

**To all Members of the Council**

16 May 2023

You are hereby summoned to attend the **Annual Meeting of Rother District Council** to be held at the **Town Hall, Bexhill** on **Wednesday 24 May 2023** at 6:30pm when it is proposed to transact the business stated below.

At 6:25pm, prior to the commencement of the meeting, you are invited to join the Chair in prayer which will be led by her Chaplain, Father Robert Coates.

1. The Chairman (K.M. Harmer) to take the Chair.
2. To receive apologies for absence.
3. The Chair to announce first business to be the election of Chair of the Council for the ensuing year. The Chair to call for nominations. If there is more than one nomination there will be a ballot in accordance with Council Procedure Rule 17.4(a).
4. If there is only one nomination, the Chair to put that nomination to the meeting and subsequently to declare the Councillor elected.
5. The retiring Chair and the elected Chair to retire to the Chair's Room.
6. The elected Chair to take the Chair and the retiring Chair to take the seat reserved for them.
7. The Chair to read and sign the Declaration of Acceptance of Office.
8. The Chair to thank the Council for their election.
9. The Chair to seek nominations for the appointment of Vice-Chair of the Council. The Chair to call for nominations. If there is more than one nomination there will be a ballot in accordance with Council Procedure Rule 17.4(a).
10. If there is only one nomination, the Chair to put that nomination to the meeting and subsequently to declare the Councillor appointed.
11. The Chair to invest the Vice-Chair with the Badge of Office.
12. The Vice-Chair to take the seat on the right of the Chair.
13. The Vice-Chair to read and sign the Declaration of Acceptance of Office.
14. The Vice-Chair to thank the Council for their appointment.
15. To approve as a correct record and to authorise the Chair to sign the Minutes of the Council Meeting held on 20 February 2023.

16. Chair's Communications.
17. The following vote of thanks to the retiring Chair for past services to be moved and seconded: "That the Council record its gratitude to Kathy Harmer for her conscientious and impartial discharge of the duties of the Chair during her term of office."
18. The Chair to put the motion to the Council for approval.
19. The retiring Chair to reply to the vote of thanks.
20. The Chair to seek nominations for the election of the Leader of the Council. A Councillor to move that Councillor Doug Oliver be elected as Leader of the Council. To be seconded. The Chair to ask if there are any further nominations. If there is more than one nomination there will be a ballot in accordance with Council Procedure Rule 17.4(a).
21. If there is only one nomination, the Chair to put that nomination to the meeting and subsequently declare the Councillor elected.
22. The Leader of the Council to confirm that Councillors Christine Bayliss and Sue Prochak have been appointed as Deputy Leaders of the Council.
23. The Leader of the Council to confirm that Cabinet will comprise the Leader and the following 9 other Members with the following portfolios:

| Councillors | Portfolios |
|-------------------------|---|
| Oliver (Leader) | Corporate Policy, Communications, Improvement, Devolution, HR and strategic issues |
| Bayliss (Deputy Leader) | Regeneration and Economic Development |
| Prochak (Deputy Leader) | Planning, Joint Waste Contract +Member Training Champion |
| Byrne | Digital Transformation & Customer Services and Armed Forces Champion |
| Coleman | Wellbeing, Equalities and Age Friendly Communities |
| Field | Environmental, Licensing, Community Safety and Climate Strategy |
| Jeeawon | Finance and Governance |
| McCourt | Housing |
| Rathbone Ariel Timpe | Cross-Cutting Climate Change Neighbourhood Services, Tourism, Joint Waste Contract |

(Note: In accordance with Article 7 of the Constitution, the Cabinet will consist of the Leader together with at least two, but not more than ten, Councillors appointed by the Leader).

24. The Leader of the Council to confirm that Councillors Prochak and Field have been appointed as the Council's representatives on the Joint Waste and Recycling Committee with Councillors Rathbone Ariel and Timpe as substitutes.
25. The Leader of the Council to confirm that Councillors Clark and Gray have been appointed as Cabinet Spokespersons on Older Persons and Promoting Liveable Neighbourhoods (Cycling/ walking) respectively.
26. The Leader of the Council to confirm that Councillors Bayliss, Byrne, Jeeawon, Oliver, Osborne and Thomas have been appointed as Members of the Property Investment Panel.
27. To consider and approve as detailed in Appendix 1: (Pages 5 - 8)
 - the committees to be established for the municipal year;
 - the size and terms of reference for those committees;
 - the allocation of seats to political groups in accordance with the political balance rules or as otherwise determined by the Council; and
 - the nominations of Group Leaders as to the Councillors to serve on each committee.
28. To receive the report of the Chief Executive, as Returning Officer, on the District and Parish Ordinary Elections held on 4 May 2023. (Pages 9 - 14)
29. Disclosure of Interest - 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 commencement of the item in question.
30. To receive the report of the Cabinet on matters for determination by the full Council at its meetings held on 27 February and 27 March 2023, as under:
(Pages 15 - 22)

27 February 2023

- Capital, Investment and Treasury Management Strategy 2023-24 (CB22/77)

27 March 2023

- Recommendations of the Anti-Poverty Task and Finish Group (CB22/89)
- Changing Places Toilets for Pebsham Community Centre and Camber Central Toilets (CB22/90)
- Electric Vehicle Charging Points in Council Owned Car Parks (CB22/91)

31. To receive the report of the Head of Paid Service, in accordance with paragraph 17a of the Overview and Scrutiny Procedure Rules and paragraph 4 of the Budget and Policy Framework Procedure Rules, of any urgent decisions taken at Cabinet meetings held on 27 February and 27 March 2023. (Pages 23 - 24)
32. To receive the report of the Audit and Standards Committee on the following matter for determination by the full Council considered at its meeting held on 20 March 2023, as under: (Pages 25 - 38)
 - Proposed Code of Conduct (AS22/51)
 - Amendment to the Constitution - Delegations to Officers (AS22/52)
33. To receive the report of the Chief Executive on the Appointment of Representatives to Outside Bodies. (Pages 39 - 50)
34. To receive the Annual Report of the Member Development Task Group. (Pages 51 - 56)
35. To receive the Annual Report of the Overview and Scrutiny Committee submitted in accordance with Article 6 of the Constitution. (Pages 57 - 70)
36. To receive the report of the Chief Executive on the appointment of an Interim Chief Executive. (Pages 71 - 72)



Malcolm Johnston
Chief Executive

Town Hall
Bexhill-on-Sea
East Sussex, TN39 3JX

NOTE: The Annual Meeting will be followed by meetings of each of the Committees to elect their Chair and Vice Chair (see procedural note overleaf) and to appoint any relevant Sub-Committees. If a Committee is unable to elect its Chair and Vice-Chair, the Annual Meeting shall be resumed in order that such appointment(s) may be determined by full Council.

