be made. 		
<p>Evidence should be provided to show that sufficient funding could be made available immediately to cope with any acquisition resulting from a blight notice.</p>	<p>Tier 1, Stage 2 – Paragraph 14</p>	<p>See above</p>
<p>Details on the timing of the availability of the funding. Funding should generally be available now or early in the process.</p>	<p>Tier 1, Stage 2 – Paragraph 14 (b)</p>	<p>See above</p>
<p>Demonstrate how the purpose for which the land is being acquired fits in with the adopted Local Plan for the area or, where no such up to date Local Plan exists, with the draft Local Plan and the National Planning Policy Framework.</p>	<p>Tier 2, Section 1 – Paragraph 76</p>	<p>The Development complies with the policies the DaSA and the Core Strategy (and the 2006 Rother Local Plan).</p>
<p>Whether the purpose for which the acquiring authority is proposing to acquire the Order Land could be achieved by any other means.</p>	<p>Tier 2, Section 1 – Paragraph 76</p>	<p>With no certainty of securing all land interests through private treaty agreements, without which the Order Scheme would not be delivered, it is considered necessary, appropriate and in the public interest to make and seek confirmation of the Order.</p>

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DRAFT

Client name: Rother District Council		Description of CPO: Blackfriars		Indicative Timetable:																					
	2020										2021														
	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar			
Council makes an in-principle resolution to exercise compulsory purchase powers.																									
Land referencing agents appointed to commence land referencing process.																									
Agents to serve requisition notices on relevant landowners requesting further information and carry out Land Registry searches. Agents prepare Order Map and Schedule.																									
Once the second resolution has been made, Council makes the Order and places a copy of draft Order and map on deposit in locality for at least 21 days. Serve notice on landowners and lessees and also publish notice for 2 consecutive weeks in local newspaper providing minimum 21 days for objection.																									
Submission of Order and accompanying documents to Secretary of State for confirmation.																									
Within 12 weeks from end of the objection period if there are objections that cannot be resolved the Secretary of State will set a date for a public inquiry (target date is 6 months from submission).																									
Statements of Case to be served by the Council within 6 weeks of the start date for the inquiry process.																									
Pre-Inquiry Meeting held not later than 16 weeks after the start date (if required).																									
If pre-inquiry meeting is held, the Secretary of State distributes timetable to every person entitled to appear at the Inquiry no later than 4 weeks before start of the Inquiry.																									
Submit Statements of Evidence to the SoS and other parties not later than 3 weeks before commencement of the Inquiry.																									
2-week public inquiry (1 week may be sufficient).																									
Waiting for decision: approximately 10 weeks for Inspector to prepare report and submit to the Secretary of State and 13 weeks from receipt of the report for the Secretary of State to issue his decision. These are typical periods - may be reduced or extended.																									
Confirmation of Order with or without modifications. Order to be served on all landowners and published in a local newspaper stating where the confirmed Order can be inspected.																									
Risk of third party challenge 6 weeks from confirmation of the Order.																									
Implementation of Order.																									

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Rother District Council

Report to	-	Cabinet
Date	-	8 June 2020
Report of the	-	Executive Director
Subject	-	Street Naming and Property Numbering Policy

Recommendation to COUNCIL: That:

- 1) the revised Street Naming and Property Numbering Policy be approved and adopted; and
 - 2) the Functions and Responsibilities of the Licensing and General Purposes Committee be amended to include the determination of appeals under the Public Health Act 1925, Sections 17 - 19, with regard to Street Naming and Numbering.
-

Head of Service: Ben Hook

Lead Cabinet Member: Councillor Oliver

Introduction

1. The purpose of a Street Naming and Property Numbering Policy (SNN) is to bring clarity in the mechanism for how Rother delivers this service. The last policy review was over two years ago, (Minute CB17/17 refers) and in that period there have been both national and local changes. This report updates this policy.

Policy Update

2. The SNN Policy changes are mostly administrative, largely centered around the increasing use of digital technology to support submission of applications. In 2018, Rother replaced the IT system that enabled customers to submit applications, replacing the Microsoft CRM system with Firmstep. This enabled the development of more intuitive forms to assist with the application process. The point at which information is provided to applicants (and potential applicants) has also changed, with a more comprehensive set of advice on the application process now provided at a much earlier stage. While some of these changes may not be significant in their own right, the policy should keep pace with our current (best) working practices.
3. The new Policy, at Appendix 1 has much tighter phrasing, as the previous Policy's terminology left the Council open to interpretation and potential challenge.
4. Improvements have also been made throughout the document to aid general understanding and to reflect the changing technology that we have incorporated into our processes. These improvements include:

- Expanded Glossary containing more (and simpler) definitions of the terminology used in the policy.
 - Additional Appendices including a section to clarify acceptable road suffixes (Avenue, Lane, etc.) and recent changes to current fees and charges.
 - Recognition of electronic media – e.g. ‘in writing’ now includes email, and submission/sending of documents no longer needs to be in paper format.
 - Updated contact information.
5. The process for Appeals and Complaints has also been refined with the Licensing and General Purposes Committee listed as the Council’s secondary escalation point following an unsuccessful appeal to the Street Naming and Property Numbering Officer.

Conclusion:

6. It is being recommended that the SNN Policy be updated and adopted and take account of the local and national changes.

Dr Anthony Leonard
Executive Director

Risk Assessment Statement

There are no associated risks regarding the approval of this policy.



**DRAFT
STREET NAMING AND PROPERTY
NUMBERING POLICY**

Date:	June 2020
Version:	3.4

For all enquiries please visit: www.rother.gov.uk/SNN or telephone 01424 787000

**This Policy can be made available in large print, Braille
or in another language upon request**

This Policy is next scheduled for review in January 2021

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1. INTRODUCTION

- 1.1. The address of a property is an important issue; Police, Emergency Services, and the general public need an effective way of locating and referencing properties.
- 1.2. The naming and numbering of streets and buildings in the Rother District is controlled by Rother District Council under The Public Health Act 1925, Sections 17 - 19, with regard to Street Naming and Numbering. This makes Rother District Council the Addressing Authority for the district. No other body has addressing powers.
- 1.3. This Policy guides the Council in exercising its responsibilities for:
 - The naming of streets
 - The numbering of properties
 - The naming of properties
- 1.4. The remit for this role rests with the Street Name and Numbering (SNN) Officer who has delegated authority to make decisions and implement this policy on behalf of the Council.
- 1.5. The process of street naming usually occurs after planning permission has been approved for new development, which involves the creation of a new road(s) and the erection of one or more new buildings which require a postal address.
- 1.6. For Planning Applications and Building Regulations see Section 5 - Contact Information
- 1.7. Developers, residents and customers wishing to change the name of their property or seeking an address for a new property need to apply online to the Council, following the procedures detailed in this policy. The same applies to those who wish to discuss or confirm the street numbering of properties within the remit of Rother District Council
- 1.8. The Council's aim is to ensure that everyone we deal with receives the same level of service, based solely on relevant factors and taking individual needs into account. All Service users, and Council Officers, must be treated with courtesy and respect.
- 1.9. All data collected will adhere to GDPR (General Data Protection Regulations) regulations as of 25 May 2018.
- 1.10. The decisions made under previous versions of this policy do not set precedents for new decisions which will be governed by this policy.
- 1.11. The Council will make a decision on any circumstance not explicitly covered by this policy based on industry standard definitions and norms, and widely accepted best practice for Local Authority Street Name and Numbering.

- 1.12. If the Developer believes there are grounds to deviate from this policy, the onus will be on the Developer to provide all necessary supporting evidence and information.

2. STREET NAMING

2.1. Street Naming Procedures for New Developments

- 2.1.1. As far as new street naming proposals are concerned, the Council is content that developers or owners can propose their own street names for consideration and the reasons for choosing those names.
- 2.1.2. Developers must propose one or more alternative suggestions for a new street name in case their preferred proposal is not considered by the SNN Officer to comply with this policy.
- 2.1.3. The Council attaches considerable importance to the views of Parish and Town Councils and will seek their views on the suggested names. In cases where their suggestion does not meet the criteria, a decision will be made by the Licensing and General Purposes Committee, Rother District Council.
- 2.1.4. Although suggestions from developers are invited and considered, the final decision on street name resides with the SNN Officer and will not necessarily include any of the developers' proposed suggestions.
- 2.1.5. Where there are no objections to the street name, or after agreement has been reached, proposed names will be confirmed in writing by the Council.
- 2.1.6. Developers and owners are advised to start the street naming process soon after planning permission for a development is granted and no later than when Building Regulations are sought or an Approved Inspector Notice is issued.
- 2.1.7. It should be noted that to avoid confusion, consultation should take place before developers assign an unofficial marketing name to the development. Problems can arise if purchasers have bought properties which have been marketed under an unofficial name and legal documentation has already been drafted. Developers should not use a name for marketing purposes if it has not been authorised as a street name by the Council.
- 2.1.8. Developers are encouraged to use the final approved street name as part of their advertising, etc. - this helps the legal process and the Emergency Services.
- 2.1.9. The property developer should not give any postal addresses, including postcode, to potential occupiers, either directly or indirectly (for example via solicitors or estate agents) before formal approval has been issued by the Council.
- 2.1.10. Royal Mail is responsible for the allocation of post codes. It will allocate a Post Code only to those streets that have properties on them that will require the delivery of mail. It should be noted that Royal Mail requires confirmation from Rother District Council of an official address before it will issue a postcode.
- 2.1.11. The use of a locality in a descriptive address is not of concern to Rother District Council and will not be used in Council systems.

- 2.1.12. The Council reserves the right to change a street name at any time, should it be discovered that a name has been used in breach of this policy.

2.2. Street Naming Criteria

- 2.2.1. The Council will use this policy when considering a new number or address. Developers and Town and Parish Councils should adhere to this policy for any suggested street names.
- 2.2.2. Where possible, a street name should have a proven historical connection to the land intended for development. Encouragement and preference is given to names that reflect local natural history or the nature of the terrain.
- 2.2.3. Proposals relating to a person's name or commercial reference that could be construed as used for advertising or commercial gain will not be permitted, unless there is a proven historical connection to the land intended for development or a proposal is put forward for commemorative purposes.
- 2.2.4. New street names must not duplicate any similar name already in use in a town/village or in the same postcode area (e.g. TN40). This will fall under the discretion of the SNN Officer.
- 2.2.5. The street name suffix (Close, Avenue, etc.) must accurately reflect the type of street to be named as described in Appendix A.
- 2.2.6. The street name suffix must be on the approved suffix list (Appendix A), other requests will not be considered.
- 2.2.7. Non-vehicular pedestrian ways must end with one of the following suffixes: Path, Way, Walk.
- 2.2.8. Street names should not be difficult to pronounce or awkward to spell, and must not be deemed offensive as defined in the Equality Act (EA) 2010 (<http://www.legislation.gov.uk/ukpga/2010/15/contents>).
- 2.2.9. Street names with the potential to cause offence will not be approved, including the use of names and their combination with numbers that could be easily vandalised or changed into something which is deemed as potentially offensive.
- 2.2.10. The use of North, South, East or West (as in Collington Lane East) is not encouraged and is only acceptable where the road is continuous and passes over a major junction. It is not acceptable when the road is in two separate parts with no vehicle access between the two.
- 2.2.11. The use of two phonetically similar names within a postcode area (e.g. TN40) must be avoided (e.g. Chapel Road and Capel Road).
- 2.2.12. Street names will not begin with 'The'.

2.3. Erection of Street Name Plates

- 2.3.1. All costs for the erection of signs for new streets will be borne by the property developer. There is a specification for the signs and their locations which is available on the Rother District Council Website (<http://www.rother.gov.uk/article/1467/Street-name-plates>). The proposed naming and numbering scheme for the new development will be sent out to the applicant as part of the official notification. The Housing and Community Service Estate Maintenance Department of Rother District Council can be contacted for further street sign advice if required.
- 2.3.2. The maintenance of street signs becomes the Council's responsibility only if and when a street has been adopted.
- 2.3.3. It is unlawful to erect a street nameplate before the street name has been confirmed in writing by Rother District Council. Contravention currently attracts a fine of £200 under the provisions of the Criminal Justice Act 1982 (Chapter 48, Section 37, Standard Scale Level 1 Offences). The level of the fine will change in accordance with any revisions to the Act (<http://www.legislation.gov.uk/ukpga/1982/48/section/37/data.pdf>).
- 2.3.4. Section 19 of the Public Health Act, 1925, places a duty on the local authority to see that street names are conspicuously indicated in or near the street.

2.4. Street/Highway adoption

- 2.4.1. Adoption of a highway is a matter for the Highway Authority which, in the District of Rother, is East Sussex County Council (<https://www.eastsussex.gov.uk/environment/planning/applications/development-control/roads/adoptionandimprovements/>).

3. PROPERTY NUMBERING

3.1. Property Numbering Procedures for New Developments

- 3.1.1. The process of property numbering within a street will not start until planning permission has been granted for the new development. Property developers should contact the Council when actual building work commences.
- 3.1.2. The Developers should provide an electronic copy of a site layout plan not less than 1:500 scale. The plan should clearly indicate the plot numbers of each separate dwelling, office or business unit. The main entrance points to the buildings should be indicated by pathways.
- 3.1.3. Wherever possible and particularly for developments involving ten or more dwellings it is advantageous to the swift processing of the request if the site layout plan is submitted electronically with the geocodes (property coordinates) for each dwelling clearly stated.
- 3.1.4. All requests should quote the reference of the approved planning permission for the development.
- 3.1.5. A charge is applied for property registration but not for street naming and numbering. An additional charge will be made where changes are requested to an approved scheme during the course of the development. Current Fees are listed in Appendix B.

