

## OVERVIEW AND SCRUTINY COMMITTEE

7 June 2021

Minutes of the Overview and Scrutiny Committee meeting held at the Council Chamber on Monday 7 June 2021 at 6:30pm.

Committee Members present: Councillors J. Barnes, C.A. Clark, S.J. Coleman, Mrs V. Cook, B.J. Drayson (ex-officio), Mrs D.C. Earl-Williams, P.J. Gray, L.M. Langlands (substitute), C.A. Madeley, C.R. Maynard, M. Mooney and P.N. Osborne.

Other Members present: Councillor P.C. Courtel.

Advisory Officers in attendance: Chief Executive, Assistant Director Resources, Head of Service Acquisitions, Transformation and Regeneration, Head of Service Housing and Communities and Democratic Services Officer.

Also Present: 30 members of the public, via the YouTube live broadcast.

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### OSC21/1 ELECTION OF CHAIRMAN

**RESOLVED:** That Councillor P.N. Osborne be elected Chairman of the Committee for the ensuing municipal year.

### OSC21/2 ELECTION OF VICE-CHAIRMAN

**RESOLVED:** That Councillor Mrs V. Cook be elected Vice-Chairman of the Committee for the ensuing municipal year.

### OSC21/3 MINUTES

The Chairman was authorised to sign the Minutes of the meeting of the Overview and Scrutiny Committee held on 26 April 2021 as a correct record of the proceedings.

### OSC21/4 APOLOGIES AND SUBSTITUTES

An apology for absence was received from Councillor S.J. Errington.

It was noted that Councillor Langlands was present as a substitute for Councillor Errington.

### OSC21/5 DISCLOSURE OF INTERESTS

Declarations of interest were made by Councillors in the Minutes as indicated below:

Clark                      Agenda Item 9 - Personal interest as an elected Member of East Sussex County Council.

Coleman                  Agenda Item 9 – Personal interest as a campaigner for the Bexhill nurseries.

Courtel	Agenda Item 9 – Personal interest as a campaigner for the Bexhill nurseries.
Drayson	Agenda Item 9 - Personal interest as an elected Member of Bexhill Town Council.
Maynard	Agenda Items 7, 8 & 9 - Personal interest as an Executive Member of East Sussex County Council.

OSC21/6

## **RECOMMENDATIONS OF THE ANTI-POVERTY TASK AND FINISH GROUP**

Members received and considered the report of the Head of Service Housing and Community which detailed the recommendations of the Anti-Poverty Task and Finish Group (APT&FG).

The APT&FG was established in January 2020 to investigate the effects of income, health and housing poverty on local people and the local services that support them. The original timetable for the activity of the APT&FG had to be revised due to the impact of COVID-19.

The APT&FG held two events to gather evidence from external partners and internal Council colleagues to meet its objectives. At the first event, partner agencies were asked to summarise the services they offered and provide details of the types of service user that accessed their services. The APT&FG also invited partner agencies to describe the main challenges service users experienced in relation to poverty and where the main gaps in service provision existed.

At the second event, the APT&FG received presentations from the Council's housing needs, revenue and benefits and environmental health services and explored how these might be delivered differently to relieve poverty. There was also a presentation to Members on the Council Tax Reduction (CTR) Scheme delivered by the Council's technical consultant on the 27 April 2021. This summarised the range of CTR schemes nationally and how the Rother scheme compared.

The evidence gathering sessions provided reassuring evidence of the levels of commitment from the professionals present to alleviating the symptoms of poverty. However, the sessions did identify areas for improvement in how the Council and partner services were delivered and it was suggested that a multi-agency Anti-Poverty Strategy may well offer partners a means of achieving improvements in these areas.

The two events underlined to Members that the causes of poverty were complex and driven by a range of interrelated forces across income, health, housing, employment and education. Good working relationships existed between many of these services, notwithstanding the scope for improvement that had been identified.