**ANNUAL MEETING
24 May 2023**

**LOCAL GOVERNMENT & HOUSING ACT 1989 – PROPORTIONAL
REPRESENTATION**

ARRANGEMENTS – REGULATORY & OTHER COMMITTEES 2023/2024

- a) In accordance with Council Procedure Rule 2.3 (i) the following Regulatory and other Committees of the Council be constituted for the ensuing year:
- Audit and Standards Committee
 - Human Resources Committee
 - Licensing and General Purposes Committee
 - Overview and Scrutiny Committee
 - Planning Committee
- b) In accordance with Council Procedure Rule 2.3 (ii) the terms of reference for the Committees, be as set out within Articles 6, 8 and 9 and “Part 3 – Responsibility for Functions” of the Constitution.
- c) In accordance with Council Procedure Rule 2.3 (ii) and (iii) the membership of Political Groups and the allocation of seats to serve on each Committee be as follows:

Membership

CONSERVATIVE (10) C

| | |
|-------------|-------------|
| Barnes, J | Grohne |
| Barnes, M L | Hacking |
| Biggs | Kirby-Green |
| Ganly | Maynard |
| Gordon | Osborne |

ASSOCIATION OF INDEPENDENTS (8) RAoI

| | |
|---------|---------|
| Byrne | Jeeawon |
| Coupar | Oliver |
| Drayson | Stanger |
| Hayward | Timpe |

LABOUR (8) LAB

| | |
|-----------|---------|
| Bayliss | Delany |
| Chowdhury | Legg |
| Coleman | McCourt |
| Creaser | McGurk |

LIBERAL DEMOCRAT (7) LD

| | |
|--------------|--------------|
| Mrs Cook | Pearce |
| Field | Prochak, MBE |
| Killeen, MBE | Thomas |
| Mier | |

GREEN (3) G

| |
|----------------|
| Burton |
| Gray |
| Rathbone Ariel |

NON-GROUP INDEPENDENT MEMBERS (2)

| |
|--------|
| Clark |
| Winter |

- d) The allocation of Committee Seats is therefore as follows, in accordance with the political balance of the Council:

Allocation of Seats

| <u>Committees</u> | <u>C</u> | <u>RAol</u> | <u>LAB</u> | <u>LD</u> | <u>Green</u> | <u>Ind Member</u> |
|-----------------------------------|-----------------|--------------------|-------------------|------------------|---------------------|--------------------------|
| Audit and Standards (8) | 2 | 2 | 1 | 2 | 1 | 0 |
| Human Resources (7) | 2 | 2 | 2 | 1 | 0 | 0 |
| Licensing & General Purposes (12) | 3(2)* | 3 | 3 | 2 | 1 | 1* |
| OSC (12) | 4 | 2(1)* | 3 | 2 | 1 | 1* |
| Planning (14) | 4 | 3 | 3 | 3 | 1 | 0 |
| TOTALS | 15 (14) | 12(11) | 12 | 10 | 4 | 2 |

- e) The Independent Member for Pebsham and St Michaels Ward, Councillor Clark is unable to form a Political Group for the purposes of the proportional representation requirements of the Local Government and Housing Act 1989. Councillor Clark has expressed an interest in having a seat on the Overview and Scrutiny Committee. The Rother Association of Independents (RAol) have agreed that Councillor Clark can have a RAol seat on this Committee.
- f) The Independent Member for St Marks Ward, Councillor Winter is unable to form a Political Group for the purposes of the proportional representation requirements of the Local Government and Housing Act 1989. Councillor Winter has expressed an interest in having a seat on the Licensing and General Purposes Committee; it is likely that the Conservative Group will allocate this seat to Councillor Winter.
- g) As the above proposals do not accord with strict political balance requirements a nem con vote of the Council will be required (i.e. no Member voting against).

Substitutes

- h) In accordance with the Council's Substitute Procedure, one named Substitute is also permitted from each Political Group on the Licensing and General Purposes Committee, the Overview and Scrutiny Committee and the Planning Committee. Substitutes appointed to the Licensing and General Purposes Committee and the Planning Committee and must have undertaken the pre-requisite mandatory training to take an active part in the meetings, when acting as Substitute.

Audit and Standards Committee – 8 Members

(2xC, 2xRAoI, 1xLAB, 2xLD, 1xG)

| C | RAoI | LAB | LD | Green |
|-----------|-------------|------------|-----------|--------------|
| Barnes, J | Drayson | McGurk | Pearce | Burton |
| Biggs | Hayward | | Thomas | |

Human Resources Committee – 7 Members

(2xC, 2xRAoI, 2xLAB, 1xLD)

| C | RAoI | LAB | LD |
|-------------|-------------|------------|-----------|
| Kirby-Green | Jeeawon | Coleman | Prochak |
| Hacking | Oliver | Legg | |

Licensing & General Purposes Committee – 12 Members

(3xC, 3xRAoI, 3xLAB, 2xLD, 1xG)

| C | RAoI | LAB | LD | Green | Non-Group |
|--------------------|--------------------|--------------------|--------------------|--------------------|------------------|
| Hacking | Coupar | Delany | Field | Rathbone Ariel | Winter |
| Kirby-Green | Stanger | McCourt | Thomas | | |
| | Timpe | McGurk | | | |
| Substitute: | Substitute: | Substitute: | Substitute: | Substitute: | |
| TBC | Hayward | Legg | Mier | Gray | |

Overview and Scrutiny Committee – 12 Members

(4xC, 3xRAoI, 3xLAB, 2xLD, 1xG)

| C | RAoI | LAB | LD | Green | Non-Group |
|--------------------|--------------------|--------------------|--------------------|--------------------|------------------|
| Barnes, J | Coupar | Creaser | Cook | Burton | Clark |
| Mrs Barnes | | Legg | Killeen | | |
| Maynard | | McGurk | | | |
| Osborne | | | | | |
| Substitute: | Substitute: | Substitute: | Substitute: | Substitute: | |
| TBC | Stanger | Chowdhury | Pearce | Gray | |

Planning Committee – 14 Members

(4xC, 3xRAoI, 3xLAB, 3xLD, 1xG)

| C | RAoI | LAB | LD | Green |
|--------------------|--------------------|--------------------|--------------------|--------------------|
| Mrs Barnes | Byrne | Bayliss | Killeen | Gray |
| Ganly | Drayson | Chowdhury | Mier | |
| Gordon | Stanger | Creaser | Pearce | |
| Grohne | | | | |
| Substitute: | Substitute: | Substitute: | Substitute: | Substitute: |
| Barnes, J | Timpe | Coleman | Field | Rathbone Ariel |

Malcolm Johnston
Chief Executive

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Rother District Council

ANNUAL COUNCIL MEETING

24 May 2023

**ROTHER DISTRICT AND PARISH AND TOWN COUNCIL
ORDINARY ELECTIONS – 4 May 2023****REPORT OF THE RETURNING OFFICER**

I have to report the results of the elections held on Thursday, 4 May 2023 to elect 38 District Councillors.

