

**CABINET**

10 January 2022

Minutes of the Cabinet meeting held at the Town Hall, Bexhill-on-Sea on Monday 10 January 2022 at 6:30pm.

Committee Members present: Councillors D.B. Oliver (Leader), S.M. Prochak, MBE (Deputy Leader), C.A. Bayliss, T.J.C. Byrne, K.P. Dixon, K.M. Field, H.L. Timpe and J. Vine-Hall.

Other Members present: Councillors P.C. Courtel and P.N. Osborne.

Advisory Officers in attendance: Chief Executive, Chief Finance Officer, Director – Place and Climate Change, Head of Housing and Community (in part), Head of Neighbourhood Services, Development Manager, Housing Needs Policy and Projects Manager (in part), Democratic Services Manager and Democratic Services Officer.

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Publication Date: 13 January 2022

The decisions made under PART II will come into force on 21 January 2022 unless they have been subject to the call-in procedure.

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CB21/63. **MINUTES**

The Chairman was authorised to sign the Minutes of the meeting held on 13 December 2021 as a correct record of the proceedings.

CB21/64. **APOLOGIES FOR ABSENCE**

There were no apologies for absence.

CB21/65. **DISCLOSURE OF INTERESTS**

There were no declarations of interest made.

**PART I – RECOMMENDATIONS TO COUNCIL** – not subject to call-in procedure under Rule 16 of the Overview and Scrutiny Procedure Rules.

CB21/66. **LOCAL ENFORCEMENT PLAN**

(9)

The Local Enforcement Plan (LEP) adopted in July 2016 was consistent with the National Planning Policy Framework (NPPF) guidance and described how the Council investigated allegations of unauthorised development within the district. The Development Manager advised that as a result of several factors, namely updates to the NPPF, adoption of the Council's Development and Site Allocations Local Plan in 2019 and consequences of COVID-19 pandemic, it was

necessary to update the document. All Members had the opportunity to consider the draft Plan in November and contribute to its revision and several Member suggestions had been incorporate into the draft. A copy of the revised draft LEP was attached to the report at Appendix A.

The proposed updated plan drew on current good practice and current working practices as well as up-to-date legislation and planning policies to both set out how the Planning Enforcement services managed investigating alleged planning breaches proactively, but also what it could and could not do including when some factors may be beyond its control. In addition, the revised LEP provided appendices which should assist visually with setting out the investigation and action processes and the 'toolkit' of powers at the Service's disposal.

Whilst formal consultation with the parish and town councils across the district had not taken place on this draft, it was agreed that a remote meeting would be held following full Council's adoption of the plan and this could be advised at the Rother Association of Local Councils' meeting being held this week. Consultation with the parish and town councils would take place in subsequent reviews of the plan in two/three years' time.

Cabinet was supportive of the updated LEP and acknowledged that the document provided a clear and concise 'toolkit' for the Council's Planning Enforcement Team for dealing with breaches of planning. The Cabinet Portfolio Holder for Strategic Planning thanked the Development Manager who had made significant improvements to the planning service since his appointment.

**RECOMMENDED:** That the updated version of the Local Planning Enforcement Plan be approved and adopted.

**PART II – EXECUTIVE DECISIONS** – subject to the call-in procedure under Rule 16 of the Overview and Scrutiny Procedure Rules by no later than 4:00pm on 20 January 2022.

CB21/67. **DRAFT REVENUE BUDGET 2022/23 PROPOSALS**  
(6)

Consideration was given to the report of the Chief Finance Officer on the preparation of the draft Revenue Budget for 2022/23. The report outlined the likely financial position, cost pressures and key issues that Members needed to consider as part of the budget setting process. Appended to the report were details of the summary draft Revenue Budget, the summary information for each service area, main changes from the 2022/23 budget, the Council's revenue reserves and identified savings and additional income.

The following assumptions had been made in calculating the draft Revenue Budget:

- inflation of between 1.8% and 2% had been applied except for contracts where specific indices were applied;

- salaries had been assumed to increase by 1% from September 2022;
- the use of transfers between existing budgets had been applied enabling funding to be re-directed into priority areas; and
- increased income in line with increases agreed by Cabinet on 9 November 2021.