3.2. Property Numbering Policy

- 3.2.1. Rother District Council complies with BS7666 (2006) - Spatial Data Sets for Geographical Referencing. Developers are encouraged to liaise with the Council at an early opportunity to ensure that property number requirements comply with BS7666.
- 3.2.2. Certain streets exist that do not have a numbering scheme (see 4.1 House Names).
- 3.2.3. It is important to ensure the numbering sequence of any street is not disrupted when additional properties or developments are built.
- 3.2.4. An official address will not be granted **without** the relevant granted planning permission(s).
- 3.2.5. In town areas, a new street will be numbered so that, when travelling away from the centre of the town, the odd numbers are on the left-hand side and even numbers on the right. The only exception to this convention relates to property within a cul-de-sac, where consecutive numbering in a clockwise direction is used.
- 3.2.6. In areas of small population e.g. villages, the SNN Officer will assign house numbers as appropriate.
- 3.2.7. Private garages and similar buildings used for housing cars and similar are not numbered.

- 3.2.8. A proper sequential integer (whole number) numbering sequence shall be maintained in all cases (no omissions considered). Once properties are numbered, the Council will not renumber them unless part of a major street redevelopment.
- 3.2.9. Buildings (including those on corner sites) are numbered according to the street in which the main entrance by foot is located.
- 3.2.10. Where multi-occupied buildings have entrances in more than one street, then the location of each entrance will dictate both the numbering and address of the units served from that entrance.
- 3.2.11. Once a road is fully developed and proposals for redevelopment or subdivision are received then the new development should not involve renumbering the entire street. Where such development is small scale this might involve each new unit being given the number of the old property plus a letter suffix.
- 3.2.12. Large-scale redevelopment might include a new access road giving the Council the opportunity to introduce both a new street and numbering scheme.
- 3.2.13. In accordance with The Public Health Act 1925, Sections 17 – 19 all properties shall prominently display the relevant number, or house name where there is no numbering scheme, so that it can be easily seen by visitors and the Emergency Services.
- 3.2.14. The property number, if assigned, must always be included when dealing with Rother District Council even if a name has been given to a property. The name cannot be regarded as an alternative address.
- 3.2.15. The Council reserves the right to change a property number, at **any** time, should it be discovered that a number has been approved in breach of this policy.

4. ADDRESS CHANGES

N.B. Where the ‘Owner’ of the property is referenced, this refers to the **Freeholder** only and not the Leaseholder, Tenant, or other occupier.

4.1. House Names

- 4.1.1. Provided a property already has a number, the owner can add an unofficial name to it without contacting the Council. The Council will however update the Royal Mail and Emergency Services when a property name has been formally registered.
- 4.1.2. A new name can be added to an existing postal address, but the postal number cannot be deleted from that address. The property number must still be displayed and referred to in any correspondence.
- 4.1.3. Certain streets exist that do not have a numbering scheme. In these cases, where a new building is built in the street, a house name should be nominated and approved by the Street Naming and Numbering Officer before first occupation.
- 4.1.4. The allocated name forms part of the official address and should be prominently displayed.
- 4.1.5. Only owners of properties may change an official name. They should apply to the Council providing all the necessary information as requested in the form. (<http://www.rother.gov.uk/article/6258/SNN>).
- 4.1.6. A property name will not be formally changed where the property is in the process of being purchased. Only when a purchase is complete can a name change request be accepted. In the case of joint ownership, all parties must agree to the proposed change.
- 4.1.7. A non-refundable fee, payable on application, will be made for changing a house name.

Current Fees are listed in Appendix B with further information at www.rother.gov.uk/SNN.

- 4.1.8. The Council reserves the right to change a house name, at **any** time, should it be discovered that a name has been approved in breach of this policy.

4.2. House Naming Criteria

- 4.2.1. The Council will use this policy when agreeing a property name. Property Owners and Developers should adhere to this policy for any proposed property names.
- 4.2.2. Wherever possible it is preferred that a property name has a historical connection. Encouragement is also given to names that reflect local history or the nature of terrain.

- 4.2.3. Proposals relating to a person's name or commercial reference that could be construed as used for advertising or commercial gain will not be permitted, unless there is a proven historical connection.
- 4.2.4. New property names must not duplicate any similar name already in use in a town/village or in the same postcode area (e.g. TN40). A variation in the terminal word, for example, 'hill', 'house', 'cottage', 'lodge' would not constitute sufficient change.
- 4.2.5. The use of two phonetically similar names within a postcode area (e.g. TN40) must be avoided (e.g. Chapel Cottage and Capel Cottage).
- 4.2.6. Property names must not begin with 'The'.
- 4.2.7. Property names must not be difficult to pronounce or awkward to spell, and must not be deemed offensive as defined in the Equality Act (EA) 2010 (<http://www.legislation.gov.uk/ukpga/2010/15/contents>).
- 4.2.8. The name should not contain words that could be modified to form an offensive term. Property names with the potential to cause offence will not be approved.

4.3. Renaming of Streets / Renumbering of Properties

- 4.3.1. Rother District Council will only recognise an alteration to an existing street naming/numbering scheme where the proposed alteration is in the wider public interest and improves or eradicates confusion. The Council has authority to issue Renaming or Renumbering Orders, if any anomaly becomes evident.
- 4.3.2. The Council will only rename a street in exceptional circumstances, such as when it is known that the name causes confusion for statutory service providers, the Emergency Services or collectively for local residents.
- 4.3.3. The Council will only renumber a property where it is known that there are habitual delivery problems or where infilling or subdivision of the property has occurred or, where the safety of delivery drivers for goods and or services is an issue or, if the access has changed from one street to another.
- 4.3.4. Where an existing street is renamed or renumbered, the Council will ensure that all habitable property owner/occupiers that are affected by the proposed change are identified and notified. The notifications will take place after the relevant, Parish Council or other local resident group has been consulted.
- 4.3.5. In some instances, it will be the owner's responsibility to inform their tenants/occupiers when address corrections are made however we will generally request this of the owner during the process.

5. CONTACT INFORMATION

5.1. Street Naming and Property Numbering Department

Local Land and Property Gazetteer Unit

Contact us online: www.rother.gov.uk/SNN

Write to us at:

Street Naming and Numbering Department

Rother District Council,
Town Hall
Bexhill
East Sussex
TN39 3JX

House Name Change Application form:

<http://www.rother.gov.uk/article/11500/House-name-change>

Street Naming for new developments and conversions:

<http://www.rother.gov.uk/article/6257/SNNDC>

5.2. Planning

Planning Development Administration

<http://www.rother.gov.uk/ContactPlanning>

5.3. Estate Maintenance Department (Street Signage)

Contact information and Street Sign Specifications can be found here

<http://www.rother.gov.uk/article/1467/street-name-plates>

6. APPEALS AND COMPLAINTS

- 6.1. If the Developer wishes to contest a decision made by the SNN Officer, they can appeal in writing (including email) requesting a review of the decision, including all supporting evidence.
- 6.2. If the Developer wishes to challenge the outcome of that appeal, a final decision will be considered by the Licensing and General Purposes Committee. The panel may choose to escalate the final decision to a full Council meeting.
- 6.3. While the Council will constructively engage with Developers regarding all aspects of this policy, the Council reserves the right to a final decision on all proposals subject only to successful legal challenges made to the local Magistrates court.
- 6.4. If you wish to register a complaint regarding the service, please visit <http://www.rother.gov.uk/complaints> or write to:

Complaints, Town Hall, London Road, Bexhill, East Sussex. TN39 3JX

N.B. A complaint will review if an application has been handled in an appropriate and courteous manner but will not review or change the outcome of any decisions.

7. GLOSSARY

BS766 (2006)	British Standard Spatial datasets for geographical referencing.
BLPU	Basic Land and Property Unit - an area of land, property or structure having uniform occupation, ownership or function. Such a Unit attracts a UPRN (see below).
Developer	The person or organisation engaging with the Council for the purpose of Street Naming and/or Property Numbering.
GeoPlace	Formerly, The National Land and Property Gazetteer - The National Data Set, now known as AddressBase, which contains unique reference (UPRN), geo codes point and address information for all property and land within England and Wales.
House Numbering	The allocation of numbers and suffixes to properties. This may include houses, flats, industrial units, and groups of static caravans.
House Naming	A request for a house to be named or to change its name.
Locality	Another local description added to the address which is not held in the official address.
LLPG	Local Land and Property Gazetteer – Contains the official address data for all properties (Houses, Flats, commercial premises, etc.) and non-addressable objects (Bin Stores, Recycling locations, Cricket Pitches, etc.).
LLPG Custodian	Council Officer responsible for maintaining the LLPG address dataset for Rother District Council. The LLPG Custodian also holds the role of Street Naming and Numbering Officer.
Owner	Where the 'Owner' of the property is referenced, this refers to the Freeholder only and <u>not</u> the Leaseholder, Tenant, or other occupier.
Street	The generic name for a road, street, pathway, thoroughfare, alley, lane etc. The street naming function is administrated by the Local Land and Property Gazetteer Team of Rother District Council. The designation of the class of Road, e.g. A1, A27, B2121, is administered by East Sussex Council.
Street Name and Numbering (SNN) Officer	Responsible for the statutory duty of Street Name and Numbering for the district. This role is currently held by the LLPG Custodian. Authority for this role is delegated by the elected members of the council (Councillors).
Street Naming	The allocation of or change to the name of a 'Street' as defined above.
Street Renaming	Changing the name of an existing street.
Suffix	A letter that is added to a number usually to describe a dwelling or commercial property that has more than one internal unit. For example, where an extra property is built between 22 and 23 High Street would be called 22A High Street.
UPRN	Unique Property Reference Number. Each BLPU has a reference number or UPRN. Each UPRN has a maximum of 12 digits, is unique within the UK and has no internal structure related to the geographical location of the BLPU to which it relates. The maintenance of uniqueness is carried out by GeoPlace.

All properties, both residential and commercial, now require a Unique Property Reference Number (UPRN), and it is required in most dealings with the Land Registry. The allocation of a UPRN includes separate flats and distinct units within commercial properties. An historical trail will be built up in relation to each UPRN within the AddressBase products. The Street Naming and Numbering Unit of Rother District Council will populate its software with all UPRNs and make these available to all relevant customers.

8. APPENDICES

Appendix A

STREET NAME SUFFIX

Street	any thoroughfare (generally used for urban roads) (TR/NTR)
Road	any thoroughfare (TR/NTR)
Way	any thoroughfare (generally used for main roads) (TR)
Place	short road or access way (TR/NTR)
Lane	any narrow rural thoroughfare (TR/NTR)
Avenue	any residential street bounded by trees (TR)
Drive	any residential road (TR/NTR)
Grove	any residential road in a small wood or group of trees (TR/NTR)
Gardens	residential roads with links to gardens (TR/NTR)
Crescent	any crescent shaped street (TR/NTR)
Close	any cul-de-sac only (NTR)
Hill	hillside road only (TR/NTR)
Rise	hillside road only (TR/NTR)
Row	terrace of properties (but not a subset of named street) (TR/NTR)
Terrace	terrace of buildings (but not a subset of named street) (TR/NTR)
Circus	any large roundabout
Mews	any short road which leads to a stable yard or horse related site, or a short row of terraced houses built to look like converted stables, or terraced houses surrounding a courtyard (NTR)
Wharf	any quay side road where shipping was docked and unloaded (TR/NTR)

TR: Can be assigned to a Through Road

NTR: Can be assigned to a No-Through Road

FEES AND CHARGES

N.B. Fees correct as of October 2019. Please see www.rother.gov.uk/SNN for the latest pricing.

Street naming and numbering for house name changes and confirmations

EXISTING PROPERTIES	FEE
Renaming or renumbering existing properties	£75 per unit
Confirmation of official address	£35 per unit
Changing a street name (residents' request) - see Street Naming and Numbering Policy	On application
Street numbering where no numbering scheme exists (residents' request)	On application

Street naming for new developments and conversions

NEW DEVELOPMENTS	FEE
Naming of streets and numbering of properties	No charge
Registration and notification of new properties	£165 + £20 per property
Confirmation of postal address	£35 per property
Alterations in either street name or property numbers to new developments after initial street naming and property numbering has been undertaken.	£165 + £35 per property

LOCAL LAND AND PROPERTY GAZETTEER (LLPG) INFORMATION

All changes made through the street naming and numbering process and through notified name changes are included on the Council's Local Land and Property Gazetteer (LLPG), which is used in the delivery of the Council's services.

Our local gazetteer together with the gazetteers of other local authorities are in turn linked and updated daily to a definitive index of land and property in England and Wales known as the National Land and Property Gazetteer (NLPG).

The Council's Local Land and Property Gazetteer Custodian informs not only our internal Services of changes, but also updates external contacts. Owners remain responsible for informing utilities and all others not detailed below.

Agencies and Authorities who are informed of Street and Property Changes:

- GeoPlace - by Data Transfer Protocol File
- East Sussex County Council - Transport and Environment
- Sussex Police
- East Sussex Fire and Rescue Service
- District Valuer & Valuation Officer (VOA)
- Royal Mail
- All Departments within Rother District Council

It should be noted that GeoPlace' AddressBase products are the national method for informing all authorities and agencies of changes, currently the Ambulance Service now get information directly from GeoPlace.

Rother District Council

Report to	-	Cabinet
Date	-	8 June 2020
Report of the	-	Executive Director
Subject	-	Property Investment Strategy

Recommendation to COUNCIL: That the revised Property Investment Strategy set out at Appendix 2 be approved and adopted;

AND

It be **RESOLVED:** That the revised Terms of Reference for the Property Investment Panel set out in Appendix 3 be approved.