District Council Wards(1) **Bexhill Central**

| | | |
|------------------------------------|------------|----------------|
| AMIN, Nurul (C) | 250 | |
| BAYLISS, Christine Ann (L) | 732 | ELECTED |
| CROTTY, Andrew John (IND) | 208 | |
| MCCOURT, Ruairi Anthony (L) | 579 | ELECTED |
| SULLIVAN, Colin Martin (UKIP) | 76 | |
| VOYCE, Andy (IND) | 98 | |
| WEBB, Paul Leonard (C) | 224 | |

% Turnout = 28%

(2) **Bexhill Collington**

| | | |
|--|--------------|----------------|
| DAVIES, Jill Moray (UKIP) | 176 | |
| HOLLINGSWORTH, Bridget Ann (C) | 560 | |
| JEEAWON, Ashan Kumar (Rother AI) | 1,055 | ELECTED |
| KHAIRA, Balwinder Singh (C) | 397 | |
| OLIVER, Douglas Barry (Rother AI) | 1,148 | ELECTED |

% Turnout = 45%

(3) **Bexhill Kewhurst**

| | | |
|--|------------|----------------|
| DRAYSON, Brian John (Rother AI) | 671 | ELECTED |
| GODDARD, Bill (LD) | 440 | |
| HAYWOOD, Andrew Peter (Rother AI) | 637 | ELECTED |
| JOHNSON, Gillian Patricia (C) | 528 | |
| KENWARD, Martin John (C) | 469 | |
| PHILLIPS, Alison (UKIP) | 140 | |

% Turnout = 40%

(4) **Bexhill Old Town and Worsham**

| | | |
|-----------------------------------|------------|----------------|
| CLARK, Barbara Jean (C) | 282 | |
| FISHER, Hannah Jean Louise (C) | 190 | |
| GRAY, Polly Janet (Green) | 535 | ELECTED |
| LEGG, Mark Colby (L) | 374 | ELECTED |
| MADELEY, Chris (Rother AI) | 323 | |
| PHILLIPS, Michael Sheridan (UKIP) | 79 | |

% Turnout = 30%

(5) **Bexhill Pebsham and St. Michaels**

| | | |
|---|------------|----------------|
| BREWERTON, Jay (C) | 391 | |
| CLARK, Charles Albert (IND) | 754 | ELECTED |
| DELANY, Gareth, Robert Michael (L) | 429 | ELECTED |
| DICKER, John Frank (UKIP) | 90 | |
| ROBERTSON, Geoffrey Raymond (C) | 180 | |
| RUSTEM, Charlie (IND) | 268 | |

% Turnout = 31%

(6) **Bexhill Sackville**

| | | |
|--|------------|----------------|
| ALLEN-RODGERS, Sheila Patricia (UKIP) | 122 | |
| BASHAM, Brian (L) | 313 | |
| BYRNE, Terry (Rother AI) | 629 | ELECTED |
| RAWDON-MOGG, Christopher James David (C) | 293 | |
| THOMAS, Shaji (C) | 392 | |
| TIMPE, Hazel Linda (Rother AI) | 643 | ELECTED |

% Turnout = 33%

(7) **Bexhill Sidley**

| | | |
|------------------------------------|------------|----------------|
| BLAGROVE, Sharon Joy (Independent) | 209 | |
| CARROLL, Jim (C) | 377 | |
| CHOWDHURY, Fazlul Haque (L) | 420 | ELECTED |
| COLEMAN, Sam (L) | 507 | ELECTED |
| MCLEAN, Brett Reginald (C) | 203 | |
| ZIPSER, John Kamil (UKIP) | 61 | |

% Turnout = 23%

(8) **Bexhill St. Marks**

| | | |
|--|------------|----------------|
| DASH, Wendy Ann (LD) | 241 | |
| FOSTER, Tony (C) | 474 | |
| HILLIER-PALMER, Peter Victor (L) | 239 | |
| JACKLIN, Nigel Adam (IND network) | 406 | |
| LAKE, Nathaniel Robert Jack (C) | 315 | |
| PIERCE, Justin Webster (L) | 191 | |
| STANGER, Jimmy (Rother AI) | 527 | ELECTED |
| WINTER, Connor Jack (Independent) | 630 | ELECTED |
| ZIPSER, Christine (UKIP) | 99 | |

% Turnout = 41%

(9) **Bexhill St. Stephens**

| | | |
|--------------------------------------|------------|----------------|
| AMMOUN, Gillian Elaine (UKIP) | 139 | |
| AZAD, Abul Kalam (C) | 462 | |
| CARROLL, Richard Charles (C) | 425 | |
| RATHBONE ARIEL, Arren (Green) | 561 | ELECTED |
| THOMAS, Richard Beverley (LD) | 548 | ELECTED |

% Turnout = 31%

(10) **Brede and Udimore**

| | | |
|--|------------|----------------|
| GORDON, William Neil Irving (C) | 414 | ELECTED |
| GRIFFITHS, Martin Paul (LD) | 239 | |
| MARGRET SANDRA, Xxxx (L) | 57 | |

% Turnout = 39%

(11) **Burwash and the Weald**

| | | |
|-----------------------------------|------------|----------------|
| BARNES, John (C) | 610 | ELECTED |
| KIRBY-GREEN, Eleanor (C) | 605 | ELECTED |
| LOVE, Heather Beryl (Independent) | 448 | |
| VARRALL, Mary Elizabeth (LD) | 541 | |

% Turnout = 36%

(12) **Crowhurst and Catsfield**

| | | |
|---------------------------|------------|----------------|
| CURTIS, Gary Clifford (C) | 275 | |
| MACPHERSON, Tim (L) | 154 | |
| PEARCE, Chas (LD) | 403 | ELECTED |

% Turnout = 38.40

(13) **Eastern Rother**

| | | |
|--------------------------------------|------------|----------------|
| GLOVER, Catherine Laura (Green) | 466 | |
| HACKING, Lizzie (C) | 605 | ELECTED |
| MANNING, Dominic Mark Wistow (Green) | 563 | |
| OSBORNE, Paul Norman (C) | 578 | ELECTED |
| WHYMARK, Linda June (L) | 300 | |