The following key issues were highlighted:

- the draft Local Government Finance Settlement announced by Government in December applied to 2022/23 only and did not guarantee any future funding streams; the Council's Core Spending Power had been set at £11.4m, an increase of £0.7m from 2021/22;
- an additional £738k in various one-off grants and New Homes Bonus that had not been expected had been announced; the Government had stated a commitment to address these grants (with the exception of the Services Grant of £164k) going forward as part of its Fair Funding Review;
- the East Sussex Business Rates Pool for 2022/23 would be retained;
- the 2022/23 council tax base had been calculated at 38,626.8 and showed an increase of 1,020 Band D equivalents mostly due to an increase in chargeable dwellings, new developments and reduction in Council Tax Reduction Scheme claimants;
- the council tax referendum principle for Rother would allow an increase in council tax of £5 or 2% whichever was the highest; it had been assumed that the Council would increase council tax by the maximum allowed before a referendum was required;
- for 2022/23, to ensure the Council remained within the referendum limit, it was assumed that an increase of £4.67 to £193.38 would be agreed for a Band D property, resulting in additional income of £373,000;
- it would be essential to deliver the savings identified as part of the Financial Stability Programme (FSP), or risk the increased use of reserves, cutting statutory services and stopping providing some non-statutory services altogether; and
- £3.670m of reserves would be used in order to meet specific costs (capital and service expenditure).

The cost pressures that may affect the Council's finances were highlighted within the report and these included homelessness demands, planning appeals, staffing costs, non-pay inflation and the continued impact of COVID-19.

It was proposed to establish a budget contingency of £200,000 for 2022/23 to be controlled by the Chief Finance Officer in consultation with the Chief Executive and used to fund unexpected events that had not been included in the 2022/23, i.e. further significant inflation increases, judicial reviews and emergency building maintenance works.

The budget consultation was currently ongoing and due to close on 31 January 2022 and 91 responses had been received to date; interim

results would be reported to the Overview and Scrutiny Committee at their meeting on the 24 January 2022.

Members were keen to ensure that the FSP was delivered in order to protect discretionary services, which included the devolvement of services to parish and town councils across the district; it was essential that this work commenced as soon as possible to enable savings to be made in 2023/24. There were other items such as support to the Bexhill Town Forum that could be removed from the 2022/23 Budget and these would be considered and proposed in the final budget report to Cabinet in February.

**RESOLVED:** That the draft Revenue Budget for 2022/23 be considered by the Overview and Scrutiny Committee at its meeting on the 24 January 2022.

CB21/68.

**REVIEW OF THE HOUSING, HOMELESSNESS AND ROUGH SLEEPING STRATEGY (2019-2024)**

(7)

Cabinet received and considered Minute OSC21/33 arising from the meeting of the Overview and Scrutiny Committee (OSC) held on 22 November 2021 regarding the Review of the Housing, Homelessness and Rough Sleeping Strategy (2019-2024).

The OSC had considered in detail the update on the progress of the Improvement Delivery Plan of the Housing, Homelessness and Rough Sleeping Strategy (2019-2014), in particular the three strategic priorities: Increasing the Supply of Housing; Rough Sleeping, Homelessness and Meeting Housing Aspirations; and Improving the quality and suitability of existing housing and new build housing. The OSC had been particularly keen to ensure that the use of pre-fabricated buildings for Temporary Accommodation (TA) on suitable Council owned was considered.

The Housing Needs Policy and Projects Manager updated Members on the latest position in relation to the three strategic priorities. It was confirmed that it was already adopted Council Policy to consider modular construction / pre-fabricated etc housing. It was noted that whilst the number of empty homes that had been brought back into use was just five, it was in its infancy as an approach and finding owners and solutions was a challenge; it was also noted that many empty homes in the district were as a result of probate, a lengthy legal process and there would always be a significant number in any given year that were in that category.

Cabinet was delighted to note the progress that had been made and the number of targets that had already been achieved and the Head of Housing and Community and his team were congratulated; new targets had been set to ensure continued delivery of the strategy.

**RESOLVED:** That:

- 1) 'targets achieved' as listed in Appendix B to the report be removed from the Improvement Delivery Plan and replaced with

the proposed new/amended targets at Appendix A to the report with revised outcomes included;

- 2) progress made against the Housing, Homelessness and Rough Sleeping Strategy included in the Improvement Delivery Plan (Appendix A to the report) be noted;
- 3) future reviews of the Housing, Homelessness and Rough Sleeping Strategy (2019-2024) be split into a Housing Review and a Rough Sleeping Review; and
- 4) suitable Council-owned sites to accommodate pre-fabricated buildings to be used as temporary accommodation, be further explored.

CB21/69.  
(8)

### **CARBON BASELINE APPROACH FOR COUNCIL'S ACTIVITIES**

Members received and considered Minute OSC21/38 arising from the meeting of the Overview and Scrutiny Committee (OSC) held on 22 November 2021 that had considered the proposed approach to establish the Council's Carbon Baseline in order to monitor its progress towards the Council's ambitious carbon zero target.

It had been recommended to use the pre-pandemic year 2019/20 as the baseline year and data would be collected, where possible, of direct emissions generated from the Council's own operations from an assessment of electricity, gas and water usage and business travel.