Challenges relating to the coordination of services and the confusion experienced by service users forced to navigate between an array of statutory, voluntary and community services were also identified and there was some evidence of a duplication of services. In addition,

challenges related to the accessibility of services and their promotion were identified. Many solutions were proposed by attendees to the evidence gathering sessions which were outlined in the report before Members. The CTR presentation in April 2021 illustrated that Rother was ahead of many local authority areas in having an income banded system in operation and that the level of financial support offered was typical. Further work would be undertaken in time for any final decisions in June, to illustrate the impact of increasing the amount of help given.

It was clear from the evidence gathering sessions that the causes of poverty were multiple and complex and its symptoms wide ranging. The effects of poverty were felt by a range of different sectors of the community across different demographic groups and geographic locations. Therefore, it was recommended that strategic objectives should be developed between partner services alongside a Strategy Action Plan, the delivery of which should be led by the Council and Rother Voluntary Action, in partnership through the Local Strategic Partnership.

Councillor Coleman, Chairman of the APT&FG, thanked Members of the Group for their hard work and paid tribute to the officers involved for their support.

Members were given the opportunity to ask questions and the following points were noted during the discussion:

- developing an Anti-Poverty Strategy was crucial to the leadership role of the Council;
- funding to improve transport services from areas such as Sidley would enable younger residents to travel to youth centres, part-time work and the college during the evenings;
- access to Universal Credit was key to supporting residents;
- the existence of a Hardship Fund gave access to forward payments whilst Universal Credit applications were being processed;
- although the work of the Group was completed for the moment Members were keen for the APT&FG to be revived to review the Strategy once in place;
- the Council's Customer Service Team were very knowledgeable and able to signpost residents to available services;
- the use of Artificial Intelligence was suggested which would enable residents to enter a problem onto the website and an algorithm would provide details of services available to assist;
- concerns were raised about increasing the maximum support currently provided under the CTR scheme, as all preceptors would be impacted, not just the Council. All would need to be consulted with and their views and comments considered by full Council when making any decisions; and
- public donations towards the Hardship Fund would be in addition to current arrangements, but would need to be explored by officers, as no mechanism to collect payments was currently in place.

**RESOLVED:** That Cabinet be requested to agree that:

- 1) an Anti-Poverty Strategy and Action Plan be developed for the district between partner services, led by the Council in partnership with Rother Voluntary Action and the Local Strategic Partnership;
- 2) the Council Tax Reduction Scheme Hardship Fund be reviewed by officers and report back to the Overview and Scrutiny Committee on options for improving the promotion of the scheme and the potential of establishing a mechanism for public donations to supplement the Hardship Fund;
- 3) the maximum support under the Council Tax Reduction Scheme be increased above the current 80% when the Council achieves its financial stability ambition, as set out in the draft Corporate Plan; and
- 4) consultation takes place with the public and key stakeholders on improving access to Council Tax Reduction Scheme for self-employed people who are also carers and those self-employed residents who are registered disabled, as outlined in this report.

(Councillor Maynard declared a Personal Interest in this matter as an Executive Member of East Sussex County Council and in accordance with the Members' Code of Conduct remained in the meeting during the consideration thereof).

OSC21/7

#### **FINANCIAL ASSISTANCE POLICY 2021-2025 (DISABLED FACILITIES GRANTS)**

Members received the report of the Head of Service Housing and Community which outlined a revised Financial Assistance Policy that set out the tools for providing housing renewal assistance as required by the Regulatory Reform (Housing Assistance) England and Wales Order 2002. The Council was required to adopt a Financial Assistance Policy to be able to provide Disabled Facilities Grant funding through the Better Care Fund (BCF). The proposed Financial Assistance Policy was attached at Appendix A to the report. Disabled Facilities Grants (DFGs) were also included in the policy and were given to vulnerable clients to allow them to remain in their own home and remain independent.

It was also proposed that a new Discretionary Disabled Project Grant (DDPG) be introduced as part of the Policy to enable the Council to spend its full complement of BCF allocation and identified needs within the community be met. The use of the Council's annual DFG allocation would remain prioritised to meet the identified needs of individuals through mandatory and discretionary grant awards; however, the DFG grant was regularly underspent, and the Council could therefore have regard for wider local needs.

