

CABINET

31 October 2022

Minutes of the Cabinet meeting held at the Town Hall, Bexhill-on-Sea on Monday 31 October 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 J. Barnes (remote), J.J. Carroll, C.A. Clark (remote - in part), Mrs V. Cook (in part), P.C. Courtel, T. Ganly (remote - in part), K.M. Harmer, C.A. Madeley, C.R. Maynard (remote - in part), A.S. Mier (remote), P.N. Osborne and G.F. Stevens (remote).

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

Also Present: Cathy Nelson and Stephen Bottomley, East Sussex Procurement Hub (in part), Rachel Fowler, Managing Director – Strategic Leisure Limited (in part) and 17 members of the public via the live webcast.

Publication Date: 3 November 2022

The decisions made under PART II will come into force on 11 November 2022 unless they have been subject to the call-in procedure.

CB22/38. **MINUTES**
(1)

The Chair was authorised to sign the Minutes of the meeting held on 3 October 2022 as a correct record of the proceedings.

CB22/39. **APOLOGIES FOR ABSENCE**
(2)

An apology for absence was received from Councillor A.K. Jeeawon.

CB22/40. **DISCLOSURE OF INTERESTS**
(5)

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

J. Barnes Agenda Item 12 – Personal Interest as a Director of Rother DC Housing Company Limited.

Field Agenda Item 8 – Personal Interest as a Member of East Sussex County Council.

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

CB22/41. **EAST SUSSEX TEMPORARY ACCOMMODATION POLICY**
(8)

Cabinet received Minute OSC22/27 arising from the meeting of the Overview and Scrutiny Committee (OSC) held on 17 October 2022 that had considered the East Sussex Temporary Accommodation Policy written by the operational housing managers across all five districts and boroughs. The Policy outlined the standards applied to the size and location of Temporary Accommodation (TA) as well as the processes and procedures to follow. The Policy applied both within district or borough, and outside of the placement authority area.

Members queried the position of Ukrainian refugees who may be coming to the end of their stay with host families and what impact this might have on the Council in terms of housing. The East Sussex County Council Lead Member for Adult Social Care advised that the Government had provided additional funding of £495,000 to continue to provide host family support payments. It was confirmed that there was a multi-agency approved resettlement approach across East Sussex which took account of employment and educational access needs.

Cabinet were pleased to recommend that the East Sussex Temporary Accommodation Policy be approved and adopted as this would provide a consistent approach across East Sussex.

RECOMMENDED: That the East Sussex Temporary Accommodation Policy be approved and adopted.

(When it first became apparent, Councillors Field and Maynard both declared personal interests as elected Members of East Sussex County Council, and in accordance with the Members' Code of Conduct remained in the meeting for the consideration thereof).

CB22/42. **ROTHER DISTRICT COUNCIL OWNED/LEASED
ACCOMMODATION COMPLAINTS HANDLING POLICY**
(9)

Cabinet received Minute OSC22/28 arising from the meeting of the Overview and Scrutiny Committee (OSC) held on 17 October 2022 that had considered the proposed Rother District Council Owned / Leased Accommodation Complaints Handling Policy. In 2020, Rother District Council had become a Registered Provider of accommodation and thus far, owned 24 units of accommodation and one unit of accommodation that the Council leased and managed. The number of units of accommodation the Council owned and leased was set to rise further as the scale of the Temporary Accommodation Support Scheme and leasing scheme were increased.

The Complaints Handling Policy would apply to all activity undertaken by Council staff or contractors that might be involved in property management and support of tenants. An annual report would be made to the Audit and Standards Committee whose remit included an overview of all complaint handling, in accordance with the statutory requirement; should more frequent reports be requested, i.e. twice yearly, this could be accommodated, although very few complaints were likely.

Cabinet was pleased to acknowledge that this Policy was required as a direct consequence of the Council becoming a registered provider of accommodation and recommended that the Rother District Council Owned / Leased Accommodation Complaints Handling Policy be approved and adopted.

RECOMMENDED: That the Rother District Council Owned / Leased Accommodation Complaints Handling Policy be approved and adopted.

CB22/43. **SECTION 106 FUNDS TO SUPPORT COMMUNITY LED HOUSING - CEMETERY LODGE, BEXHILL**

(11)

Consideration was given to the report of the Head of Housing and Community Services regarding the allocation of Section 106 funding to facilitate the development of affordable housing. This funding would be used to facilitate delivery of a new affordable housing development, via a community led housing scheme in Bexhill, which was utilising a Council-owned site at Cemetery Lodge (CL) (to now be known as Parker House, named after the Edwardian Architect who designed the original building).