% Turnout = 36%

(14) **Hurst Green and Ticehurst**

| | | |
|----------------------------------|------------|----------------|
| BARNES, Mary Leonora (C) | 635 | ELECTED |
| BROWNE, Graham Stephen (C) | 603 | |
| HARDY, Stephen Phillip (LD) | 611 | |
| KILLEEN, Teresa Mary (LD) | 740 | ELECTED |

% Turnout = 33%

(15) **North Battle, Netherfield and Whatlington**

| | | |
|-------------------------------------|--------------|----------------|
| BEAUMONT, Mark (C) | 305 | |
| BURTON, Sue (Green) | 939 | ELECTED |
| CURTIS, Kirsty Alexandra (C) | 266 | |
| FIELD, Kathryn Margaret (LD) | 1,092 | ELECTED |
| MABON, Bernard Walter (UKIP) | 65 | |

% Turnout = 39%

(16) **Northern Rother**

| | | |
|---|------------|----------------|
| BIGGS, Tony (C) | 880 | ELECTED |
| GANLY, Tony (C) | 881 | ELECTED |
| VINE-HALL, Peter Jonathan (Independent) | 851 | |

% Turnout = 42%

(17) **Robertsbridge**

| | | |
|---------------------------|------------|----------------|
| PROCHAK, Sue (LD) | 519 | ELECTED |
| REDSTONE, Paul Steven (C) | 191 | |

% Turnout = 38%

(18) **Rye and Winchelsea**

| | | |
|---------------------------------|------------|----------------|
| CREASER, Cheryl Anne (L) | 608 | ELECTED |
| HARRIS, Guy Gillan (LD) | 506 | |
| HOGGART, Chris (Rother AI) | 335 | |
| MCGURK, Simon Bede (L) | 606 | ELECTED |
| STEVENS, Gennette Florence (C) | 435 | |
| STEVENS, Jayne Maria (C) | 371 | |

% Turnout = 39%

(19) **Sedlescombe and Westfield**

| | | |
|--|------------|----------------|
| COUPAR, Beverley Jane (Independent) | 843 | ELECTED |
| LUDDEN, Kate Elizabeth (C) | 647 | |
| MAYNARD, Carl Raymond (C) | 714 | ELECTED |

% Turnout = 35%

(20) **South Battle and Telham**

| | | |
|--------------------------|------------|----------------|
| BROWN, Bernard Peter (C) | 211 | |
| COOK, Vikki (LD) | 388 | ELECTED |

% Turnout = 35%

(21) **Southern Rother**

| | | |
|-------------------------------------|------------|----------------|
| BRADLEY, James, Richard William (C) | 569 | |
| GROHNE, Tim Oliver (C) | 645 | ELECTED |
| LEAROYD-SMITH, Sue (L) | 402 | |
| MIER, Andrew Stanley (LD) | 770 | ELECTED |
| WARREN, Nick (L) | 489 | |

% Turnout = 36

The average turnout for the District Wards was 36.04%.

Parish and Town Councils

Of the 33 Parish, Parish Ward, Town or Town Council Wards, 4 went to Poll as follows:

Bexhill-on-Sea – Central Ward
Bodiam
Camber
Northiam

47 Parishes or Wards of Parishes were uncontested.

Malcolm Johnston
Returning Officer

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Rother District Council

| | | |
|---------------|---|----------------------------------|
| Report to | - | Council |
| Date | - | 24 May 2023 |
| Report of the | - | Cabinet |
| Subject | - | References from Cabinet Meetings |

The Council is asked to consider recommendations arising from the Cabinet meetings held on 27 February and 27 March as set out below.

CABINET – 27 February 2023**CB22/77. CAPITAL, INVESTMENT AND TREASURY MANAGEMENT STRATEGY 2023-24**

The CIPFA 2021 Prudential and Treasury Management Codes required local authorities to prepare a Capital Strategy (CS) report, which was contained at Appendix A to the report. The Strategy aimed to give Members an overview of the Council's approach to capital. The objectives of the Code were to ensure, within this clear framework, that the capital investment plans of local authorities were affordable, prudent and sustainable.

The CS report gave a high-level overview of how capital expenditure, capital financing and treasury management activities contributed to the provision of local public services, along with an overview of how associated risk was managed and the implications for future financial sustainability. The CS was intended to be a longer-term view of investment and go beyond the detailed five-year Capital Programme (CP) and was updated annually in line with the requirements of CIPFA's 2021 Prudential Code.

A significant part of the CP related to the Council's approved Property Investment Strategy (PIS). The Council had established an initial capital budget of £35m to support the programme and to date, approximately £30.0m had been expended or committed on 15 PIS properties/sites. Income of approximately £1.6m was included within 2023/24 Revenue Budget for PIS assets that had been acquired.

Rother DC Housing Company (RDHC) Ltd had been established to undertake development of the Council's land to improve housing outcomes and for each project, subject to agreement, the Council provided a shareholder loan which would earn interest at market rates, supporting the Council's Revenue Budget. Council approved a loan facility of £80m for the housing company, which was included within the current CP, but release of funding was based upon individual assessment of relevant sites and successful business cases.

In 2023/24, the Council was planning capital expenditure of £114m (based on the current estimates for slippage) and tables 1 and 2 within Appendix B to the report provided a high-level summary of the forecast expenditure and financing. The main capital projects in 2023/24

included the housing development schemes to be delivered by RDCHC, PIS investments and Temporary Accommodation acquisitions.

All capital expenditure had to be financed either from external sources (government grants and other contributions), the Council's own resources (revenue, reserves and capital receipts) or debt (borrowing or leasing for example). The Council was currently reviewing its financing of those schemes where funding was yet to be identified. The Council's Capital Financing Requirement was shown in table 3 within Appendix B to the report and projected levels of the Council's total outstanding debt within table 4.

The Council was required to receive and approve at least three main reports each year to include:

- 1) Prudential and Treasury Indicators and the Treasury Strategy;
- 2) a Mid-Year Treasury Management Report; and
- 3) an Annual Treasury Report.

These reports incorporated a number of policies, estimates and actuals which were scrutinised by the Audit and Standards Committee (ASC) prior to making recommendations to Cabinet and full Council.

In addition to the three main reports, from 2023/24 quarterly reporting (end of June/end of December) was also required. However, these additional reports did not have to be reported to full Council but did require to be adequately scrutinised. This role was also undertaken by the ASC.

The Treasury Management Strategy (at Appendix B to the report) detailed how investments and borrowings were to be organised, including treasury indicators and the Annual Investment Strategy (Appendix C to the report) detailed how investments would be managed.