The DDPG would invite applications from residents of Rother to improve and update disabled facilities for community-based buildings and groups. In addition, the Policy would allow the Council to make

improvements to its own community assets, parks and open spaces where a need was identified and facilitate greater access to disabled residents and visitors to the district.

The increased allocation of central Government DFG funding presented an opportunity to make better use of the discretionary powers granted to the Council by the Regulatory Reform Order and support innovative projects that could improve the lives of disabled residents.

DFGs were essential for improving the health and wellbeing of residents who experienced disability and mobility impairments. The proposed Policy would allow the Council to continue to support residents by funding adaptations that improved access to their homes through the mandatory DFGs. In addition, the new DDPG would allow the Council to maximise the use of its BCF allocation through more flexible use of the funds and the Policy would allow the Council to harness these funds to make adaptations to its own estate and those public realm locations for which it is responsible.

Members were given the opportunity to ask questions and the following points were noted in the discussion:

- to avoid any confusion, the application pack sent out for the DDPG should be clear that applications made were to be for the benefit of community-based buildings and groups, rather than private residences or individuals; and
- the Councillor named in support of the application to be amended to state the Ward Councillor.

**RESOLVED:** That Cabinet be requested to agree that:

- 1) the Financial Assistance Policy 2021-2025, as amended, be recommended to Council for adoption; and
- 2) initially, £200,000 be allocated to the DDPG from the balance of DFG funds held in earmarked reserves.

(Councillor Maynard declared a Personal Interest in this matter as an Executive Member of East Sussex County Council and in accordance with the Members' Code of Conduct remained in the meeting during the consideration thereof).

OSC21/8

### **EGERTON PARK CHILDREN'S CENTRE**

Members received the report of the Head of Service Acquisitions, Transformation and Regeneration which provided an update on the current position with regard to the Children's Centre at Egerton Park, Bexhill following its closure by East Sussex County Council.

The land on which the Egerton Park Children's Centre building stood was owned by Rother District Council (RDC) and prior to the development of the building it was used as open space, being part of the wider Egerton Park facility. In November 2005, the Council granted a ground lease of a parcel of land to East Sussex County Council

(ESCC), to enable them to construct an Early Years centre on the site. The lease was for 25 years (expiring November 2030) at a peppercorn rent. A two-storey building was constructed by ESCC on the site, which housed a registered childcare centre and facilities for a range of courses, training opportunities and groups.

In September 2019, ESCC published a document entitled “Children’s Early Help Revised Strategy” which stated that nurseries in Bexhill would no longer be operated by the Council, who would instead work with other providers to secure, so far as is reasonably practicable, sufficient nursery places in the area, as it did in the rest of the county. The process could include sub-leasing the spaces for Rainbow and Cygnets nurseries to other nursery providers, without ongoing financial or other direct responsibilities for nursery services.

Following that time, arrangements were made with the Bexhill Family Collective Community Interest Company to operate a nursery from part of ESCC’s Sidley Community Centre site, but despite efforts on all sides a suitable arrangement could not be made for the Egerton Park building. ESCC had since held discussions with the NHS to use the premises for a healthcare centre, although nothing had been concluded as at the date of publishing the report.

The lease between RDC and ESCC contained no alienation provisions that defined the ability or otherwise for ESCC to sub-let all or parts of the building. Instead the use of the building was controlled by the user clause which was restricted to “... a centre for early education, childcare, health and family support for no other purpose whatsoever.” Therefore, there was nothing to prevent ESCC from subletting all or part of the building, and charging a rent, provided the use remained within that definition.

The building was under the control of ESCC until November 2030 and ESCC did not need the permission of RDC to sublet the building. Providing the use remained within the parameters of the user clause, ESCC did not need RDC’s permission for the activity in the building.