Heads of Service: Ben Hook / Robin Vennard

Lead Cabinet Member: Councillor Oliver

Introduction

1. The Council's current Property Investment Strategy (PIS) was considered by Cabinet and approved by Council in May 2018. It is now timely to review the PIS in the light of the Council's experience over the past two years; having regard to Government guidance and to legal advice. This report sets out the latest position with regard to property acquisitions and makes recommendations relating to revisions to the PIS.
2. This report also proposes changes to the Terms of Reference to the Property Investment Panel (PIP), to reflect changes that have taken place since these were last adopted.

Acquisitions to Date

3. In May 2018, the Council approved borrowing (Minute C18/13 refers) up to a total of £35m to support a programme of property acquisitions. To date a total of £24.696m has been either spent or approved to date (including acquisition costs, professional fees and the cost of demolition works undertaken at 1-7, Wainwright Road): producing a gross income of £886,000 in a full year (£677,000 net of borrowing).
4. All of the properties that have been acquired to date have been located within Rother District, and comprise a mix of retail, industrial and office properties, along with development sites. Properties outside the district have been considered where these met with the criteria set out in the PIS, however none of these have come to fruition so far.
5. The properties acquired so far are as follows:

14 Terminus Road, Bexhill	£850,000
16 Beeching Road, Bexhill	£825,000

18-40 Beeching Road, Bexhill	£825,000
1-7 Wainwright Road, Bexhill	£1
Glovers House, Bexhill	£7,450,000
Land at Barnhorn Green, Bexhill	£600,000
Market Square, Battle	£3,075,000
Total	£13,625,001

6. The above table shows the purchase prices only, net of costs. Acquisition costs such as stamp duty and professional fees, and the total cost of demolition works at 1-7, Wainwright Road amount to a further £1,071,439, met from the original £35m budget. In addition, the Council has committed from the budget £10m borrowing for the development of the site at Barnhorn Green. Approximately £10.304m of the original approved borrowing therefore remains.
7. Further details of the properties acquired are summarised in Appendix 1.

Revised Property Investment Strategy

8. The current PIS was drafted having regard to the statutory guidance and the Council's regeneration ambitions for the Rother area, and these have been at the forefront of the rationale for the acquisitions that the Council has made to date. It places an emphasis on the Council's regeneration ambitions as supporting the rationale for acquiring commercial premises, and regeneration objectives have underpinned the acquisitions that have been made to date.
9. The Council also seeks to make a financial return on those acquisitions however, in order to support its revenue budget in the light of reduced Central Government funding.
10. The Council's Medium Term Financial Strategy (MTFS) identifies the following year-on-year targets for raising additional income through expanding its property portfolio.

2020/21	2021/22	2022/23	2023/24	2024/25
£544,000	£605,000	£605,000	£605,000	£605,000

11. The Council will continue to focus on acquiring properties within the District (or immediate environs) in support of its regeneration aspirations. However, there is a case for broadening the Council's area of search to enable it to consider acquisitions outside the district in order to meet the MTFS targets shown above.
12. Rother does not have a significant commercial property market and in general transactions are small-scale. Whilst, in theory, the Council could acquire large numbers of small properties, the acquisition process is heavily resource intensive and the ongoing management of such properties would also require resourcing. The opportunities locally for acquisitions that will make a significant contribution to meeting the Council's income targets are few and far between.
13. Other investment activity, such as development of sites at Barnhorn Road and 1-7 Wainwright Road, will yield a return in the longer run but require time to bring to fruition.

14. It is unlikely therefore that the Council will be able to meet the Council's MTFP income targets through property acquisitions under the current PIS, for the reasons given above.
15. From time to time however opportunities arise to acquire properties beyond the district boundaries, which may represent good financial investments (subject to the usual due diligence); and there is a case for considering these on that basis. Many local authorities are acquiring commercial property to generate a revenue stream in this way.
16. HM Treasury has however expressed concern at the extent to which local authorities are using their powers of borrowing to undertake commercial investment activity. These concerns focus on the level of financial risk taken, the extent of borrowing relative to the authorities' turnover, and the level of expertise available to local councils to ensure prudent investment. There is also concern that local authorities may be inflating prices artificially, with examples in some cases of local authorities actively bidding against each other for assets.
17. Legal advice has been sought on the ability of the Council to acquire property for this purpose and whether it may borrow to do so. The advice suggests that if the Council wishes to acquire commercial property purely as an investment (for capital and/or revenue returns) for the prudent management of the Council's financial affairs under a Commercial Investment Strategy (CIS) then it may do so; and it may borrow to acquire such property. Acquisitions where there is no link to local regeneration (i.e. outside of Rother and its immediate environs) would therefore have to be justified by their contribution towards an adopted CIS.
18. Government guidance states that local authorities must not borrow more than or in advance of their needs purely in order to profit from the investment of the extra sums borrowed. However, it goes on to suggest that where authorities do this there needs to be explicit justification of the reasons for so doing; hence the need for an adopted CIS. In addition, where money is borrowed to invest, the Guidance states that the Council must explain:
 - Why the Council has decided not to have regard to the Ministry of Housing, Communities and Local Government Guidance or to the Prudential Code in this instance; and
 - The local authority's policies in investing the money borrowed, including management of the risks, for example, of not achieving the desired profit or borrowing costs increasing.
19. To date the Council's investment activity has been focused on property acquisitions however, the Council may also wish to consider other forms of investment activity which can contribute towards meeting the Council's income targets. These could include:
 - Energy generation.
 - Lending to Council-owned companies (such as the Housing Company).
 - Other commercial lending (e.g. to support projects led by third party bodies).
 - Joint Venture arrangements.
 - Land acquisitions for retention for future development.

20. Such activities may also help to support other Council priorities, such as the delivery of housing and the emerging Climate Change Action Plan, by enabling the Council to enter into commercial relationships where necessary or appropriate. Any borrowing to invest should be proportionate, sustainable and affordable and the proposed investment supported by due diligence and professional advice that identifies and addresses the likely risks involved (along with undertaking sensitivity analysis on prospective returns).
21. In order to provide a policy framework to accommodate these types of commercial activity it is proposed that the Council will develop a CIS, which would act as a companion strategy to the PIS.
22. At present a CIS for the Council has yet to be developed; however it is recommended that the PIS be amended in readiness, in order to set the parameters under which the Council will consider the acquisition of property in pursuance of investment objectives. Until such time as a CIS has been formally approved however, all acquisitions will still need to be justified by their contribution to local regeneration.
23. A revised draft PIS is shown at Appendix 2. The proposed revised strategy extends the area of search to a radius of approximately 40 miles from the Rother boundary, which is sufficiently wide to offer purchasing opportunities in active property markets but close enough to facilitate prudent ongoing management of the asset. It is also evident that some Rother residents commute those sorts of distances for work purposes.

PIP Terms of Reference

24. Currently the PIP's Terms of Reference allow for two Executive Councillors, one of whom must be the Portfolio Holder with responsibility for Finance: and three other Councillors.
25. Following the Council Elections in May 2019 membership of the PIP changed as a consequence of the appointments process. The current appointments to the PIP include three Cabinet members; and a change is needed to the Terms of Reference to accommodate this.
26. It is now proposed to add a further Member to the Panel, to comprise three Executive Councillors and three non-Executive Councillors and to remove the requirement for the Cabinet Portfolio Holder for Finance to be a mandatory Member of the PIP. Approval of the extended PIP will therefore ensure that the PIP continues to operate within its Terms of Reference it is recommended that these be amended accordingly.
27. A revised draft Terms of Reference is attached as Appendix 3.

Risk Management and Governance

28. The Council's internal auditors have recently reviewed the Council's processes for acquiring properties and identified no serious risks. However, some recommendations were made to assist the process in future, as follows:
 - Management should consider adopting a weighted scorecard approach to better quantify the relative merits of each acquisition. This would make it is

easier for the PIP to see the strengths and weaknesses of each proposal and help to ensure consistency of approach.

- Whilst risk registers are produced for development projects after the sites have been acquired, it was recommended that a risk register is produced prior to a decision being made to proceed with the purchase, to ensure that any risks identified during the acquisition process are considered and mitigating action put in place.
 - It was recommended that Members on the PIP should receive further property investment training to help them fulfil their role.
 - The report recommends a checklist be produced to record all the key stages of the due diligence process, to confirm that all necessary due diligence checks have been carried out prior to completion taking place.
29. Officers have taken on board the recommendations of internal audit and these are being actioned.

Conclusion

30. It is recommended that the revised PIS (Appendix 2) be adopted and a CIS be prepared for a future Cabinet meeting. The Terms of Reference of the PIP be amended and the recommendations of audit report be implemented.

Dr Anthony Leonard
Executive Director

Risk Assessment Statement

The role of the PIP in considering potential acquisitions will remain critical and it is important therefore that members of the Panel are familiar with property matters and that they receive relevant training to support their role.

Expanding its area of search may increase the Council's exposure to risk; through insufficient knowledge of local market conditions and by virtue of distance which may limit the Council's ability to respond to changing circumstances (such as voids).

These risks may be offset by careful consideration of assets to be acquired, guided by the PIS, and by undertaking necessary due diligence at the time of purchase. Ultimately the Council has ownership of a capital asset which it may sell.

The Covid-19 pandemic is most likely to have an impact upon the property market, although as yet the effects are hard to predict and it takes time for market data to filter through and reflect any changes within market sentiment. The Council will continue to monitor this in consultation with its advisors.

SUMMARY OF PROPERTIES ACQUIRED SINCE MAY 2018

PROPERTY ADDRESS	USE TYPE	DATE ACQUIRED	PURCHASE PRICE (NET)	TOTAL COST (GROSS)	VALUE AS AT 31/03/20
14 Terminus Road, Bexhill	Car showroom, workshop and filling station	July 2018	£850,000	£887,485	£1,072,100
16 Beeching Road, Bexhill	Light Industrial	Dec 2018	£825,000	£877,885	£1,213,300
18-40 Beeching Road, Bexhill	Light Industrial	Dec 2018	£825,000	£877,885	£1,638,880
1-7 Wainwright Road, Bexhill	Development site	Dec 2018	£1	£342,561*	£600,000
Glovers House, Bexhill Enterprise Park	Office	April 2019	£7,450,000	£7,843,952	£5,734,500
Land at Barnhorn Green, Bexhill	Development Site	July 2019	£600,000	£610,487	£0
Market Square, Battle	Retail	Dec 2019	£3,075,000	£3,256,184	£3,120,400

* cost of demolition and associated fees

PROPERTY INVESTMENT STRATEGY

June 2020

Objective of the Strategy

1. The Council is committed to supporting and safeguarding the economy of the Rother area through the long-term protection of existing and the creation of new employment space. This objective will in part be achieved through the investment in land and property in the Rother economic area. For this strategy to be sustainable the investments must make a net positive return for the Council. For new developments this may not occur in the early period but must by the medium term be making a positive return. The Council will review this strategy as the portfolio develops and as the Council's business needs evolve.
2. In addition, the Council will acquire land and properties for the prudent management of the Council's financial affairs under its Commercial Investment Strategy. Properties acquired for this purpose may not necessarily be situated in the Rother economic area.

What will the Council invest in –

3. The Council will seek to maintain a diversified and balanced portfolio of property assets, having regard to the considerations set out below. The general principle is that properties will be acquired in order to protect their current or desired use and/or generate a stable revenue income for the Council.
4. Established property investment practice has evolved based on long standing markets for assets in mainstream sectors such as offices, retail, industrial and residential. Investing in these traditional asset categories in a balanced fashion, allows for a lower risk investment when compared to emerging markets such as Student Accommodation, Nursing Homes and Medical Centres. However, opportunities will be considered on their respective merits.
5. Where a case can be made on the basis of local benefit the Council will consider opportunities within the Rother District or within its immediate environs.
6. Where the acquisition is not linked to local benefit the Council will consider opportunities within Rother District or within an approximate 40-mile radius.
7. Freehold tenure is preferred to leasehold. Freehold provides for greater levels of security than a leasehold asset that would effectively decrease in value over time. However, the Council may also buy back ground leases on assets where the Council is already the freeholder, in order to gain control over future development and benefit from increased rental income.
8. Properties should preferably be let to a single tenant on a full repairing lease, in order to minimise management input. Properties with more than one tenant may be considered however if the management requirements are considered to be acceptable. Whilst properties let to only one tenant may present a level of risk of a void in the event of tenant failure or at the end of the lease, detailed financial due diligence would be undertaken to ascertain their financial stability.

9. The Council will balance investments that are already producing an income, with existing tenants in place, with properties with vacant accommodation or development sites where the return on investment is expected in the medium term particularly where there are strategic reasons for doing so. The interim funding implications will be considered as part of the business case for investment.

Size of Investment Lots and investment criteria

10. Due to the nature of the local property market the Council will be flexible on lot size and consider investment opportunities on their individual merit; however the ideal suggested lot size is between £1m and £10m. This will be flexible if there is an overriding strategic reason to acquire a property.
11. Opportunities may be sought that lend themselves to a potential to increase rental income than is currently being realised.
12. The following guiding criteria will be applied:
 - A target average annual yield of 2% net of borrowing costs over the expected lifetime of the asset
 - Individual Properties or Portfolios.
 - Flexible lot size but £1m – £10m expected. Larger lot sizes will be considered on their merits, having regard to financial due diligence.
 - Freehold preferred.
 - Single tenanted preferred, or multi tenanted where management input required is at an acceptable level.
 - Asset categories: likely to focus on Industrial, Office, Retail, Leisure, Trade Counter; but others may be considered.
 - Geographically located within Rother District, or immediately nearby where a case can be made on the basis of local benefit.
 - Geographically located within an approximate 40-mile radius of Rother District, where the case is made for investment purposes.