The development was being led by Bexhill Community Land Trust (BCLT). Their aim was to access affordable homes in perpetuity to create vibrant communities with access to educational, recreational and employment opportunities. It was noted that alternative funding options including the allocation of the remaining Rother Community Housing Fund (CHF) grant had been considered. However, using the CHF would mean that there would be no support for other projects. Whilst it was accepted that by providing this site to the BCLT, the Council was foregoing a potential capital receipt, the Council's responsibility to provide housing opportunities and create sustainable local communities was the priority factor, and consistent with corporate plan priorities. Members also noted the level of external grant funding and additional financing BCLT were harnessing to deliver the development.

Members were advised that the Council currently held £377,797.49 of Section 106 planning contributions (money received from developers). There was no time limit to allocate this funding. Capital funding of £200,000 was required to enable BCLT to deliver six new affordable homes at CL. The funding would be used for refurbishment costs and retaining the CL as part of any future scheme, based on initial surveys and the expertise of the Sussex Community Housing Hub (SCHH). The report identified the proposed funding streams and all funding had been secured and agreed in principle with lenders supported by

SCHH. Any funding agreement between the Council and BCLT would be subject to BCLT securing the remaining funds required to deliver the whole scheme. Subject to planning permission being granted (expected in November 2022), CL would progress to the development phase where other funding options had been established.

Cabinet was supportive of the Capital Funding programme being updated and agreed that £200,000 be granted to BCLT to deliver the affordable housing scheme at CL, Bexhill and that delegated authority be granted to the Head of Housing and Community Services in consultation with the Cabinet Portfolio Holder for Housing and Homes to agree the final terms of the grant. Members agreed that this site was a good opportunity to meet the Council's affordable housing target and in view of current challenging and future proposed national planning reforms, it was considered important that these opportunities were fully realised.

RECOMMENDED: That subject to 1) and 2) below, the Capital Funding programme to be updated accordingly;

AND

***RESOLVED:** That:

- 1) a grant of £200,000 to Bexhill Community Land Trust be approved from the Section 106 Affordable Housing Funding for the delivery of six affordable homes at Cemetery Lodge, Bexhill, match funding funds already secured by the Community Land Trust; and
- 2) the Head of Housing and Community Services be granted delegated authority to agree the final terms of grant in consultation with the Cabinet Portfolio Holder for Housing and Homes.

*The **RESOLVED** parts of this Minute are subject to the call-in procedure under Rule 16 of the Overview and Scrutiny Procedure Rules.

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 10 November 2022.

CB22/44. **PROCUREMENT STRATEGY 2022/23 UPDATE**
(6)

Consideration was given to the procurement strategy update (Appendix A to the report) that detailed procurement activity during the first two quarters of the current financial year and progress made against the Key Performance Indicators (KPIs) underpinning the Strategy (Appendix B to the report).

The Chair welcomed officers from the East Sussex Procurement Hub (ESPH) to the meeting who outlined the key issues within the report.

The ESPH continued to deliver the Council's operational procurement function as well as its strategy. During the discussion it was noted that:

- savings were on target to be achieved by the year-end;
- a tailored training programme was being put in place by service area; Member training was also to be arranged and had been on hold due to the regulatory changes that were expected;
- the social value target was being achieved and would be monitored going forward;
- a cross-Council sustainable procurement policy was being developed to include a climate change policy;
- there was a 22% increase in engagement with Small and Medium Enterprises and local businesses and an in-person event would be held next year to network and disseminate procurement changes;
- work would start soon on next year's forward plan of procurement activity;
- in the first instance, Members should advise Rother District Council officers of any information in relation to good procurement practices identified within the community which would be passed to the ESPH; and
- it was not possible to provide a list of approved suppliers as this would assume that a level of due diligence had been undertaken and give rise to possible legal action – a list of possible suppliers could be provided.

It was noted that progress in some areas had been restricted due to the COVID pandemic, which was reflected in the setting of the targets outlined in Appendix B to the report. The half yearly review of the Procurement Strategy highlighted the developments that had been made in the first two quarters of 2022/23. Further progress was required before the targets could be met, and these would be reported to Cabinet at the end of the financial year.

During the debate, Members queried the current position regarding the repair / replacement of the Water Feature / Fountain on Bexhill Promenade and officers agreed to investigate the status of this project and report back.

RESOLVED: That:

- 1) the updates as detailed in Appendices A and B to the report be noted; and
- 2) officers report back on the current position regarding the Water Feature / Fountains on Bexhill Promenade.