The Council would consider any proposals concerning the future occupation and use of the building in accordance with the terms of the existing lease and if a proposal was to come forward from ESCC that would require a variation to the lease, officers would report and take instructions from Cabinet at that time.

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

(Councillor Clark declared a Personal Interest in this matter as an elected Member of East Sussex County Council and in accordance with the Members’ Code of Conduct remained in the meeting during the consideration thereof).

(Councillors Coleman and Courtel both declared a Personal Interest in this matter as they were campaigners for the Bexhill nurseries and in accordance with the Members’ Code of Conduct remained in the meeting during the consideration thereof).

(Councillor Drayson declared a Personal Interest in this matter as an elected Member of Bexhill Town Council and in accordance with the Members' Code of Conduct remained in the meeting during the consideration thereof).

(Councillor Maynard declared a Personal Interest in this matter as an Executive Member of East Sussex County Council and in accordance with the Members' Code of Conduct remained in the meeting during the consideration thereof).

OSC21/9

#### **PERFORMANCE REPORT: FOURTH QUARTER 2020/21**

Consideration was given to the report of the Head of Service Acquisitions, Transformation and Regeneration on the Performance Report of the Fourth Quarter 2020/21. Members were given the opportunity to scrutinise progress towards the Council's stated aims, outcomes and actions in the Corporate Plan and make any necessary recommendations to Cabinet for future service delivery.

Members were led through a summary of the Council's performance against the selected indicators across four key areas (Housing and Homelessness, Waste and Recycling, Asset Income and Other Income), giving the position at the end of the fourth financial quarter (1 January to 31 March 2021) for 2020/21. Performance was compared to the previous four quarters and the previous quarter result.

March 2020 saw the onset of the COVID-19 pandemic. This had adversely affected performance levels in quarter one for all Key Performance Indicators (KPI) reported. The KPIs remained the same to provide a baseline for the overall impact of COVID-19 in the current financial year as agreed by the Overview and Scrutiny Committee on 14 September 2020.

**Housing and Homelessness:** During quarter four, all seven measures had not met their target (Affordable Homes Built (gross) Supply target, (Affordable Homes Built (gross) Local Plan target, New Homes Built (net) Supply Target, New Homes Built (net) Local Plan Target, Homelessness Prevention Cases per 1,000 homes, Number of all Households in Temporary Accommodation [TA] and Average Weeks in Temporary Accommodation).

**Waste and Recycling:** One of the indicators had not met its target (Re-use, Recycling, Composting: Contractor), one was flagged as a warning (Re-use, Recycling, Composting: East Sussex County Council) and one had met its target (Missed Bins per 100,000 Collections).

**Asset Income:** Given the overall impact of COVID-19 on employers throughout the district, the final outturn for the return-on-investment assets was positive. It was initially anticipated that £120,000 would be lost in rent arrears and the realised position was slightly under this. No additional purchases were made in the last financial year as focus was placed upon the delivery of projects already in the programme.

**Other Income:** All three indicators had not met their targets (Car Park Income, Garden Waste Income and Planning Income) due to the impacts of the COVID-19 pandemic. The car park budget for 2020/2021 was set prior to COVID-19 outbreak at £1,600,000 and achieved £1,278,708.10, a deficit of £321,000. Following a successful campaign during December 2020 through to March 2021 to increase the number of garden waste subscribers, the number had increased to just under 20,500 customers, up from a previous high of approx.19,600 in July 2020. This not only meant increased revenue, but that the service was delivered by the contractor at a more cost-effective rate to the Council. Planning income in real terms had held up reasonably well at £775,917.33 compared with £798,702.41 the previous year, which was very positive taking into consideration all the issues surrounding COVID-19 in the previous 12 months. Looking forward, there were signs of further recovery as the Council was receiving higher numbers of planning applications since the turn of the year, which would increase income.

Members raised concerns about high housing targets set by Central Government that did not consider the amount of protected land across districts that could not be built on. It was proposed and agreed by Members to request that Cabinet consider working with other local authorities with an 80% or higher level of protected land, to put forward a case to Central Government for a national abatement formula to calculate housing targets.