Land and Property Disposals

13. The Council's land and property holdings will be reviewed regularly to assess their contribution to the objectives of this strategy and where there is a shortfall may consider disposal. In addition, where there is significant capital appreciation of an asset, disposal may be considered where the capital receipt enables reinvestment in the Rother area.

Funding the Investments

14. Funding for the acquisition of assets will be reviewed on a case-by-case basis from a number of sources:
 - Receipts from previous property disposals.
 - Receipts from proposed land / property disposals in future years.
 - Reallocation of some of the funds currently held in reserves.
 - Borrowing from external lenders – Bank Real Estate Finance, Annuity Funds, Pension Funds.
 - Borrowing from the Public Works Loan Board.
 - Municipal Bonds Agency.

Expert Support and Guidance

15. External specialist property investment advisors will be retained as necessary on each transaction, advising on suitability having undertaken detailed pre purchase due diligence, including valuation, risk analysis and lease / title reviews; including the appointment of introductory agents where appropriate.

Managing Risk

16. The risks of each potential investment will be considered by carrying out due diligence to include the following:
 - Valuation.
 - Market Conditions.
 - Covenant strength of tenants.
 - Terms of leases.
 - Structural surveys.
 - Funding options.
 - Future costs.
17. The subsequent management of the portfolio will be delivered from existing resources within the Council's Estates team, supplemented by specialist external advice as needed. A specific budget provision will be made available to meet these costs. This approach will be reviewed regularly by the Property Investment Panel, including on-going resource requirements, as the portfolio grows.

Monitoring the Strategy

18. Annual reports on activity and performance will be considered by the Council's Audit and Standards and Overview and Scrutiny Committees.

**PROPERTY INVESTMENT PANEL
TERMS OF REFERENCE****1. PURPOSE**

The Property Investment Panel is set up by Cabinet to make recommendations to the Head of Paid Service on matters relating to the Property Investment Strategy under powers as set out in Rother District Council Constitution. These may be to further the aims and objectives of the Council to promote economic growth in the Rother area; or in pursuance of commercial investment objectives in accordance with a formally adopted Commercial Investment Strategy.

The Head of Paid Service has been given delegated powers to acquire properties for economic, regeneration and investment purposes subject to the recommendations of the Panel and as guided by the Property Investment Strategy.

The Panel will:

- i. receive investment prospectuses and evaluations of potential property acquisitions;
- ii. set the parameters, within the overall Property Investment Strategy parameters, for bidding on each property.
- iii. make recommendations to the Head of Paid Service on the acquisitions of properties; and
- iv. oversee the due diligence and acquisition process in accordance with the Property Investment Strategy.

2. CONSTITUTION, DUTIES AND POWERS

- i. The Panel shall comprise six elected Members nominated by the Leader of the Council, with one vote each:
 - three Executive Councillors, ~~one of whom must be the Portfolio Holder with responsibility for Finance~~; and
 - three other Councillors.
- ii. Council Officers attending will be the Executive Directors and Section 151 Officer. Other Council Officers and external advisors may attend the Group, in an advisory capacity (e.g. the Property Investment and Regeneration Manager).
- iii. The Section 151 Officer will attend in an advisory capacity. However, if he/she disagrees with the Panel's recommendation he/she can refer the decision to the next scheduled meeting of Cabinet for further consideration.
- iv. The Panel shall appoint the Leader of the Council ~~Portfolio Holder with responsibility for finance~~ as Chairman. In his/her absence, the Panel can appoint a chairman for that meeting.

- v. The quorum of the Panel shall be three. One Executive Director (who need not necessarily be the Head of Paid Service) and the Section 151 Officer (or his/her deputy) must be in attendance.
- vi. There will be no substitution arrangements.
- vii. Recommendations made to the Head of Paid Service will be made by majority vote of all those present and entitled to vote. In the event of an equal number of votes for and against a proposal, the matter will be referred to Cabinet.
- viii. The financial performance of the investments will be reported to the Audit and Standards Committee as part of its treasury management responsibilities. In addition, the Panel will report its activities through the Overview and Scrutiny Committee to Cabinet.
- ix. The frequency of the Panel meetings will be as and when required.

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Rother District Council

Report to	-	Cabinet
Date	-	8 June 2020
Report of the	-	Executive Directors
Subject	-	Economic Recovery Steering Group Terms of Reference

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

- 1) a cross-party Economic Recovery Steering Group made up of the Leader of the Council plus seven Members, as per the Terms of Reference be established;
 - 2) the Terms of Reference attached at Appendix 1 be agreed; and
 - 3) the seven Members to sit on the Economic Recovery Steering Group be confirmed.
-

Head of Service: Ben Hook

Lead Cabinet Member: Councillor Mrs Bayliss

Overview

1. The Covid-19 pandemic has had a devastating impact on the national economy. The UK Office for Budget Responsibility analysis is showing a 35% fall in real gross domestic product in the second quarter and an unemployment spike of up to 10%. The effects of this crisis will be felt most keenly in those areas that rely heavily on those sectors disproportionately affected by the crisis, such as retail, tourism and business services.
2. The Council itself has not been immune to the crisis and this is addressed elsewhere on this agenda. This report looks at the role of the Council in supporting the external economic recovery.
3. In order to respond to this crisis, the Council needs a clear and consistent economic recovery strategy to provide reassurance and confidence to local business about the actions we will undertake as Government restrictions are eased, taking into account the possibility of further periods of lockdown.
4. The Council also recognises that economic recovery will depend on the actions of other agencies and partners such as East Sussex County Council (ESCC) in developing the East Sussex Economic Recovery Plan and where possible ensuring that it reflects the needs of the District. Through the development of the Rother Economic Recovery Plan we need to ensure that there is alignment, where appropriate, between the two plans and the direction provided by the South East Local Enterprise Partnership (SELEP) and Government.
5. The role of Rother's Economic Recovery Steering Group (ERSG) will be to consider the impact of the crisis on the local economy and agree a recovery strategy and action plan? to be recommended to Cabinet and Council. The

action plan needs to articulate the activities that the Council is able to undertake within our existing resources and powers and how we can support partners, businesses and third sector organisations recover.

6. This strategy will need to consider:

- a. the impact of Covid-19 on the local economy. Business survival in the short term and medium term recovery;
- b. to identify new opportunities that may have arisen through the crisis;
- c. to identify what actions should be taken by the Council and the resource requirements and to deliver the Council's 'asks' to ESCC and SELEP; and
- d. to work with partners through networks to deliver the plan objectives.

Conclusion and Recommendation

7. This strategy will impact on all areas of the district economy and needs the full support of all Members. Therefore, the Terms of Reference (ToR) for the ERSG, at Appendix 1 to the report, seek to propose a political and geographical balance to ensure all views are considered in the Council's approach to the rebuilding of the economy.
8. It is recommended that the ToR to establish the ERGS be agreed and Members appointed to those places.

Dr Anthony Leonard
Executive Director

Malcolm Johnston
Executive Director

Risk Assessment Statement

Without a clear strategy for economic recovery the Council will be at a disadvantage in funding opportunities. It will also be harder to gain support in our asks of local, regional, and national agencies or infrastructure providers.

**ECONOMIC RECOVERY STEERING GROUP
TERMS OF REFERENCE****1. Purpose**

The Covid-19 pandemic has caused disruption to all areas of the Council work and to the communities it serves. Following a period of lock down, the District has changed peoples' work arrangements and habits, changed businesses and community's behaviours, and the way of life altered for many residents, commuters and visitors.

The full impact of the national and international response to the pandemic is not yet known or felt. The purpose of the Economic Recovering Steering Group (ERSG) is to use the latest information and guidance to ascertain how this crisis will affect the economy of the District, then develop a strategy and action plan that will be the road map to a longer term recovery.

The ERSG will encompass the whole District ensuring no communities are excluded. There will be notable differences in need between the villages and towns and we need to develop plans that accommodate all.

The Rother Economic Recovery Plan (RERP) cannot be conceived in isolation and the East Sussex Economic Recovery Plan will be an important part of the process as will the direction coming down through the Government and South East Local Enterprise Partnership (SELEP).

2. Objectives

- 1) To look at recovery in three stages:
 - a. Impact.
 - b. Survival; that is the next 12-18 months.
 - c. Recovery.
- 2) To identify new opportunities that have opened up during the pandemic that can lead to new, desirable ways of doing business.
- 3) To recommend a RERP that articulates:
 - a. Work that we are already doing that should be continued or expanded.
 - b. Further direct actions that Rother District Council (RDC) can and will take to support medium term survival and longer-term recovery.
 - c. RDC's 'asks' to East Sussex County Council, to the SELEP and to Government.
- 4) To recommend an action plan that officers will work to effectively, establishing necessary partnerships and networks to achieve the set objectives.

3. Membership and Structure

The ERSG will be a small working group designed to manage change and move recovery forward. The ERSG will be chaired by the Leader of the Council,

supported by a further seven Council Members from around the District made up of:

- 2 Liberal Democrat Members
- 2 Independent Members
- 2 Conservative Members
- 1 Labour Member (portfolio holder for Regeneration & Bexhill Affairs [Business & Voluntary Liaison])

Member make-up should ensure representation from both towns and rural areas in the District having a geographical overview rather than a sector specific focus.

Additional Members, partners and businesses may be invited by the Chair to join the ERSG for specific meetings.

The quorum for meetings will be four.

The term of office for the appointed RDC Members will be coterminous with the election cycles of the Council.

The Leader of the Council is authorised to fill any vacancy arising mid-term, following necessary consultation with relevant Group Leader, without referral to Cabinet.

Support to the ERSG will be provided by the Regeneration and Tourism Officer. Meetings will not be open to the public, however minutes will be available on request.

4. Meetings

Meetings will be held as and when felt necessary by the ERSG in line with the activities being undertaken.

5. Accountability and Transparency

The ERSG is appointed by and accountable to RDC's Cabinet, to whom it will make recommendations.

6. Communication and Press Protocol

A communications plan will need to be agreed by the ERSG.

Rother District Council

Report to	-	Cabinet
Date	-	8 June 2020
Report of the	-	Executive Director
Subject	-	Bexhill Leisure Centre Steering Group - Updated Terms of Reference

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

- 1) the updated Bexhill Leisure Centre Steering Group Terms of Reference be approved; and
 - 2) the Bexhill Leisure Centre Steering Group reports to a future Cabinet by no later than August with recommendations for a way forward for leisure provision in Bexhill.
-

Head of Service: Ben Hook

Lead Cabinet Member: Councillor Brewerton

Introduction

1. At the meeting 9 March 2020, Cabinet approved the draft Terms of Reference for the Bexhill Leisure Centre Steering Group (BLCSCG) to be established for taking the planned Destination Leisure Project through to delivery (Minute CB19/107 refers).
2. Since that approval, the impact of Covid-19 on the Council has resulted in the need to review corporate priorities, therefore Cabinet have recalled the Terms of Reference of the BLCSCG in order to review the project concept, reassessing options based on the current climate.

Project Review

3. The updated BLCSCG Terms of Reference attached at Appendix 1 removes the assumption that a new-build project will progress. The revised objectives and terms of reference allows for a review of options for the future of leisure provision in Bexhill.

Conclusion

4. The updated BLCSCG Terms of Reference allows for a holistic review of leisure provision within Bexhill to determine the most appropriate way forward.
5. It is recommended that Cabinet approve the updated BLCSCG Terms of Reference to ensure all options can be reassessed, and a report presented in the coming months for a way forward.

Dr Anthony Leonard
Executive Director

Risk Assessment Statement

Should the BLCSG be unable to provide a strong recommendation back to Cabinet then the implications could result in a significant impact to the Council's Revenue Budget and the provision of leisure services throughout the district.

**BEXHILL LEISURE CENTRE STEERING GROUP
TERMS OF REFERENCE****Objective**

The objective of the Bexhill Leisure Centre Steering Group (BLCSG) is to provide a clear recommendation to Cabinet on a preferred option for the future of leisure services provision in Bexhill.

The BLCSG will also be the primary senior stakeholder group for any project that results from their recommendation.

Terms of Reference

- The BLCSG will consider the future provision of leisure facilities in Bexhill.
- With consideration for evidence provided by officers and consultants the BLCSG will evaluate the strengths, weaknesses, opportunities and threats of the four current options:
 - The development of a new wet/dry facility at the proposed (or another) site.
 - A retender of the leisure contract with refurbishment of the existing facilities, and appropriate budgets.
 - A retendering of the leisure contract without any significant capital investment into the existing facilities (Do Nothing Option).
 - Not retendering the leisure contract and ceasing the provision of leisure services in Bexhill.
- Report back to Cabinet with a clear recommendation for the future of leisure services provision in Bexhill.

In the event of a project to deliver a new-build or major refurbishment being approved:

- Reviewing and commenting on the designs produced by the appointed architects.
- Reviewing the design process and the incorporation of consultation and feedback into the overall design.
- Review, comment and make recommendations where appropriate regarding the inclusiveness of the process.
- Review, comment and make recommendations where appropriate regarding progress against the programme.
- Review, comment and make recommendations where appropriate regarding progress against the budget and future spend.