CB22/45. **ROTHER HEALTH, WELL-BEING AND LEISURE FACILITIES STRATEGY**

(7)

Cabinet received Minute OSC22/26 arising from the meeting of the Overview and Scrutiny Committee (OSC) held on 17 October 2022 that had considered the draft Rother Health, Well-Being and Leisure Facilities Strategy and had made the following recommendations to Cabinet:

- 1) that the Strategy be renamed 'Rother Health and Well-Being: Leisure Facilities Strategy' (to avoid confusion with the work of the OSC's Health and Well-being Task and Finish Group);
- 2) that Key Principle 2 of the Strategy be reworded to 'The Council's role is one of deliverer as well as enabler and sign-poster to opportunities to be physically active';
- 3) that Key Principle 6 of the Strategy be reworded to 'All new provision should be designed to achieve carbon neutrality and be as energy efficient as possible'; and
- 4) that subject to the above, the draft Health, Well-Being and Leisure Facilities Strategy be approved for public consultation commencing in November 2022.

The Council had commissioned a leisure strategist to complete market research on residents' use and requirements from leisure facilities across the district and on health and well-being in general to inform a draft Health, Well-Being and Leisure Facilities Strategy that was realistic and achievable, and supported an active and healthy lifestyle. Members were led through the Strategy by Rachel Fowler, Managing Director, Strategic Leisure Limited who completed the independent market research and drafted the Strategy report.

During the debate it was noted that:

- it was hoped that the consultation would be sent to all educational providers as well as primary care health providers who would benefit financially from a fitter, healthier population;
- the Council's outdoor spaces needed to be recognised and utilised more fully as spaces for outdoor activities, particularly for economically disadvantaged residents;
- there were many good examples across the district where communities were coming together and being active – these needed to be promoted more widely;
- the prospect of subsidies for economically disadvantaged residents was raised and this could be considered once the Strategy had been subject to consultation;
- the residents, particularly elderly residents needed to be encouraged and supported to be more physically active;
- the Council needed to be more ambitious and visionary and create a destination;
- all possible options needed to be considered with the Council's primary role as enabler and facilitator and possible deliverer; and
- it was important to manage expectations; the Council would not be able to provide and fund all that the community may want without working in partnership with community / commercial stakeholders.

Members agreed with the recommendations made by the OSC, save for that in relation to Key Principle 2) which was amended as follows:

‘The Council’s role is primarily one of enabler and sign-poster and possible deliverer, for opportunities to be physically active’.

It was also agreed to add the word “flexible” into Key Principle 6 to reflect that leisure facilities needed to be flexible spaces to accommodate changes in user demand / exercise trends.

RESOLVED: That:

- 1) the Strategy be renamed the ‘Rother Health and Well-Being: Leisure Facilities Strategy’;
- 2) Key Principle 2 of the Strategy be reworded to ‘The Council’s role is primarily one of enabler and sign-poster and possible deliverer, for opportunities to be physically active’;
- 3) Key Principle 6 of the Strategy be reworded to ‘All new provision should be designed to achieve carbon neutrality and be as energy efficient and flexible as possible’; and
- 4) the draft Rother Health and Well-Being: Leisure Facilities Strategy be approved for public consultation commencing in November 2022.

CB22/46.
(10)

ECONOMIC RECOVERY PLAN UPDATE

Cabinet received the report of the Director – Place and Climate which outlined progress and next steps of the Council’s Economic Recovery Action Plan. In November 2020, Cabinet approved the Council’s Economic Recovery Action Plan (ERAP), setting out the actions that the Council would take to support local economic recovery in the aftermath of the COVID-19 pandemic; this was subsequently adopted by the Council in December 2020.

A copy of the ERAP was attached at Appendix 1 to the report. The ERAP set out six broad ambitions: thinking local, acting local; building skills, creating jobs; fast-forwarding business; better places, fuller lives; cleaner energy, greener transport; and the future is digital. The main additional points were noted:

- Rye Fisheries: a feasibility study had been commissioned by the Council to create a developmental kitchen at Chapman’s in Rye to support local fisherman; this had been completed. The project would safeguard and create jobs supporting the local business economy.
- Business Alerts: The Council, in partnership with Sussex Chamber of Commerce, Locate East Sussex and Federation of Small Businesses, would be launching a new Business Alerts information platform direct to businesses.
- Rural Grants: The Council was the Local Government Association and Urban Foresight to establish a rural economy strategy to support rural businesses across the district.