The onset of the COVID-19 pandemic had adversely affected performance levels in quarter one for all KPIs reported. The Committee had previously agreed that the KPIs should remain the same to provide a baseline for the overall impact of COVID-19 in the current financial year.

**RESOLVED:** That Cabinet be requested to consider working with other local authorities with an 80% or higher level of protected land, to put forward a case to Central Government for a national abatement formula to calculate housing targets.

#### OSC21/10 **ANNUAL WORK PROGRAMME**

Consideration was given to the report of the Chief Executive detailing the Annual Work Programme for the Overview and Scrutiny Committee.

Members were reminded that any Councillor could make a request for an item to be placed onto the Council's Scrutiny Committee Work Programme.

Members considered the list of 'Items for Consideration' at Appendix 1 to the report and agreed to discuss items in more detail and possible themes for the Work Programme at the next meeting of the Committee, scheduled for 19 July 2021.

The following additions to the Work Programme were noted:

- 19 July 2021 – 'Items for Consideration' and possible themes;



- 13 September or 18 October 2021 – Progress of the Environment Strategy.

**RESOLVED:** That the Work Programme at Appendix A be agreed, as amended.

**CHAIRMAN**

The meeting closed at 8:09pm.

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## OVERVIEW AND SCRUTINY COMMITTEE

WORK PROGRAMME 2021 – 2022		
DATE OF MEETING	SUBJECT – MAIN ITEM IN BOLD	Cabinet Portfolio Holder
19.07.21	<ul style="list-style-type: none"> <li>Revenue Budget and Capital Programme Monitoring Quarter 4 2020/21</li> <li>Items for Consideration and possible themes for the Work Programme</li> </ul>	Dixon
13.09.21	<ul style="list-style-type: none"> <li><b>Post-COVID Recovery Plan</b></li> <li>Review of the Environment Strategy?</li> <li>Performance Progress Report: First Quarter 2021/22</li> <li>Revenue Budget and Capital Programme Monitoring – Quarter 1 2021/22</li> </ul>	Bayliss Field Dixon
18.10.21	<ul style="list-style-type: none"> <li><b>Medium Term Financial Plan 2022/23 to 2026/27</b></li> <li>Review of the Environment Strategy?</li> </ul>	Dixon Field
22.11.21	<ul style="list-style-type: none"> <li>Performance Progress Report: Second Quarter 2021/22</li> <li>Revenue Budget and Capital Programme Monitoring – Quarter 2 2021/22</li> </ul>	Dixon
24.01.22	<ul style="list-style-type: none"> <li><b>Draft Revenue Budget Proposals 2022/23</b></li> </ul>	Dixon
14.03.22	<ul style="list-style-type: none"> <li><b>Crime and Disorder Committee: to receive a report from the Community Safety Partnership</b></li> <li>Performance Progress Report: Third Quarter 2021/22</li> <li>Revenue Budget and Capital Programme Monitoring – Quarter 3 2021/22</li> </ul>	Dixon
25.04.22	<ul style="list-style-type: none"> <li>Call-in and Urgency Procedures</li> <li>Draft Annual Report to Council</li> </ul>	
ITEMS FOR CONSIDERATION		
<ul style="list-style-type: none"> <li>Regeneration incl Leisure Centre, Fountains, Skate Park and Accessibility of Green Spaces across the district</li> <li>Corporate Plan review – referred back by Cabinet</li> <li>Review of the Tourism Strategy</li> <li>Review of the Economic Regeneration Strategy</li> <li>Peer Review</li> <li>Annual Review of the Homelessness Strategy</li> <li>Draft Anti-Poverty Strategy Proposals</li> <li>Draft Corporate Customer Services Strategy Proposals</li> <li>Litter Strategy</li> <li>Progress on the Environment Strategy</li> <li>Impact of Airbnb and second homes in Rye/Winchelsea/Camber</li> </ul>		

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