BLCSG Members

Cllr Doug Oliver (Chair)	Leader of the Council
Cllr Mrs Christine Bayliss	Economic Development and Regeneration
Cllr Jay Brewerton	Health, Wellbeing and Inclusion
Cllr Jonathan Vine-Hall	Strategic Planning
Cllr Richard Thomas	Ward Member (Bexhill St. Stephens)
Cllr Ashan Jeeawon	Ward Member (Bexhill St. Stephens)
Dr Anthony Leonard	Executive Director
Ben Hook	Head of Service, Acquisitions, Transformation and Regeneration

Roles of BLCSG Members

ROLE OF BLCSG MEMBER	RESPONSIBILITIES
CHAIR	<ul style="list-style-type: none">• Chair the BLCSG Meetings: ensure all members can contribute and the agenda is managed within the time.• To keep well briefed and up to date with all matters relating the project.
ALL BLCSG MEMBERS	<ul style="list-style-type: none">• To attend BLCSG meetings as scheduled having read the agenda and background papers.
SECRETARIAT	<ul style="list-style-type: none">• To arrange a schedule of meetings, venues, equipment and documentation.• To take minutes of the BLCSG Meetings.• To distribute papers for the meetings.• To maintain the contact list and ensure regular circulation of information.• Liaise with the press office to deal with all press enquiries and ensure that the public are well informed of the BLCSG activities.• Provide agenda briefing reports to the chairman.• Prepare reports on programme and budget.• To keep up to date with funding and grant opportunities and advise accordingly.

Support for the BLCSG

Support to the BLCSG is provided by the following:

- Legal
- Finance
- Communications and Press Office

Communication and Press Protocol

The BLCSG is not open to the public due to the need for commercial sensitivity.

In the event that the press or other organisation ask individual BLCSG members to make a comment on the Bexhill Leisure Centre Project, all enquiries should be referred to the Senior Press Officer or Project Manager who will ensure that a response is given in accordance with the relevant Rother District Council protocols.

Rother District Council

Report to	-	Cabinet
Date	-	8 June 2020
Report of the	-	Executive Director
Subject	-	De La Warr Pavilion Funding Agreement

Recommendation to COUNCIL: That

- 1) an urgent grant support package of up to £350,000 for the De La Warr Pavilion Charitable Trust be agreed;
- 2) the cost be met from the Medium Term Financial Plan earmarked reserve and recovered through an annual reduction in the annual grant based on an open book assessment of the Trust's finances; and
- 3) the Executive Director be granted delegated authority to finalise any consequential changes to the Trust's funding agreement in consultation with the Cabinet Portfolio Holder for Communities, Culture and Tourism.

AND

It be **RESOLVED:** That the De La Warr Pavilion Service Level Agreement be extended for three years from March 2021 until March 2024 to provide stability for the Trust through the recovery from the COVID-19 pandemic.

Head of Service: Ben Hook

Lead Cabinet Member: Councillor Timpe

Background

1. The freehold of the De La Warr Pavilion (DLWP) is owned by Rother District Council (RDC) and leased to the DLWP Charitable Trust (the Trust) on a 99-year lease from May 2004. The Trust is currently supported by an annual grant from RDC which is match funded by Arts Council England (ACE).
2. Following government guidance in response to the COVID-19 crisis, the DLWP shut its doors on the 18 March 2020 cancelling all events and programming with immediate effect.
3. The auditorium programme and related trade now accounts for the majority of DLWP's non-grant related income. It is estimated that £1.1m of income will be lost in the 2020/21 financial year.

Current Position

4. It is expected that the Pavilion will re-open to the public in July 2020, ensuring adherence to social distancing guidelines. However, due to these restrictions, live performance is likely to be one of the last sectors to be able to viably

reopen and therefore DLWP are not expecting to host live events before March 2021.

5. Having taken steps to reduce outgoings where possible, and furloughing all but 11 core members of staff, DLWP anticipate a £500,000 funding gap this financial year.
6. DLWP has applied to ACE for a rescue package to help towards meeting that funding gap and whilst the outcome of that is unknown, it is unlikely that even a successful bid will attract more than £150,000, leaving a shortfall of at least £350,000.
7. DLWP has asked that RDC make a grant to them for this money, capped at £350,000, which will be recoverable from future years grant funding. They have agreed to open book accounting ensuring that RDC are only underwriting a shortfall. To be affordable for the Trust it is likely that the recovery of the grant will go beyond the normal service level agreement periods.
8. ACE has extended all National Portfolio Organisations funding agreements by two years to provide certainty of income during this difficult time, DLWP is one such organisation.
9. The current Service Level Agreement between RDC and the Trust is due to expire in March 2021. An extension of three years would provide security through this time of uncertainty, enable the Trust to plan effectively for its future, and apply pressure on ACE to review their longer-term commitment to the building.
10. In addition to this, the DLWP had been seeking funding for a £14m capital scheme to completely renovate and update the building. Heritage Lottery and ACE capital funding streams have all been put on hold for this year and future funding is uncertain. As such there is a revised £100,000 building project to be undertaken for urgent repair work, adding additional budgetary pressures.

Conclusion and Recommendations

11. The DLWP plays a critical role in supporting the cultural and tourism sectors in Rother. In addition to this it is the cultural lead for economic development organisations such as the South East Local Enterprise Partnership.
12. As the freeholder of the building any failure of the Trust would likely result in responsibility for the management and upkeep of the DLWP reverting to RDC.
13. It is recommended that RDC agree a grant of up to £350,000 to the Trust. The funds given in this rescue package be paid back, without damage to the business, as part of future funding agreements. In order to further support the DLWP we work with them in an open book capacity to provide only the funding necessary to maintain key work and ensure the future of the Trust.
14. To enable the Trust to plan for the long-term future of their operations and the building it is recommended that the current SLA be extended by three years.

Dr Anthony Leonard
Executive Director

Risk Assessment Statement

Not supporting the Trust through the COVID-19 crisis could result in the DLWP reverting back to the management and control of the Council. This poses a significant financial risk to the Council

Failure to continue to support the DLWP at the current level could impact on the match funding received from ACE and at this current time of crisis could risk the future of the Trust.

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Rother District Council

Report to	-	Cabinet
Date	-	8 June 2020
Report of the	-	Executive Directors
Subject	-	COVID-19 – The Council's Response – Update

Recommendation: It be RESOLVED: That the Council's response to the COVID-19 emergency to date, be noted.

Lead Cabinet Member: Councillor Oliver

Introduction / background to the crisis

1. On 31 December 2019, Chinese authorities notified the World Health Organisation (WHO) of an outbreak of pneumonia in Wuhan City, which was later classified as a new disease, COVID-19. The main symptoms are a cough, high temperature, loss of smell and taste and in severe cases, shortness of breath. As this was a new disease, there was no immunity in the population and no vaccine or anti-viral medication. As a result, the potential existed for the disease to spread extensively. This rapid spread has been witnessed in recent times. As of 27 May 2020, there were 267,240 cases across the UK, and sadly 37,460 people have now died from the disease. There have been 700 confirmed cases of the coronavirus in East Sussex, 95 of which were in Rother.
2. Evidence indicates that most people who become infected will experience a mild self-limiting illness, similar to seasonal flu. Some will show no symptoms at all. A proportion of those infected will develop complications and require hospital treatment, most often pneumonia. In a small proportion of these cases, the illness may be severe enough to lead to death.
3. The risk of death increases in older people and people with an underlying health risk condition or those who are immuno-compromised. Illness is less common and usually less severe in young people. Children can be affected but illness is rare in people under 20 years of age. All the above facts have been highly publicised in recent months.

The National Response

4. The UK action plan (Coronavirus: Action Plan – a Guide to what you can expect across the UK) published on the 3 March 2020 sets out what the UK has already done, and plans to do further to tackle the outbreak. The objectives of the action plan are to contain, delay and mitigate the outbreak, using research to inform policy. The overall phases of the plan are:
 - **Contain:** detect early cases, follow up close contacts and prevent the disease spreading for as long as is reasonably possible.
 - **Delay:** slow the spread, lowering the peak impact.

- **Research:** better understand the virus to plan and act to lessen its effect on the UK.
 - **Mitigate:** care for those who are ill, support hospitals and support people in the community to minimise the overall impact of the disease.
5. On 12 March 2020, the UK Government officially moved from the Containment Phase into the Delay Phase, the intention being to slow the spread of the virus and lowering the peak impact. Key decisions taken as a result of moving into the Delay Phase included the need for any person exhibiting a new cough or new high temperature to self-isolate, initially for seven days and subsequently as of 17 March 2020 for 14 days and that isolation should extend to all household members, even if others within the same household are not displaying symptoms.
 6. On 18 March 2020, the Government announced the closure of most schools and this was followed on 20 March 2020 by the closure of all pubs, restaurants, gyms and other social venues across the country.
 7. These closures remain in place at the time of writing this report but plans are being made for re-opening in the near future (assuming Phase 1 of the national programme goes to plan).

The Council's Response

8. In responding to the pandemic crisis the Council needed to respond in three ways:
 - a) Support to the vulnerable
 - b) Support to local businesses
 - c) Redesign of the Council's operations and functions to respond to Government measures

a) Support to the Vulnerable

Community Hub

9. At a national level, the Government worked with county and unitary councils on getting support (such as food supplies and medicines) to those on the NHS 'shielded' list. At a more local level it was left to district and borough councils, along with Parish and Town Councils (P&TCs) and voluntary organisations, to support those vulnerable groups falling outside the 'shielded' category.
10. A number of P&TCs and local volunteer groups mobilised themselves in the early days to identify and support those in need within their communities. This included local ward Members who acted as valuable and useful conduit, or in some cases led, on the coordination of activity.
11. The Rother Community Hub (RCH) was mobilised and went live on Wednesday 25 March 2020 offering a dedicated telephone line (01424 787000, option 4), a triage and signposting function, and an online self-referral form. The purpose of the hub is to support those residents who are affected by the COVID-19 pandemic and not picked up by the 'shielded' list.

12. The RCH operated by matching an identified need with an existing local volunteer group who can help with shopping, collecting prescriptions, a friendly call and other needs such as dog walking. In addition, the RCH, signposts to statutory support services should the requirement be identified and assists with government registrations for the 'shielded' group.
13. With the support of Rother Voluntary Action (RVA) a directory of local community and volunteer sources of help was developed. These are the groups to whom the RCH makes referrals to support residents. RVA has been assisting the Voluntary Sector in their response, initially providing information and guidance on contact protocol and safeguarding as well as daily updates answering questions.
14. In early weeks, RCH provided a direct support service for those in urgent need. This was also at a time when food supplies were restricted and limited at local supermarkets. The Council has supported the foodbanks within the district, as well as Hastings, with purchasing stock on their behalf and established a stock of 'emergency food parcels' and distribution mechanism with The Pelham, Bexhill should the need arise.
15. The RCH received over 700 calls to the end of May, 369 online forms completed and in each case a call has been made to the resident to discuss their needs and the appropriate support required. For each online form completed, a welfare call has also been made a week later by the RCH to check the resident has the support in place before being signed off. Positive feedback has been made by many of those who have used the service, welcoming the support. Currently there are a few people being supported with food parcels and this will be kept under review. The Council will continue to support households but an exit strategy will need to be formulated to release staff currently dedicated to the RCH.

Council Tax Hardship Fund

16. The Government provided funding for councils to grant further relief to those Council Tax payers in receipt of Council Tax Reduction support (CTR). This was capped at £150 per household and will help a significant number of Rother households who are on low incomes. This extra help is also available to new claimants. The Council received specific funding of £650,000 to support this initiative. At the time of writing, the Council was still waiting for Capita to issue the necessary software update to enable this relief to be granted. It is not possible to implement the scheme without the software changes. As a result of this delay, the Council is not seeking recovery of the normal balance of Council Tax for CTR claimants.

b) Support to Local Businesses

17. As part of the Government's response to the economic impact of COVID-19, it was announced on 11 March 2020 that the Government would pay grants to businesses entitled to small business rates relief and rural rate relief. The Government also extended 100% rate relief to the retail, hospitality and leisure sector which then gave access to the business grants. Depending on rateable value of the business property the grant would be either £10,000 or £25,000. The Government allocated £34.8m to Rother. Based on an analysis

of the Council's business rates database, this would support 2,609 businesses.