- Supporting Events: Welcome Back funding supported new events during and after social distancing periods e.g. 'Bexhill After Dark Festival' held in January 2022.
- Supporting Skills: The Council worked with Bexhill College on an application to Arts Council England to support six graduate artists in the transition from education to work by creating a workspace, providing support and relevant engagement. The students had been using the workspace since June 2022. Support was also given to the Jobs Fair in March 2022 from the Welcome Back fund.
- Supporting Tourism: 1066 Country Marketing commissioned a report to review the impacts of the pandemic on the tourism industry; a summary of the infographic was attached at Appendix 2.
- New Funding: Since April 2022, the Council applied for £1m UKSPF grant over three years. A partnership group would be overseeing the spend. A Round 2 Levelling Up Fund application for £19,192,000 was made to expand on the Council's Round 1 application to include a community and leisure hub in Sidley; results were awaited.

Members paid tribute to the work of the Revenues and Benefits Manager and his team for processing the various Government funding schemes that had supported businesses throughout the COVID-19 pandemic in a timely and efficient way. It was noted that, despite Government funding, it had cost the Council in the region of £485,000 from its own reserves to support this work.

Cabinet noted that the ERAP had served its purpose and agreed that work commenced on a new Economic Regeneration Strategy for the Council.

RESOLVED: That:

- 1) the report be noted; and
- 2) work commence on a new Economic Regeneration Strategy for the Council, be approved.

CB22/47. **REVENUE BUDGET AND CAPITAL PROGRAMME MONITORING AS AT QUARTER 2 - 2022/23**

(12)

Members received and considered the report of the Chief Finance Officer on the Revenue Budget and Capital Programme Monitoring Quarter 2 2022/23. The report updated Members on the Council's finances as at the end of September 2022 and projected provisional outturn for 2022/23. The Revenue Budget, Capital Programme Statements and impact of the forecast on the Council's reserves were summarised at Appendices A, B and C respectively.

At the end of Quarter 2, the Revenue Budget showed a surplus of £527,000, against the approved budget drawdown from reserves of £3.2m. The report detailed the material variances and the forecast was summarised at Appendix A to the report.

It was noted that the staff pay award agreed by Council in October had not been factored into the report at the time that it was written. The pay award would cost the Council an additional £145,000, which was a part year cost, some of which would be met by the £200,000 budget contingency.

The revised Capital Programme budget was £140.2m, the forecast spend as at September 2022 was £14.9m. Two new schemes were included within the programme namely the purchase of a property in Buckhurst Place at a cost of £10.5m as part of the Property Investment Strategy (PIS), and redevelopment of Council-owned sites at Beeching Road / Wainwright Road at a cost of £15m. All PIS projects were being monitored. As a result of project delays, the forecast spend for this year was £13m less than predicted. It was noted that there was a £34,000 overspend for Community Grant Scheme which was attributed to a higher uptake of grants from previous years. Confirmation of Government funding was still outstanding for some projects; progress reports would be presented to Cabinet later this year. It was noted that the Leisure Centre projects were currently on hold, the Disabled Facilities Grant was being spent and Temporary Accommodation Purchase Budget would be allocated when suitable properties became available.

The forecast impact on reserves was a drawdown of £3.072m against the planned use of £3.560m, which is £488,000 lower than the budget.

The Council Tax collection rate at the end of Quarter 2 was 47.97% of the collectable debit, which was 0.04% lower than the corresponding figures in 2021/22. The Business Rates collection rate at the end of Quarter 2 was 51.17% of the collectable debit which was 14.47% higher than the corresponding figure in 2021/22. There were two reasons for the significant difference, namely 2021/22 Quarter 1 collectible debit was reduced as a result of retail businesses receiving 100% relief, which was further reduced to 66% in Quarter 2, increasing the collectable debit by approximately £5.1m; and schools paying Business Rates in one single payment, rather than instalments. It was noted that the 2022/23 collection rates were now in line with pre-COVID 2019/20 rates. The next few months would provide a clearer picture on the impact of the current economic crisis on the Collection Fund rates. The Chief Finance Officer would work closely with Heads of Services and Members to reduce areas of overspend and its impact on reserves.

The Capital Programme was forecast to underspend by £112.2m against the revised budget with slippage relating to schemes in 2022/23. The Chief Finance Officer and Heads of Services would review and carry forward slippage into future financial years, if required.

RESOLVED: That the report be noted.

(Councillor Barnes declared a personal interest as a Director of Rother DC Housing Company, and in accordance with the Members' Code of Conduct remained in the meeting for the consideration thereof).

CHAIR

The meeting closed at 9:10pm