The 2023/24 draft Revenue Budget reported to Cabinet on 6 February 2023 presumed an income of £586k from treasury activities, which assumed an average rate of return across the portfolio of 1.98% (1.64% 2022/23). The forecast for the next five years saw returns increasing until 2024/25 with a peak at around £700k due to increasing rates of return, then levelling off at around £500k by 2027/28 based on the forecast use of cash balances.

The expectation was that 2023/24 would see a return to some sort of stability in the investment environment following the turbulences resulting from the post-pandemic economic climate, the ongoing war in Ukraine and the effects of the mini-budget. The strategies proposed in the report, together with the interest rates forecast, were in line with the assumptions made when preparing the 2023/24 Revenue and Capital Budgets. The costs of treasury operations were contained within the 2023/24 Revenue Budget.

RECOMMENDED: That the:

- 1) Capital Strategy as set out at Appendix A to the report be approved and adopted;
- 2) Treasury Management Strategy as set out at Appendix B to the report be approved and adopted;
- 3) Annual Investment Strategy as set out at Appendix C to the report be approved and adopted;
- 4) Minimum Revenue Provision Policy Statement 2023-24 be approved;
- 5) Prudential and Treasury Indicators as set out within the report be approved; and
- 6) authorised limits in this report be approved.

(Cabinet Agenda Item 11)

CABINET – 27 March 2023

CB22/89. RECOMMENDATIONS OF THE ANTI-POVERTY TASK AND FINISH GROUP

Cabinet received Minute OSC22/60 arising from the meeting of the Overview and Scrutiny Committee (OSC) held on 13 March 2023 that had considered the recommendation of the Anti-Poverty Task and Finish Group that the Council adopts the socio-economic duty under Section 1 of the Equality Act 2010.

Cabinet was pleased to recommend to Council that by voluntarily adopting the duty, the Council would strengthen the ongoing anti-poverty work, support an inclusive economy, and equalities approaches, and contribute to the 'levelling up' agenda. The Council would need to amend its Equality, Diversity and Inclusion Policy and processes, including the Equality Impact Assessment process and in doing so, ensure socio-economic inequality was considered in all future policy development such as the new Corporate Plan, Regeneration Strategy, and Housing Strategy.

RECOMMENDED: That the:

- 1) socio-economic duty, under Section 2 of the Equality Act be adopted when making decisions and that relevant policies and procedures be amended to reflect this; and
- 2) socio-economic duty be reflected in the new Corporate Plan.

(Cabinet Agenda Item 6)

CB22/90. CHANGING PLACES TOILETS FOR PEBSHAM COMMUNITY CENTRE AND CAMBER CENTRAL TOILETS

In 2020, the Government committed up to £30m to support the installation of Changing Places Toilets (CPTs) across England, following a successful campaign for CPTs to be installed in all large public spaces to enhance peoples' accessibility to their community. CPTs provided space for a toilet, shower and equipment to assist with manoeuvrability for people with profound and multiple disabilities, including physical disabilities to use the toilets safely and comfortably.

The district of Rother currently had no CPTs and was part of the priority list for funding in the second tranche with a deadline of registration by the end of March 2024. The Changing Places Fund application and decision notice were appended to the report. An application was made to the Department for Levelling Up, Housing and Communities who had allocated funding of £121,932.00 towards two facilities at Pebsham Community Centre and Camber Sands Central car park toilets.

The inclusion of a CPT at Camber Sands Central car park formed part of a larger improvement project to the Council's whole visitor support infrastructure which was to be funded, in the main by a successful Community Infrastructure Levy (CIL) bid of £943,301 approved by the CIL Panel on 14 March 2023. The CIL bid proposed to refurbish and extend the main tourist infrastructure for Camber Sands including an additional 45 toilets and a CPT. Details of the scheme and the bid were appended to the report.

The Second CPT would be within the existing Pebsham Community Centre (PCC), leased from RDC by the Pebsham Community Association (a registered charity) since the mid-1980s. The charity was in the process of planning improvement works to make the centre more accessible and had been approached by several local groups whose members had accessibility needs and had requested the installation of a CPT. The PCC had received quotes for the works to fully install and deliver a CPT within the building for £53,432.

Both projects required full Council approval to add to the Council's Capital Programme in order to manage the grant funding (DLUHC and CIL) in accordance with the standard accounting requirements and the necessary funding agreements being in place.

However, in order to meet the deadline proposed by DLUHC of registration of both CPT facilities by March 2024, work needed to commence on the projects prior to the next full Council meeting and it was therefore recommended that an amount of up to £100,000 be secured from the Repairs and Renewals reserve so that the early work required to ensure delivery of the schemes by the end of March 2024 could commence. It was agreed to grant the Head of Neighbourhood Services delegated authority to commence Royal Institute of British Architects (RIBA) Stage 2 and 3 design work and submit for planning approval and, subject to full Council approval, the Director – Place and Climate Change was granted delegated authority to procure and enter into contracts and complete all necessary works to deliver the facilities.

Cabinet was delighted to recommend that the grant funding be accepted and include the projects within the Capital Programme. This would make funds available to complete the CPTs on both sites and

the wider infrastructure project at Camber Sands Central car park to meet the funding deadline.

RECOMMENDED: That:

- 1) the Community Infrastructure Levy (CIL) funding of £943,301 be added to the Capital Programme towards funding for the Camber Sands Visitor Facilities project;
- 2) the £68,500 Department for Levelling Up, Housing and Communities funding for the new Changing Places Toilet facility at Camber Sands be added to the Capital Programme; and
- 3) Pebsham Community Centre Changing Places Toilet facility be added to the Capital Programme with £53,432 funding from Department for Levelling Up, Housing and Communities and a funding agreement be entered into subject to appropriate due diligence.

Cabinet also **RESOLVED:** That:

- 1) total funding of £121,932 for the above two new Changing Places Toilet facilities in the district of Rother awarded from Department for Levelling Up, Housing and Communities be accepted;
- 2) following the Camber Sands Visitor Facilities Community Infrastructure Levy bid being approved on 14 March 2023, subject to Full Council approval of the Capital Programme on 24 May 2023, funding from the Repairs and Renewals reserve of up to £100,000 be approved to enable works to commence as soon as possible to deliver the facilities by the deadline prescribed by Department for Levelling Up, Housing and Communities;
- 3) the Head of Neighbourhood Services be granted delegated authority to commence RIBA Stage 2 and 3 design work and submit for planning approval; and
- 4) following Full Council approval, delegated authority be granted to the Director – Place and Climate Change to procure and enter into contracts and complete all necessary works to deliver the facilities.