18. The grants were widely publicised through social media and the Council's website, plus all eligible businesses that had not applied by 17 April 2020 were contacted in writing to encourage them to submit their details. Members also got involved with this process and used their local knowledge to contact business owners.
19. As of 22 May 2020, the Council had paid out £23.2m helping some 2,027 businesses. This represents 80% of those believed to be eligible. Officers are attempting to contact the remaining businesses and organisations by phone to encourage them to apply. For the voluntary sector, awareness of eligibility is an issue and anecdotally some businesses are responding saying they do not require the funding.
20. On the 2 May 2020, the Government announced a further discretionary fund to be administered by Councils to provide grants to help businesses not supported under the scheme described above. Initial guidance for the new scheme was received from the Government on 13 May 2020 with updated guidance on the 23 May 2020. The Council, along with its neighbouring authorities, are looking to deliver a consistent approach to using this new funding to support local businesses and organisations who have been unable to access other Government financial support schemes. The total funding the Council received for this grant scheme is only £1.476m. It is expected that an agreed criteria will be adopted by the Council under the emergency procedures and published by the beginning of June for applications to start.

c) Redesign of the Council's operations and functions to respond to Government measures

Decision making

21. Given that the Government had introduced measures to restrict travel, adhere to social distancing rules and for people to work from home unless otherwise unavoidable, the Council held an extraordinary meeting on 23 March 2020 to agree emergency procedures to enable officers, in consultation with key Members, to make COVID-19 related critical executive or regulatory decisions that could not wait during the period of Government restrictions.
22. It was also agreed that as a result of the COVID-19 emergency, all scheduled meetings be suspended until further notice; Member non-attendance be considered as an absence approved by the Council until further notice and the Chairman of Council and all Committee Chairmen and Membership remain as currently constituted until such times as the Annual Council meeting could be held.
23. To date it has been necessary to use the emergency procedures on five occasions in respect of executive matters: one occasion in respect of Licensing matters and one in respect of Planning Committee. The officer decision sheets were published online and all Members notified in respect of the following matters:

Executive (Cabinet) Decisions:

- OED001 - Temporary Deferral of Rent for Tenants in Council Owned Commercial Property
- OED002 - Garden Waste Charge
- OED003 - Freedom Leisure Financial Support
- OED004 - Licences and Concessions
- OED005 - Amendment to Constitution Part 4 - Remote Meetings of the Council

Licensing and General Purposes Committee:

- OL&GPD001 - Taxi Licensing Matters

Planning Committee:

- OPD001 - Temporary Amendment to the Public Speaking Scheme

Remote Meetings

24. On 4 April 2020, the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings (England and Wales) Regulations 2020 came into force. These regulations essentially permit local authorities to hold remote meetings, along with other considerations including there being no requirement to hold an Annual Council Meeting until May 2021.
25. Whilst initially during the first few weeks of the lockdown finding a solution for holding formal remote meetings was not a priority, as time passed and other authorities were beginning to hold remote meetings, the need to identify a solution became more pressing.
26. Officers worked to identify a short-term solution that could be met within current resources and technical capabilities, whilst satisfying security requirements. Several councils across the country had already held remote meetings and had been subject to unfortunate hackers and mishaps – whilst the Council's approach had seemed hesitant, we were keen to learn from others and tap into the many case studies and examples and avoid the pitfalls that had befallen our colleagues in other councils.
27. In mid-April it was agreed to pursue Microsoft Teams as the favoured platform in the short-term for remote meetings. Microsoft Teams had been rolled out to staff just prior to the lockdown and rolled out to Members shortly thereafter.
28. The first formal meeting of the Council to use the Microsoft Teams platform was the Audit and Standards Committee on 18 May 2020 and Planning Committee on 28 May 2020.
29. It is clear from this experience and the benefits that remote meetings has brought (reduced costs, travel time, travel costs, carbon footprint etc.), that going forward, the use of remote meetings will continue in some form or another. A longer-term more robust and inclusive solution enabling a hybrid approach of Members being present in the Town Hall and others accessing meetings remotely, will be sought, but there are likely to be significant cost implications for this.

Staffing

30. The Council has a responsibility to its staff and implemented the Government's guidance that if staff could work from home then they should do so rather than come into the office. A number of staff, however, were still attending the offices as they did not have the equipment to work from home.
31. A decision was taken that unless attendance in the office was essential staff should remain at home. At the same time a roll-out of IT equipment was undertaken which meant that the majority of our office based staff can work from home. Those staff not office based e.g. the maintenance team, have been redirected into other duties where possible including supporting the RCH.
32. The customer contact centre was reconfigured so that the majority of staff could work from home. However, in order to take account of those members of the public unable to contact the council by email, telephone etc., and also due to need to restrict access into the Town Hall reception area, an intercom was installed outside the building which the public could use and staff could respond to.
33. The use of Microsoft Teams referred to previously has greatly facilitated the ability to communicate among staff along it is acknowledged that that use is still in its early days.

Members

34. Members across the Council have been actively and extensively involved in the response to the COVID-19 pandemic, whether through P&TCs or local community groups. In the absence of local community groups Members have led in establishing such groups.
35. Members have also been able to use their local knowledge to assist with the RCH and also in identifying local businesses who may be eligible for business grants.
36. Although attendance at the Town Hall has been limited, Members have made use of new technology to hold discussions amongst themselves and with staff, therefore ensuring that work in the community could continue. This has included regular briefings for Cabinet Portfolio Holders from Heads of Service.
37. The use of remote meeting technology has meant that local issues can be discussed and any learning/good practice shared effectively. It has also facilitated and involved both Members and officers in the joint effort that made up the Council's response to the pandemic.

Information Technology

38. The Council's IT department has deployed over 100 new laptops since the pandemic began, along with remote working solutions. This enabled staff to take advantage of our new Microsoft 365 environment including Microsoft Teams and other back-office technologies such as SharePoint, which have been deployed to 261 devices. Members have also been able to access Microsoft Teams.

39. It quickly became obvious that the way the Council's IT infrastructure was configured was hampering home working so changes were rapidly made to numerous systems to make the most of the available bandwidth and ensure that working from home became a viable option for the majority of staff.
40. One important change referred to above was enabling Contact Centre use from home, along with access to the other council systems to enable staff to take and answer calls from home.
41. Development work is continuing in IT to ensure the Council can meet the demands of large numbers of staff working from home and to make the whole experience easier. One limiting factor outside of the Council's control is the quality and capacity of the local broadband network which ultimately impacts on the efficiency of working from home for some staff.

Communications

42. The COVID-19 pandemic has meant that the Council needed to focus on its communication – both internal and external. Several measures were introduced following the outbreak which included:

Internal

- Daily updates were introduced for staff from 12 March 2020.
- Daily Member updates were introduced from 17 March 2020 and the circulation was expanded from 24 March 2020 to include MPs and P&TCs.
- Daily conversations were commenced between the Leader of the Council and an Executive Director.
- The 'lockdown' coincided with the roll out of Microsoft Teams. The pace of roll out was increased to give all staff access to Microsoft Teams by 19 March 2020 – the date when all staff were working remotely unless it was absolutely necessary for them to be in their office.
- Microsoft Teams was rolled out to Members from 31 March 2020 to facilitate ongoing work and communication with Members while we all work in unusual circumstances.

External

- The Carousel on the website homepage was used to promote and link to Government/NHS information and guidance on COVID-19.
- Social media channels were used to share the latest information on COVID-19 and push Government messages.
- A COVID-19 latest page was set up on the Rother website on 13 March 2020 to provide a single point of reference for links to the latest guidance as well as the latest information on service disruption due to COVID-19. This page received over 16,000 hits.
- My Alerts was used to publicise Government guidance, latest information, service updates (throughout).
- Regular statements from the Leader of the Council were published on the website and shared on social media throughout the crisis.
- Social media was used to communicate about all service disruption including Community Help Point and Town Hall closures, waste and recycling, how our enforcement officers were working with local businesses, promotion of business grants, sharing the latest Government

guidance, particularly where it related to our own services such as public convenience closures, the use of parks and open spaces and the RCH.

- Weekly teleconferences have been held involving the Leader of the Council, the two local MPs and Senior Management Team.
- A single point of contact was provided for the P&TCs to contact the Council (which helped resolve some early communication issues).

Service Specific Issues

43. As well as the matters above, there were a number of service specific issues arising during and as a result of the pandemic. These are shown at Appendix A.

Financial Issues arising from COVID-19

44. As with the national economy, COVID-19 is having and will continue to have a financial impact on the Council. This is both additional expenditure and reductions in income. In addition, by directing Council staffing into responding to the pandemic, particularly the staff in the Acquisitions, Transformation and Regeneration Team, this has meant the delivery of savings and additional income as envisaged in the Medium Term Financial Plan (MTFP), have been delayed and are unlikely to be fully deliver in 2020/21.
45. Appendix B shows a financial estimate of the expected financial effects on the Council excluding the Collection Fund. There are a number of assumptions within these figures and it's likely that this will change as time progresses.

Reductions in Income

Collection Fund

46. The Council maintains a separate account of Council Tax and Business Rates in the Collection Fund. This includes money collected on behalf of the preceptors including P&TCs. The impact of COVID-19 will leave the fund in deficit for the year.
47. In terms of Council Tax, two factors will impact the amount of money collected. The first, is that many more households are claiming Council Tax Reduction. For each household this reduces the amount of Council Tax charged by up to 80%. The Government's hardship fund will meet the remaining 20% but without Government help, the Council and major preceptors will suffer a loss of income. It is difficult to assess the impact of this but for every 100 extra claims this would cost in the region of £160,000. At the point of writing, in excess of 1,000 new claims had been received, suggesting a cost high of £1.6m. Rother's share would be in the region of £160,000.
48. The second factor is the expected fall in collection rates from those households not claiming CTR. Normal collection rates in Rother are around 98.5% in year. Each 1% lost equates to approximately £700,000, with Rother's share being around £70,000. If collection rates fell to 95% then the predicted loss to Rother would be approximately £175,000.

49. In terms of business rates, the Government implemented a substantial extension of rate relief for the retail, hospitality and leisure sectors. This is estimated to have reduced the amount of business rates by £9m in Rother, approximately half of that normally collectable. This cost will be covered by the Government grant so should have no financial impact on the Council. However there is still expected to be a fall in collection rates as businesses struggle to pay their bills. Normal collection rates are again 98.5% in year and for every 1% not collected this equates to approximately £90,000 on the reduced amount collectable of around £9m. Therefore, if collection rates fell to 95% this would reduce income by £225,000 with Rother's share being £90,000.
50. Using these estimates, the Collection Fund could be in deficit by approximately £3.5m by financial year end. Rother's share of this would be £425,000. This is seen as a worst case scenario and will be monitored closely through the year. Due to the way the Collection Fund is accounted for, this deficit will be a charge to the General Fund in 2021/22 but the Council could suffer the interim cash flow impact. What is clear is that Government support is needed to replace the lost income.

General Fund

51. In response to COVID-19 two decisions were made that will impact the amount of income received this year: the suspension of car parking charges along with the closure of Camber car parks and the rent deferral scheme for tenants of Council owned commercial tenants. For the purposes of this report it is assumed that 50% of the rent deferrals are converted into actual relief from payment of rent. In addition income from the Council's treasury investments are expected to fall as Bank Base rate continues at near zero rates.
52. It is also expected that the Council will lose up to £150,000 of its housing benefit subsidy. Members will be aware of the substantial efforts of staff to improve the performance of the service but with COVID-19, workloads have increased and the Council's external support contract with Reigate and Bansted Council has had to be minimised due to reductions in their staffing levels. This will result in processing performance dropping which ultimately reduces the amount of subsidy the Council receives.
53. Planning fee income has reduced but this may recover once lockdown is eased further. It should be noted that the Government are reviewing Community Infrastructure Levy (CIL) and Section 106 contributions and this may impact on the Council's finances in the future.
54. Other fees and charges have also reduced. This is summarised in Appendix B and shows that overall fees and charges income may reduce by £1.48m.

Debt Recovery

55. Once the country went into lockdown, a very pragmatic approach was adopted to debt recovery in all areas of income for the Council (and the preceptors). Officers took the approach that they would still seek to recover amounts owing where a household or business financial circumstances had largely been unaffected by the crisis. However for Council Tax and business

rates, automatic recovery action was suspended and flexible payment arrangements put in place.

56. Some gentle recovery action has commenced in council tax for those households not paying and not claiming support through the Council Tax Reduction Scheme. This will help start to identify those entitled to help but who as yet have not claimed. Recovery action on businesses who are not paying will also need to recommence and again this may highlight those entitled to help who have not done so yet.
57. For other debts such as rents, Members will be aware of the rent deferral scheme that was put in place in April. It is intended that the deferral will be reviewed in June and if any rent relief is needed this can then be agreed. Also, it may be pragmatic where relief is not given, to make payment arrangements for an extended period to alleviate cash flow issues on our business tenants.

Expenditure

58. There continue to be several cost pressures as a result of COVID-19. Homelessness costs are rising through additional households needing emergency accommodation and the need to ensure all accommodation used is self-contained. The establishment and ongoing support for the RCH will cost the Council, albeit so far the actual costs are relatively low, although resource intensive.
59. Members agreed a support package to the Council's leisure contractor which realistically has no end date as will depend on their ability to establish a sound trading position post lockdown. There is also a potential need to support the De La Warr Pavilion Trust and discussions are ongoing to agree how they remain viable. In addition, the Council is supporting its main service contractors (waste/grounds maintenance etc) by continuing to pay them as if full service is being provided. This was at the request of Government. Whilst not an additional cost, it clearly is an opportunity cost to the Council and its residents.
60. There has also been investment and major changes in technology that have been implemented very quickly to ensure the Council could continue to operate and deliver services. This has come at a cost of approximately £57,000 and it is likely that there will be further costs following consolidation of this new technology and the need for remote attendance at meetings. This investment has however presented the Council with a significant opportunity to change the way it works in the future.
61. There are a number of other smaller areas of cost pressure which together with the above items are detailed in Appendix B.

MTFP Planned Savings and Income

62. The Council's MTFP included a number of savings and income generation in order to achieve a balanced budget. It is likely that due to the impact of COVID-19, in particular the diversion of staff resources, delivery of these will be largely delayed until 2021/22.

	Original Estimate 2020/21	Revised Estimate 2020/21	Variation
	£'000	£'000	£'000
(i) Increase income - Property Investment Strategy	(544)	(100)	444
(ii) Increase income (net) - other	(14)	0	14
(iii) Lean and Demand	(90)	(45)	45
(iv) Service Prioritisation	(100)	0	100
(vi) Reduced Staffing Structure	(500)	(350)	150
Total	(1,248)	(495)	753

63. Achieving the income from property investment is going to be challenging in what is likely to be a very different economic reliance. On the positive side, additional lean and demand savings may well arise from the new methods of working. The Council will need to review each of the above areas and make decisions as to where future financial savings will be made.