The Greenhouse Gas Protocol identified three types of emissions, referred to as Scopes 1, 2 and 3 and were reported as carbon dioxide equivalents:

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|---------|--|
| Scope 1 | Direct emissions from sources owned or controlled by Rother District Council.  |
| Scope 2 | Indirect emissions from the generation of energy purchased by Rother District Council.                               |
| Scope 3 | Indirect emissions that result from the other activities that occur in the supply chain of the Council's activities. |

It was intended to include the outsourced services of leisure, waste collection and grounds maintenance services within Scope 3, but would be dependent on the data available. Carbon emissions generated by Council tenants, where the responsibility for the payment of the utility bills lay with the tenant, would be excluded from the asset baselining, as they were included within the districtwide emission calculations.

It was anticipated that baseline emissions for Scopes 1, 2 and some Scope 3 activities would be in place no later than 31 March 2022. The Council was currently recruiting to the post of Climate Change Project Officer, who would review the baseline data, further scope 3 activities, including data capture, and progress projects to reduce carbon emissions.

Whilst Cabinet was supportive of the approach outlined and agreed with the recommendations of the OSC, it was considered that a more robust approach was required to ensure that the Council's ambitious target was met. The Cabinet Portfolio Holder for Environmental Management requested that the Climate Change Steering Group (CCSG) be reconvened as soon as possible and that officers identify a set of Key Performance Indicators (KPIs) to be monitored by the CCSG. Once the carbon baseline had been identified and the various projects worked up, these would be considered by the CCSG and funding sources identified, including the revised Community Infrastructure Levy's Climate Emergency Bonus Fund (20% apportion), subject to full Council approval.

Cabinet agreed that it was essential to reconvene and task the CCSG to lead on this work to include reviewing and considering potential projects for onward funding approval by the Strategic Community Infrastructure Levy Allocations Panel (where appropriate) and monitoring of KPIs; it was agreed to amend the Terms of Reference of the CCSG to incorporate these activities.

**RESOLVED:** That:

- 1) the carbon baseline data be set from the 2019/20 financial year and that data related to Scopes 1, 2, and where possible, Scope 3 be included in the baseline set;
- 2) the Climate Change Steering Group be reconvened as soon as possible to consider projects that will contribute to a reduction in carbon emissions from the Council's activities;
- 3) as part of this process, a set of Key Performance Indicators be developed to allow the process to be effectively monitored;
- 4) sources of funding (including potentially Community Infrastructure Levy funding) be assessed and progressed where feasible; and
- 5) the Climate Change Steering Group's Terms of Reference be amended to incorporate these activities.

CB21/70.  
(10)

**ROTHER BUILT LEISURE FACILITIES STRATEGY**

In July 2020 Cabinet suspended the Bexhill Leisure redevelopment project given the COVID-19 pandemic, its impact on leisure facilities and the uncertainty surrounding Council finances, with a view to reviewing the leisure requirements in the longer-term, including the possibility of a new facility in Bexhill, as demand for leisure services and the financial climate became clearer.

Contracts to maintain the existing leisure services up to 31 March 2024 were agreed with Freedom Leisure (FL) for Bexhill Leisure Centre and Bexhill Leisure Pool (the separate Rye Sports Centre contract, also operated by FL, expired on 31 March 2026). The Bexhill buildings

needed major refurbishment or replacement prior to a new contract beyond 31 March 2024.

In order to undertake the review, it was recommended that the Council appointed a strategist to undertake a full and thorough review of existing built leisure facilities across the district and provide an evidence-based (including full market research) proposal on a strategy that was realistic and achievable, and supported an active and healthy lifestyle across the district. It was hoped that all sources of information would be gathered, including the research carried out as part of the Healthy Ageing through Innovation in Rural Europe project. The report gave details of the strategists' brief and a high-level indicative timeline in which to complete the Strategy by December 2022. Members requested that the Cabinet Portfolio Holder for Communities, Culture and Tourism and Leader of the Council were consulted on all necessary actions to appoint the strategist and market research company.

Members were keen to ensure that the leisure services offer responded to all residents' needs across the district and not just those centrally focused in Bexhill; this could include leisure services being delivered in a variety of ways across numerous locations in the district.

It was anticipated that the Strategy and market research work would cost in the region of £50,000 which could be funded from £140,000 included in the existing Capital Programme for minor refurbishments at Bexhill Leisure Centre.

**RESOLVED:** That:

- 1) £50,000 be allocated from £140,000 included in the existing Capital Programme for minor refurbishments at Bexhill Leisure Centre to:
  - i. fund the drafting of a Built Leisure Facility Strategy for Rother District Council; and
  - ii. fund market research on residents' use and requirements from built leisure facilities across the district to inform the strategy; and
- 2) delegated authority be granted to the Director – Place and Climate Change, in consultation with the Cabinet Portfolio Holder for Communities, Culture and Tourism and Leader of the Council, to undertake all necessary actions to appoint a Leisure Facilities Strategist and market research company.

**CHAIRMAN**

The meeting closed at 7:50pm

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