(Cabinet Agenda Item 11)

CB22/91. **ELECTRIC VEHICLE CHARGING POINTS IN COUNCIL OWNED CAR PARKS**

Members considered the comprehensive report that set out progress made to secure a provider to install and operate Electric Vehicle Charging Points (EVCPs) within Council owned car parks at nil capital investment cost to the Council.

The Council had appointed EB Charging to assess EVCP viability within Council car parks, subject to individual car park restrictions including legal and UK Power network capability, and costs. EB Charging would be responsible for the installation and all further

operational aspects including ongoing management, maintenance of EVCP infrastructure and pricing.

EB Charging would provide the required EVCP infrastructure and management, subject to partial funding by the On-Street Residential Chargepoint Scheme (ORCS) administered by the Office of Zero Emission Vehicles (OZEV). Funding would cover up to 60% of eligible capital costs with the remaining funding sourced separately by EB Charging. Subject to funding being awarded, a 10 year contract would be agreed with EB Charging to allow for a return on capital investment and supported the business case for the funding.

After an internal review of suitable Council operated car parks the provider was instructed to assess viability within the following nine car parks:

- i. Wainwright Road, Bexhill
- ii. De La Warr, Bexhill
- iii. Manor Barn and Gardens, Bexhill
- iv. Sidley, Bexhill
- v. Upper Market, Battle
- vi. Mount Street, Battle
- vii. Bedford Place, Rye
- viii. Lucknow Place, Rye
- ix. Camber Sands Central car park

Unfortunately, following the appropriate engagement with UK Power Networks Bedford Place and Lucknow Place car parks, both in Rye, were deemed unsuitable for chargepoints at this time, as the local power network would need substantial upgrading, costing in excess of £250,000, although the situation would be kept under review. The remaining seven viable car parks had been included in the ORCS funding application being submitted imminently, with a decision within 12 weeks and installations starting as early as June; the total EVCP installation costs were circa £309,589.20 (excluding VAT).

The project proposed the installation of three double headed fast chargers within each car park, allowing for up to six electric vehicles to charge simultaneously at each site. It was noted that high level viability for EVCP installation at various Village and Community Halls across Rother was also being considered via the Council's Village Halls Energy Project (VHEP) as these are not Council owned assets.

The report highlighted the key considerations and necessary works to install the chargers including temporary footpath, road and car park closures and planning permission for those car parks near Grade II listed buildings (De La Warr and Manor Barn).

It was noted that in accordance with the Council's Parking Places Order 2020 non-electric vehicles or electric vehicles not actively charging when parked within an EVCP bay would be in breach of the PPO and therefore subject to the full car park standard charge of £80. Parking charges (where applicable) were also payable in addition to the charges applied by EB Charging for the use of an EVCP. Additional signage relating to the payment and use of EVCP parking

bays would be erected close to the relevant bays. A condition of ORCS funding was parking charges for EVCP bays were limited to between 0800 and 1800 hours and not 1900 as currently for the Council's car parks; parking charges for EVCP bays (where applicable) would therefore end at 1800 hours.

The project's key risks and mitigations were detailed in the report and it was noted that a risk register for the lifetime of the project had been developed.

It was necessary to secure delegated authority in advance to accept the funding, which could be awarded on or before 26 May 2023, due to the impending local elections and Cabinet was therefore recommended to include the ORCS funding in the Council's Capital Programme, subject to successful award. It was also necessary to grant delegated authority to the Director – Place and Climate Change to accept the relevant funding from OZEV, for the purposes of expediting delivery of this project as soon as possible and take all further steps necessary to deliver EVCP infrastructure in Council owned car parks, in consultation with the Cabinet Portfolio Holder.

RECOMMENDED: That if successful, funds awarded from the Office of Zero Emission Vehicles (OZEV) via the On-Street Residential Chargepoint Scheme (ORCS) for the installation of the Electric Vehicle Charging Points (EVCP) be included in the Council's Capital Programme 2023/2024.

Cabinet also **RESOLVED:** That the Director – Place and Climate Change be granted delegated authority to accept funding from the Office of Zero Emission Vehicles via the On-Street Residential Chargepoint Scheme and take all further steps necessary to deliver EVCP infrastructure in Council owned car parks, in consultation with the Cabinet Portfolio Holder.

(Cabinet Agenda Item 12)

Councillor D.B. Oliver
Leader of the Council

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Rother District Council

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| Report to | - | Council |
| Date | - | 24 May 2023 |
| Report of the | - | Chief Executive |
| Subject | - | Decisions taken as a matter of urgency at Cabinet Meetings |

The Council is asked to receive the report of Cabinet, in accordance with paragraph 4 of the Budget and Policy Framework Procedure Rules and 17(a) of the Overview and Scrutiny Procedure Rules, on a decision taken as a matter of urgency at its meeting held on 27 March 2023.

CB22/97. UK SHARED PROSPERITY FUND – RYE FISHERIES

The UK Shared Prosperity Fund (UKSPF) supported the Government's wider commitment to level up all parts of the UK and was a £2.6 billion Fund designed to succeed and improve upon EU structural funds.

In 2021 the Council commissioned a feasibility study on how the Rye Fisheries could be developed which resulted in the identification of total project cost of £321,677 required to renovate the business site to meet new business model requirements. The UKSPF Investment Plan had agreed a capital allocation of £170,000 against the £321,677 fisheries project which was approved in January 2023.

Chapmans was a fish wholesaler based in Sevenoaks and Rye who purchased the Rye business in 2015 with the intention to set up the facility to allow fishermen to land from their boats directly into the premises. They worked directly with local Hastings and Rye fishermen who fish sustainably using under 10 metre boats, pledging to take 100% of the catch that a boat lands to provide their fishermen/women with greater financial stability.

Fisheries along the rest of the south coast had moved to selling direct to Brixham Trawler Agents (BTA), Devon who were in the process of offering free refrigeration units at ports across the south east, and cheap transportation back to Brixham. Much of the fish sold on Brixham's auction was then exported to Europe adding another 300-mile journey back to a UK port for export adding an extra 800 food miles.

The Chapmans' pledge to buy the whole catch, together with the rapidly changing marketplace, required new ways of working internationally, nationally and locally. This needed a multi strand approach consisting:

- a. Reducing the need to export to Europe
- b. Selling more to the local / national market
- c. Education locally to support the consumption of local, seasonal fish

In practice this meant a new business model, based on sales to a new UK market. Chapmans have looked at doing this by:

- a. Selling fish direct to the public.
- b. Selling unwanted and unused fish to the UK market in a palatable way.
- c. Re-educating and skills development.