Summary of Financial Impact

64. The assessment of the potential impact of COVID-19 in 2020/21 is summarised in the following table:

	Impact on General Fund 2020/21 £'000
Collection Fund	425
General Fund Income	1,480
General Fund Expenditure	525
Non Delivery of Savings and Income	753
Less Government Grant	(1,003)
Total Estimated Cost	2,180

Government Financial Support

65. Members will be aware that to help meet the above cost, the Government has given specific additional financial support to councils of £3.2bn in two tranches. The Council has received so far just over £1m in grant but it is not known at this stage whether any further funding will be made available. Funding so far has been allocated on a per capita basis but the Government are continuing to request evidence of the financial effects which may influence any future allocations of funding.

Reserves

66. The following table summarises the possible impact on the Council's reserves due to COVID-19, taking into account an update of the expected use of reserves in 2019/20.

Potential Use of Reserves	2019/20 Revised £ (000)	2020/21 Budget £ (000)	2021/22 Budget £ (000)	2022/23 Budget £ (000)	2023/24 Budget £ (000)	2024/25 Budget £ (000)
Earmarked Reserves and General Reserves	17,362	14,237	9,781	7,989	6,715	5,393
Planned Use of Reserves	(2,427)	(2,276)	(1,792)	(1,275)	(1,321)	(1,179)
2019/20 estimated deficit	(698)					
COVID-19		(2,180)				
Total Reserves	14,237	9,781	7,989	6,715	5,393	4,215

67. The table shows that over the MTFP reserves may fall to £4.2m. The minimum level of reserves previously adopted by Members is £5m and therefore without Government financial support, this increases the pressure on the Council to deliver savings over the life of the current MTFP. At this point no immediate action is required, save for continuing to lobby Government for the support all local government undoubtedly needs.

The Future

68. There is no doubt that the speed at which both the country and the Council has had to respond to the COVID-19 pandemic has introduced changes that under normal circumstances would either not have been possible or at best have taken a considerable time to implement.
69. One such change for everyone has been the concept of social distancing and it is likely that this is going to be with us for some time.
70. A further change for the Council has been the avoidance of unnecessary travel, which has led to staff being forced into flexible working practices and the rapid rollout of IT within weeks rather than over the planned years programme.
71. With IT having mobilised themselves to redirect all their efforts into flexible working capability, officers have now experienced flexible working and have adapted well, albeit supplies of equipment did cause some immediate challenges. It is recognised that as we move back into some normality it will be critical that staff and the organisation avoid moving back to the old practices but maintains this momentum. We know that some staff have (and were able to) adapt and adopt the new working practices whereas there were others who found it more difficult (for a variety of reasons) to facilitate such working methods. These reasons have ranged from no capacity in the home to have a workstation; caring for relatives/children; through to no or poor internet connection. These factors will be considered as we return to some normality, particularly internet quality for those working regularly from home or using 'heavy' applications.
72. However, even where established flexible working arrangement are in place these are going to have to be reviewed as government guidance is likely to require office workers to maintain a 2m social distancing and a restriction on sharing workstations. This Council will undertake this exercise in consultation with its staff and trade union.

73. Looking outside the organisation, there is no doubt that the impact of the COVID-19 pandemic on our residents and businesses is going to be felt for some time.
74. Although some businesses have received grants through the Council to cover the short term there will be an on-going need for dialogue and support with local businesses to assist with a longer term, sustainable recovery. This may involve new or different ways of engaging with business throughout the district and how we can encourage new businesses into the area. Elsewhere on the agenda for this Cabinet meeting is a report seeking to establish a steering group to look at economic recovery for this area. Work is already underway to help inform the agenda and discussions of that steering group.
75. The social and economic impact of the COVID-19 pandemic on our residents is also likely to take some considerable time to resolve itself. As a result this Council will need to support those in need over the coming months and perhaps years. This may involve focusing our resources on those most in need and ensuring we are working closely with other agencies to cover all the issues impacting on residents.
76. The expectation is that we will not be returning to normality as we knew it previously, and certainly not in the short term. We also need to bear in mind that there may be further outbreaks of COVID-19 in the future. As the lockdown continues to be eased local authorities will need to adopt new working practices and arrangements to ensure it can respond to the challenges of the future and meet the demands of the new normality.

Conclusion

77. This report lays out the background to the COVID-19 pandemic and how the Council responded. As stated above, there is a report elsewhere on the agenda that looks forward and the role the Council will play in the economic and social recovery that needs to happen.

Malcolm Johnston
Executive Director

Dr Anthony Leonard
Executive Director

Risk Assessment Statement

Although there are no risks associated with this report itself, the risks to the community, businesses and the Council itself are highlighted in the report.

SERVICE SPECIFIC ISSUES**ENVIRONMENTAL SERVICES, LICENSING AND COMMUNITY SAFETY**

1. Following the lockdown, the Business Continuity Plan was enacted, with only essential services being provided, including the investigation of other notifiable diseases, the provision of health certificates, foul drainage complaints and internal rat treatments.

Workload between 23/03/20 and 19/04/20

2. We received over 200 complaints about COVID-19 business compliance. As a result, 10 statutory notices were served. This year there has been a significant increase in complaints about bonfires (50 compared with 9) and noise. There was a reduction in activity on responding to planning applications, premises licence applications including temporary event notices. There was a reduction in complaints about waste. No routine food hygiene inspections were carried out and no food registrations received. Overall, the demands on the service, in terms of customer complaints did not reduce remaining at over 2,500 enquiries in these four weeks.

Bonfires

3. There was an increase in the number of complaints about bonfires, as the public are concerned about air pollution at this time. In response to this demand we increased our activity in this area. Weekend patrols were carried out to visit premises subject to complaints.

COVID-19 Enforcement (first four weeks)

4. Environmental Health and Trading Standards Officers were given joint responsibility to enforce the COVID-19 Business Restriction Regulations. An agreement was reached with Trading Standards in East and West Sussex as to which authority would enforce and advise on the regulations in which business sector. A single point of contact (SPOC) for each Council was identified. The police or public can complain to any authority and that Council will take responsibility to forward the complaint to the correct SPOC. A weekly conference call is held between East and West Trading Standards and Richard Parker-Harding (as Secretary of the Sussex CEHOs group).
5. When the COVID-19 Regulations were initially made on Saturday 21 March our focus of activity on Sunday 22 March and Monday 23 March was explaining to Take-Aways that they could not have tables and chairs outside their premises. Visits were made and Social Media information put out.
6. The next phase of enforcement centred on ensuring premises that should be closed were closed. This is sometimes not straightforward as there are exceptions to each category which have changed. See <https://www.rother.gov.uk/environmental-health/food-hygiene/safe-food-and-healthy-workplaces/coronavirus-covid-19-closure-regulations/>
7. We sought to use social media to explain to the public our role and encourage complaints that can be investigated.

8. Environmental Health Officers are also responsible under the Health and Safety at Work etc Act 1974 to enforce risk assessments (including social distancing rules) in care homes, retail premises and offices.
9. We contacted the larger employers and send out almost 1,000 advisory emails/letters and posters to care homes, public houses, take-aways and independent retailers.
10. We carried out thirty weekend patrols to observe business practise, address any concerns and offences by directly contacting the business by phone and/or by e-mail or letter. We sent out Tweets advising where and when these patrols are being carried out.
11. At short notice, we had printed Prohibition Notices, Fixed Penalty Notices and posters. These were designed in-house and produced by Rother Print. We shared these resources with other councils.

Licensing

12. Taxi drivers were still applying to renew their licences. Several actions were taken, including changing licensing conditions to allow medical and DBS checks to be deferred for six months for existing drivers. In addition, the option has been given for drivers to delay renewing their licence for three months.
13. We anticipate increased demand for driver licences in the summer from persons who have been made redundant. We may have to ration the service using a waiting list.

Noise

14. There has been an increase in residential noise complaints. We are currently only able to investigate noise if this can be carried out safely externally. We cannot install noise recording equipment inside properties as this would involve 2 visits a week apart. In addition, the equipment is difficult to disinfect.

Take-Aways

15. To provide a service to the public and support businesses an e-mail was sent to all registered food businesses, asking them to complete an on-line form listing what take-away services they were providing. If permission was granted to do so their details were included on a list published on our website, which automatically updates: <https://www.rother.gov.uk/environmental-health/food-hygiene/food-hygiene-for-residents/food-businesses-operating-during-coronavirus-restrictions/>
16. This web page was very popular with the public.
17. In addition, Environmental Health officers phoned businesses providing take-aways offering food and safety advice. The advice was published on both websites: <https://www.rother.gov.uk/environmental-health/food-hygiene/safe-food-and-healthy-workplaces/coronavirus-covid-19-closure-regulations/guidance-for-takeaway-and-delivery-of-food/>

Temporary Accommodation

18. In order to meet the needs of homeless persons and people in unsuitable shared accommodation environmental health staff assisted the Housing Needs team by inspecting temporary accommodation (including caravans) to check they were safe before occupation.

Recovery Phase

Accident Investigations

19. If an employee contracts COVID-19 during their employment and this is reported, then we will have a duty to investigate and check controls were adequate. This will be difficult and challenging work. A procedure to investigate these matters virtually has been developed. Given the high numbers of care homes in Bexhill RIDOR reports are expected in due course.

Anti-Social Behaviour (ASB) and Pollution Complaints

20. We anticipate an increase in ASB and pollution complaints as a result of the lockdown, which may be more acute because we have not been able to respond quickly.

Contact Tracing

21. We were not asked to assist Public Health England (South East) to conduct contact tracing of COVID-19 cases. This is the usual manner in which we investigate notifiable diseases including cases of Salmonella, E. coli and other food poisoning cases. It is the standard method used to control infectious diseases. Contact tracing allows individuals to be identified, tested for COVID-19 and all possible contacts isolated. The Government has decided to set up a national system for contract tracing. Discussions with the Director of Public Health have taken place. We may be requested to assist in local contact tracing if telephone calls and texts from the national system are not sufficient to control a localised outbreak.

Food Hygiene Inspections

22. We were advised by the Food Standards Agency to stop inspecting food premises for the last two weeks of the year 2019/20 and the Agency has requested that a limited food hygiene service be in place.
23. We aim to start a limited food inspection programme in June. We will initially only inspect high risks premises that were due to be inspected in the last two weeks of 2019/20 and first two quarters of 2020/21. Some businesses will be anxious to get a new Food Hygiene Rating Score.

Social Distancing

24. As premises are permitted to reopen then we will be required to ensure that social distancing rules in those premises are adhered to.

Environmental Health Service Summary

25. The service quickly responded to the enforcement of the COVID-19 regulations requiring the closure of certain businesses and the enforcement of social distancing in premises allowed to be open, using the Health and Safety at Work etc Act 1974. Staff responded well and enthusiastically to their new duties, grateful to be able to take action to reduce the risk of infection.
26. Although there was a reduction in certain areas of work, there was the new work on COVID-19 enforcement as well as increases in bonfire and noise complaints. The noise and bonfire complaints have been addressed by providing an enhanced service.
27. A concern as we eventually move into the recovery phase is the backlog of routine food hygiene inspections and an increase in anti-social behaviour and noise complaints.
28. The pandemic has demonstrated the great advantage of the shared environmental health service, which provided resilience and expertise in the face of the new challenges we faced and continue to face.

HOUSING AND COMMUNITY

Housing

29. Demand
 - The Housing Needs Service has seen a steady flow of households present as homeless throughout the crisis. The vast majority of presentations are from single people who are insecurely housed in sofa surfing arrangements which they have been unable to sustain during lockdown. We have also seen a slight rise in presentations from women and children fleeing domestic violence.
 - We are working with our partners in health, social care, criminal justice and the voluntary sector as part of the East Sussex Homelessness Cell and its temporary accommodation and rough sleeper sub-groups.

30. Temporary Accommodation (TA)

- We presently have 88 households in TA up from approximately 50 households at the beginning of the crisis.
- Reduced ability for the team to find permanent accommodation in the private and social housing sectors for those households accommodated in TA.
- We have secured a number of additional TA units in recent weeks, including accommodation set-aside to accommodate those with COVID-19 symptoms that need to self-isolate. We have been assisted by a number of private sector landlords to secure additional TA units as well as utilising chalets at Crowhurst Park in Battle. We have also completed the first purchase of our own accommodation for use as TA in Bexhill.

- In March 2020, the Council set itself the target of accommodating in self-contained flats all households with children within Rother and Hastings. In April 2020, the Council achieved its target.
- The welfare of household accommodated in TA is being managed by a team of Council staff pulled together from a range of internal services. Welfare calls are made to each household three times a week and support provided to access essential food, services and facilities.

31. Rough sleeping

In March 2020, a request from the Ministry of Housing, Communities & Local Government was received to ensure all rough sleepers were offered TA to enable them to be removed from the street. We continue to work with the East Sussex Rough Sleeping Initiative, health, social care and criminal justice partners to successfully accommodate 10 rough sleepers temporarily.

Neighbourhood Services

32. Staff

All able to home work with access to IT with exception of two compliance officers who are mainly based on location; parks team, compliance team and car park enforcement team have been variously working from home and out on location monitoring COVID-19 restrictions, supporting Environmental Health team with enforcement; identifying and resolving Health and Safety issues; erecting COVID-19 signs; supporting contractors in operational capacity.