Cabinet was pleased to agree that the £170,000 capital allocation for the fisheries project be allocated to the Chapmans' project so that work could start immediately on developing the proposals and putting the proposition in place. The terms of the grant would ensure that the added value in terms of skills development and training would be delivered, or monies would be recovered. The UKSPF allocation for 2022/23 had been carried forward into 2023/24 so spend could happen from April, subject to a formal grant agreement. The Director – Place and Climate Change agreed to check whether this proposal would have any impact on a local seafood specialist in Etchingham.

RESOLVED: That:

- 1) the £170,000 UK Shared Prosperity Fund capital funding allocation be directed towards the Rye Fisheries project in partnership with Chapmans; and
- 2) the Director – Place and Climate Change be delegated authority to agree the terms of grant.

(The Chairman of Council had agreed that this decision could be taken as a matter of urgency to enable the Council to formally confirm how the Council intended to spend the 2022/23 carry over no later than 3 May 2023).

(The Leader had accepted this item onto the Agenda as an Additional Agenda Item in order for the Cabinet to consider this matter which could not wait until the Cabinet's next scheduled meeting in June 2023).

(As this matter was also a Key Decision which had not been published on the Cabinet's Forward Plan, the Chair of the Overview Scrutiny Committee had agreed in accordance with Access to Information Rule 15 (Key-Decisions - Special Urgency) that as the date by which this decision must be taken Access to Information Rule 14 (general exception) could not be followed that the taking of this decision could not be reasonably deferred).

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

(Cabinet Agenda Item 15)

Malcolm Johnston
Chief Executive

Rother District Council

| | | |
|---------------|---|--|
| Report to | - | Council |
| Date | - | 24 May 2023 |
| Report of the | - | Audit and Standards Committee |
| Subject | - | Reference from the Audit and Standards Committee |

The Council is asked to consider the recommendations arising from the Audit and Standards Committee meeting held on 20 March 2023 as set out below.

AUDIT AND STANDARDS COMMITTEE – 20 MARCH 2023**AS22/51. PROPOSED CODE OF CONDUCT**

At the last meeting, the Audit and Standards Committee (A&SC) agreed to convene a small informal working group to consider and review the Local Government Association's (LGA) model Code of Conduct (CoC) with the view to recommending formal adoption from the new civic year. A copy of the proposed CoC was attached at Appendix 1 to the report.

The Working Group met on Friday 17 March 2023 and consisted of Councillors Mrs Barnes, Courtel and Thomas. As well as consideration of the LGA's model CoC, the Group also considered the alignment of codes with the parish and town councils, the inclusion and undertaking of relevant CoC training and the Council's main comments submitted to the LGA's consultation in July 2020. The monetary limit of gifts was also considered with a potential increase from £25 (current level) to £50 (as model LGA CoC).

Overall, the Working Group was supportive of the LGA's simplified CoC and recommended that the monetary limit of gifts remained at £25 (this would mean an amendment to the LGA's model CoC). Members requested that the explanatory flow-charts and diagrams were also included in the CoC and consideration was given to revising the Social Media Policy as part of a wider review of the communications strategy in due course.

Following discussion, the A&SC recommended the adoption of the draft CoC at Appendix 1 to the report, with the level for the registration of any gift or hospitality to be retained at the Council's current level of £25 at paragraph 10.2 of the model CoC.

RECOMMENDED: That the proposed draft Code of Conduct at Appendix 1 be approved and adopted, as amended at paragraph 10.2 as set out above.

(Audit and Standards Agenda Item 5)

AS22/52. **AMENDMENT TO THE CONSTITUTION - DELEGATIONS TO OFFICERS**

Members received the report of the Chief Executive which presented an amendment to the Constitution for approval and adoption. The approval process for delegations to officers must be approved and adopted by full Council. To regularise and improve clarity it was recommended that Article 15.3, Changes to the Constitution be reworded as follows:

- (a) **Approval:** All Changes to the Constitution including delegations to officers, will be approved by the Council after consideration of the proposal by the Audit and Standards Committee.

Members were supportive of the amendment.

RECOMMENDED: That Article 15.3 of the Constitution be amended as follows:

- (a) **Approval:** All Changes to the Constitution including delegations to officers, will be approved by the Council after consideration of the proposal by the Audit and Standards Committee.

(Audit and Standards Agenda Item 9)

Chair
Audit and Standards Committee



MEMBERS' CODE OF CONDUCT

DEFINITIONS

For the purposes of this Code of Conduct, a "Councillor" means a Member or Co-opted Member of a Local Authority or a directly Elected Mayor. A "Co-opted Member" is defined in the Localism Act 2011 Section 27(4) as "a person who is not a member of the authority but who:

- a) is a member of any committee or sub-committee of the authority, or;
- b) is a member of, and represents the authority on, any joint committee or joint sub-committee of the authority;

and who is entitled to vote on any question that falls to be decided at any meeting of that committee or sub-committee".

For the purposes of this Code of Conduct, "Local Authority" includes County Councils, District Councils, London Borough Councils, Parish Councils, Town Councils, Fire and Rescue Authorities, Police Authorities, Joint Authorities, Economic Prosperity Boards, Combined Authorities and National Park Authorities.

PURPOSE OF THE CODE OF CONDUCT

The purpose of this Code of Conduct is to assist you, as a Councillor, in modelling the behaviour that is expected of you, to provide a personal check and balance, and to set out the type of conduct that could lead to action being taken against you. It is also to protect you, the public, fellow Councillors, Local Authority officers and the reputation of Local Government. It sets out general principles of conduct expected of all Councillors and your specific obligations in relation to standards of conduct. The Local Government Association encourages the use of support, training and mediation prior to action being taken using the Code of Conduct. The fundamental aim of the Code of Conduct is to create and maintain public confidence in the role of Councillor and Local Government.

GENERAL PRINCIPLES OF COUNCILLOR CONDUCT

Everyone in public office at all levels; all who serve the public or deliver public services, including Ministers, Civil Servants, Councillors and Local Authority officers; should uphold the [Seven Principles of Public Life](#), also known as the Nolan Principles.

Building on these principles, the following general principles have been developed specifically for the role of Councillor.

In accordance with the public trust placed in me, on all occasions:

- I act with integrity and honesty.
- I act lawfully.
- I treat all persons fairly and with respect; and

- I lead by example and act in a way that secures public confidence in the role of Councillor.

In undertaking my role:

- I impartially exercise my responsibilities in the interests of the local community.
- I do not improperly seek to confer an advantage, or disadvantage, on any person.
- I avoid conflicts of interest.
- I exercise reasonable care and diligence; and
- I ensure that public resources are used prudently in accordance with my Local Authority's requirements and in the public interest.