33. Beaches, parks and open spaces

- While we have not restricted access to beaches during the pandemic we have erected signage to encourage social distancing. We have a permanent staff presence at both Bexhill and Camber beaches. We took the decision to close the car parks at Camber in response to significant numbers of visitors arriving during the first weekend of the lockdown. Since the first weekend, we have seen a significant decline in numbers visiting Camber, with only a handful of visitors each weekend. We are working closely with Sussex Police to manage the beaches and open spaces generally to ensure the public comply with social distancing.
- The RNLI has ceased its operations nationally. We are in regular contact with the RNLI to understand their contingency plans for when lockdown restrictions are lifted to enable a level of service to be provided on Bexhill and Camber beaches.
- Access to parks, open spaces and the cemeteries has been maintained throughout the pandemic and we have a regular staff presence monitoring the essential activity of our contractor Idverde.
- We have restricted access to all outside sports facilities and play parks. We have erected relevant signage deterring people from using these facilities.

- We have developed contingencies to increase the capacity for burials by 100% to complement the contingencies within East Sussex crematoria which is being managed by the Sussex Resilience Forum.
- We have worked closely with our contractor Idverde to sustain essential safety checks to parks and open spaces and recently they have begun to maintain some bowls greens and lawns to prevent these from going to seed.

34. Car parks and public conveniences

- With the exception of Camber Sands, all car parks have remained open during the pandemic. The decision was taken to make car parks free during the lockdown which will be reviewed as lockdown restrictions are lifted.
- In consultation with the other East Sussex local authorities we have taken the decision to close the public conveniences throughout Rother which will also be kept under review as lockdown restrictions are lifted.
- We have worked closely with Specialist Hygiene Services (SHS) to arrange deep cleaning of all district public conveniences and tidying of service areas; we have redeployed SHS staff to deep cleaning Rye and Bexhill Leisure centres.
- We have supported the establishing of a COVID-19 testing station in Wainwright Road car park.

35. Waste and recycling and street and beach cleansing

- We have been working closely with our contractor Biffa to ensure an uninterrupted provision of waste and recycling collections to date. Biffa has experienced staff absences due to sickness throughout the crisis which led to some disruption to garden and bulky waste collections in the initial weeks of the onset of the crisis. Those residents that have paid their garden waste subscriptions have been offered a reduced subscription fee for next year.
- We have a regular staff presence supporting the safe completion of rounds and ensuring that any fly tips are identified and cleared effectively.
- The Household Waste and Recycling Centres have been closed during the pandemic. We are working closely with East Sussex County Council to support the reopening of the sites as soon as possible while ensuring social distancing measures can be maintained.
- Biffa Camber Task Force, recruited as part of the core routine contract to clear litter and cleanse beaches during the summer season, has been redeployed to clearing sand from Central car park, overflow car park and Old Lydd Road ready for when the season may start.

36. Freedom Leisure

Freedom Leisure was required to close their doors and therefore their nil fee contract was no longer viable. This item was the subject of a decision under the emergency procedure rules.

37. Customer Services

The decision to close the Town Hall to the public and move services to online and telephone access was taken in response to the lockdown restrictions imposed by Government. The customer services team have retained a permanent presence in the Town Hall to manage the distribution of external post and to be on hand to manage urgent enquiries from members of the public presenting to the Town Hall for assistance. All such presentations are handled via our intercom.

STRATEGY AND PLANNING

38. Externally

- With regards to Local Plan Review and the evidence base (needed to support that) - Future forecasting relating to economic growth is likely to be out of date (our Housing & Economic Development Needs Assessment HEDNA is based on these but there is no quick fix).
- Housing delivery will have dropped significantly which will result in a worsened housing delivery test result for the district when it is next published later on the year.
- Housing land supply is likely to drop below two years.
- Drop in Community Infrastructure Levy (CIL) monies being received based on new starts on housing sites.
- Pressure from the construction industry to defer CIL payments; the impact of which is likely to delay the delivery of key infrastructure projects.
- Central government may consider revising the standard methodology as baseline for housing numbers in the new Local Plan.
- Impact of COVID-19 on future working patterns and its impact on the demand for future employment/retail space.
- COVID-19 impact on household income and increased demand to deliver affordable housing (in its various forms).

39. Internally

- Number of applications submitted in the first five weeks after 23 March equate to a 43% drop over the same period last year, which crudely could amount to a similar reduction in income to the Council.
- Delays in processing Appeals due to “lockdown” on site visits at the Planning Inspectorate.

- Local Plan review “call for sites” and the Member visioning and objective setting workshops have both been postponed until later in the year. This will have a significant knock on in terms of the timetabling of the Local Plan public consultations and submission of Plan to the Planning Inspectorate.
- Reduced officer productivity (homeworking) due to several reasons including childcare/schooling, broadband strength, working environment and officer shielding.
- External consultee responses to planning applications are delayed due to COVID-19, which will delay the determination of applications.
- Six week postponement of site visits has now ended, and visits recommenced on 30 April (site notices) and 6 May (site assessment visits). However, this will create a significant bottleneck of workload in late June and July when these applications are due for determination.
- Recommencement of the enforcement function in late May is likely to lead to significant increase in officer caseloads.
- Planning Service continues to carry several officer vacancies.

FINANCIAL IMPACT ASSESSMENT

	Amount £'000	Comments
General Fund Expenditure		
Homelessness	250	Cost of increased households and locating in self-contained accommodation
Contractor Support	201	Reflects support to Leisure Services provider
ICT	57	New equipment and software upgrades
Community Hub	11	Costs to date of setting up and providing food parcels
Other	6	
Total Expenditure	525	
Income		
Car Parking	370	Estimate of lost income from 2 months plus loss of season tickets
Treasury Investments	350	Effect of continued reduced interest rates
Rental Income and public space concessions	233	Concession for quarter to June 2020
Planning fees and land charges	180	Assumes 20% reduction in fees
Housing Benefit Subsidy	150	Impact of processing delays due to increased workloads
Garden Waste	90	Impact of holding charge at 2019 rate
Licensing fees	45	Reduced Taxi, premises etc licences
Other fees and charges	62	
Total expected lost income	1,480	
Saving and Income target		
MTFP	753	see main report
Total General Fund	2,758	
Collection Fund		
Council Tax	335	see main report
Business Rates	90	see main report
Total Collection Fund	425	
Less: Government Grant	(1,003)	
Total Estimated Financial Impact	2,180	

Rother District Council

Report to	-	Cabinet
Date	-	8 June 2020
Report of the	-	Executive Director
Subject	-	Members' Allowance Scheme – Proposed Cabinet Spokespersons' Special Responsibility Allowance

Recommendation to COUNCIL: That the Members' Allowance Scheme be amended by the addition of a Special Responsibility Allowance in respect of designated Cabinet Spokespersons / Member Champions in accordance with the criteria set out at paragraph 13.

Lead Cabinet Member: Councillor Oliver

Introduction

1. In accordance with the Local Authorities (Members Allowances) (England) Regulations 2003, before an authority makes or amends its allowance scheme, the authority shall have regard to the recommendations made in relation to it by an Independent Remuneration Panel (IRP).
2. Following a request from the Leader of the Council this report sets out proposals to amend the current Members' Allowance Scheme to include provision for the payment of a Special Responsibility Allowance (SRA) to be paid to designated Cabinet Spokespersons / Champions.
3. Currently the Cabinet have appointed two Councillors as spokespersons on cycling and disability and inclusion (one of whom is a current Cabinet Portfolio Holder).

Background to current scheme

4. The IRP last met in late 2018 and made recommendations on a revised Members Allowance Scheme to take effect from May 2019. The Council considered the recommendations of the IRP in February 2019 and took these into account when agreeing its current scheme; most of the IRP's recommendations were agreed for inclusion within the current Scheme. A copy of the current scheme can be found within the Constitution at the following link:

https://www.rother.gov.uk/wp-content/uploads/2020/01/Part_6_-Allowances_Scheme - 2019 - UPDATED MARCH 2019.pdf

Rationale for Cabinet Spokesperson Special Responsibility Allowance

5. Following the elections in May 2019 there has been significant change to the political landscape at the Council. The Council is now run by an alliance of Association of Independents (13 Members), Liberal Democrat and Green (eight

Members) and Labour (three Members) Councillors. The Conservative group are in opposition with 14 Members.

6. The new influx of Councillors are keen to be involved within their communities, take a more active role in agreeing and setting the strategic policy direction of the Council and are generally more “hands-on” than was previously the case.
7. Given the enthusiastic number of Councillors that are now at the disposal of the ruling alliance group, the Leader of the Council has requested that the Council considers the introduction of an SRA for designated Cabinet Spokespersons / Member Champions.
8. These will be Councillors, appointed by the Leader of the Council, who are not Cabinet Members but take a leading role and champion a subject on behalf of the Cabinet and Council. They will be expected to put in extra effort over and above other non-Executive Members.
9. The SRA is intended to recognise the Councillor’s expertise in their allocated spokesperson role, the additional time required to attend meetings, represent the Council and effectively manage the Council’s role on the subject and to be the “resident expert” on the subject. Attached at Appendix 1 is the proposed Role Description.
10. The Council has appointed spokespersons in the past, but these roles were directly linked to the existing Cabinet Portfolio Holders, who were already in receipt of a SRA. Examples included spokespersons on finance, coastal protection, fluvial flooding and rural issues, housing, transport and health, children and youth issues, Local Development Framework and older people, waste and recycling and the environment, culture, sport and leisure.
11. More latterly, over the last 10 years up until the elections in May 2019, there have been two consistent spokesperson roles undertaken by two non-executive Members on health and well-being issues and education – neither of which had a specific role description nor paid an SRA.

Comparison to other local authorities

12. The only other Council in the South East that pays an SRA for a Cabinet Champion (a non-Cabinet Member) is Rushmoor Borough Council. They pay £1,605 per annum from the date appointed and have a maximum of five at any one time. They pay their Cabinet Members £8,027 per annum and the SRA works out to around 19% of the Cabinet Member SRA.

Proposed Cabinet Spokesperson Special Responsibility Allowance

13. RDC Cabinet Members currently receive an SRA of £2,843 (2019-20 level); based on the Rushmoor example above, 20% of this figure would equate to around £568 (2019-20 level) per annum. It is considered that this is a fair amount and would recompense the Members for the additional commitment and time that these roles would entail.
14. The criteria for the payment of the SRA would be as follows:
 - the Member should not be in receipt of any other SRA;

- the payment will be made from the date of appointment, or from the date at which full Council approves the new SRA, whichever is the later (i.e. no provision for back-dating); and
 - there being no more than five spokespersons attracting an SRA payment at any one time.
15. It is possible that a Cabinet Member could also act as a Cabinet Spokesperson on a subject, in which case there would be no SRA payable; this could mean that five other non-Cabinet spokespersons could be appointed who were paid the SRA. You could therefore, in theory, have more than five Cabinet Spokespersons at any one time, provided that only five were paid and any others would either not be paid or already be in receipt of an SRA.
16. It is worth noting that this proposal will not increase the overall budget for Members' Allowances, as the current administration has appointed one less Member into the Cabinet than the previous administration (currently saving £2,843.00 (2019-20 level)). In addition to this, one Member has been appointed as both a Cabinet Member and a Committee Chairman and two other Members of the Cabinet from the 2000/21 civic year are Group Leaders and will therefore forfeit their Group Leader and amount per Member SRA.
17. In accordance with the current Members' Allowance Scheme, no Member can be in receipt of more than one SRA, with the highest of the two being paid (currently a saving of £2,843.00 (2019-20 level)). Therefore, overall once the new Cabinet is appointed, there will be savings of circa £7,269 (the unfilled Cabinet position and dual roles referred to in paragraph 16 above) in the budget that can easily accommodate the suggested maximum SRAs payable of £2,840. It is noted that in line with the Members' Allowance Scheme the SRAs will be increased each year in May, in line with the staff pay award agreed in the preceding September for the Council years 2020-21, 2021-22 and 2022-23. Following each annual increase, the amounts will be either rounded up or down to the nearest full pound.

Consultation with the Independent Renumeration Panel

18. In accordance with the Local Authorities (Members Allowances) (England) Regulations 2003, the IRP Members who had made the original recommendations on the current scheme were consulted for their views on these proposals.
19. In summary all three Members of the IRP support the proposals and made the following comments:
- It does seem reasonable to recognise this injection of energy into communication with the public on key issues;
 - the proportionality of the proposed allowance, based on the Rushmore example, seems to be a reasonable compensation for the additional work these five Champions will commit to; and
 - the overall proposal will not lead to additional spending on allowances.

Conclusion

20. The Leader of the Council has requested that consideration be given to the introduction of an SRA in respect of Cabinet Spokespersons. Following

research with other authorities and consultation with the IRP, which secured support for the proposal, Cabinet it requested to recommend to Council that the Members' Allowance Scheme be amended by the addition of a Special Responsibility Allowance in respect of designated Cabinet Spokespersons / Member Champions in accordance with the criteria set out at paragraph 13.

Malcolm Johnston
Executive Director

Risk Assessment Statement

There are no risks associated with this report.

Cabinet Spokesperson – Role Description

1. To be the Member point of contact for matters on your area of responsibility.
2. To maintain an understanding and assist Cabinet with particular insights in relation to your area of responsibility.
3. To collate information and assist with consultations on your area of responsibility.
4. To liaise with the Communications Team on press releases, social media etc on the specific area of responsibility.
5. To network with partner and other organisations to find out more information on the area of responsibility.
6. To meet regularly with the Lead Officer(s) for your area of responsibility.
7. To communicate with other Members on your area of responsibility as well as attending meetings (e.g. Overview and Scrutiny) where appropriate.
8. To use Cabinet and other meetings to raise the profile of the specific area of responsibility.
9. To produce an end of year report to Council updating Members on the actions and issues looking back over the past year.

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By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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