APPLICATION OF THE CODE OF CONDUCT

This Code of Conduct applies to you as soon as you sign your declaration of acceptance of the office of Councillor or attend your first meeting as a Co-opted Member and continues to apply to you until you cease to be a Councillor.

This Code of Conduct applies to you when you are acting in your capacity as a Councillor which may include when:

- you misuse your position as a Councillor; and
- your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a Councillor;

The Code of Conduct applies to all forms of communication and interaction, including:

- at face-to-face meetings;
- at online or telephone meetings;
- in written communication;
- in verbal communication;
- in non-verbal communication; and
- in electronic and social media communication, posts, statements and comments.

You are also expected to uphold high standards of conduct and show leadership at all times when acting as a Councillor.

Your Monitoring Officer has statutory responsibility for the implementation of the Code of Conduct, and you are encouraged to seek advice from your Monitoring Officer on any matters that may relate to the Code of Conduct. Parish and Town Councillors are encouraged to seek advice from their Clerk, who may refer matters to the Monitoring Officer.

STANDARDS OF COUNCILLOR CONDUCT

This section sets out your obligations, which are the minimum standards of conduct required of you as a Councillor. Should your conduct fall short of these standards, a complaint may be made against you, which may result in action being taken.

Guidance is included to help explain the reasons for the obligations and how they should be followed.

GENERAL CONDUCT

1. Respect

AS A COUNCILLOR:

- 1.1 I treat other Councillors and members of the public with respect.**
- 1.2 I treat Local Authority employees, employees and representatives of partner organisations and those volunteering for the Local Authority with respect and respect the role they play.**

Respect means politeness and courtesy in behaviour, speech, and in the written word. Debate and having different views are all part of a healthy democracy. As a Councillor, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in Councillors.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the Local Authority, the relevant social media provider or the Police. This also applies to fellow Councillors, where action could then be taken under the Councillor Code of Conduct, and Local Authority employees, where concerns should be raised in line with the Local Authority's Councillor-officer protocol.

2. Bullying, Harassment and Discrimination

AS A COUNCILLOR:

- 2.1 I do not bully any person.**
- 2.2 I do not harass any person.**
- 2.3 I promote equalities and do not discriminate unlawfully against any person.**

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to

impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the Local Authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

3. Impartiality of officers of the Council

AS A COUNCILLOR:

3.1 I do not compromise, or attempt to compromise, the impartiality of anyone who works for, or on behalf of, the Local Authority.

Officers work for the Local Authority as a whole and must be politically neutral (unless they are political assistants). They should not be coerced or persuaded to act in a way that would undermine their neutrality. You can question officers in order to understand, for example, their reasons for proposing to act in a particular way, or the content of a report that they have written. However, you must not try and force them to act differently, change their advice, or alter the content of that report, if doing so would prejudice their professional integrity.

4. Confidentiality and Access to Information

AS A COUNCILLOR:

4.1 I do not disclose information:

- a. given to me in confidence by anyone
- b. acquired by me which I believe, or ought reasonably to be aware, is of a confidential nature, unless
 - i. I have received the consent of a person authorised to give it;
 - ii. I am required by law to do so;
 - iii. the disclosure is made to a third party for the purpose of obtaining professional legal advice provided that the third party agrees not to disclose the information to any other person; or
 - iv. the disclosure is:
 1. reasonable and in the public interest; and
 2. made in good faith and in compliance with the reasonable requirements of the Local Authority; and
 3. I have consulted the Monitoring Officer prior to its release.

4.2 I do not improperly use knowledge gained solely as a result of my role as a Councillor for the advancement of myself, my friends, my family members, my employer or my business interests.

4.3 I do not prevent anyone from getting information that they are entitled to by law.

Local authorities must work openly and transparently, and their proceedings and printed materials are open to the public, except in certain legally defined circumstances. You should work on this basis, but there will be times when it is required by law that discussions, documents and other information relating to or held by the local authority must be treated in a confidential manner. Examples include personal data relating to individuals or information relating to ongoing negotiations.

5. Disrepute

AS A COUNCILLOR:

5.1 I do not bring my role or local authority into disrepute.

As a Councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other Councillors and/or your Local Authority and may lower the public's confidence in you or your Local Authority's ability to discharge your/its functions. For example, behaviour that is considered dishonest and/or deceitful can bring your Local Authority into disrepute.

You are able to hold the Local Authority and fellow Councillors to account and are able to constructively challenge and express concern about decisions and processes undertaken by the Council whilst continuing to adhere to other aspects of this Code of Conduct.

6. Use of Position

AS A COUNCILLOR:

6.1 I do not use, or attempt to use, my position improperly to the advantage or disadvantage of myself or anyone else.

Your position as a Member of the Local Authority provides you with certain opportunities, responsibilities, and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or to disadvantage anyone unfairly.

7. Use of Local Authority Resources and Facilities

AS A COUNCILLOR:

7.1 I do not misuse Council resources.

7.2 I will, when using the resources of the Local Authority or authorising their use by others:

- a. act in accordance with the Local Authority's requirements; and

- b. ensure that such resources are not used for political purposes unless that use could reasonably be regarded as likely to facilitate, or be conducive to, the discharge of the functions of the Local Authority or of the office to which I have been elected or appointed.**

You may be provided with resources and facilities by the Local Authority to assist you in carrying out your duties as a Councillor.

Examples include: office support; stationery; equipment such as phones, and computers; transport; and access and use of Local Authority buildings and rooms.

These are given to you to help you carry out your role as a Councillor more effectively and are not to be used for business or personal gain. They should be used in accordance with the purpose for which they have been provided and the Local Authority's own policies regarding their use.

8. Complying with the Code of Conduct

AS A COUNCILLOR:

- 8.1 I undertake Code of Conduct training provided by my Local Authority.**
- 8.2 I co-operate with any Code of Conduct investigation and/or determination.**
- 8.3 I do not intimidate or attempt to intimidate any person who is likely to be involved with the administration of any investigation or proceedings.**
- 8.4 I comply with any sanction imposed on me following a finding that I have breached the Code of Conduct.**

It is extremely important for you as a Councillor to demonstrate high standards, for you to have your actions open to scrutiny and for you not to undermine public trust in the Local Authority or its governance. If you do not understand or are concerned about the Local Authority's processes in handling a complaint you should raise this with your Monitoring Officer.

Protecting your Reputation and the Reputation of the Local Authority

9. Interests

AS A COUNCILLOR:

- 9.1 I register and disclose my interests.**

Section 29 of the Localism Act 2011 requires the Monitoring Officer to establish and maintain a register of interests of members of the Authority.

You need to register your interests so that the public, Local Authority employees and fellow Councillors know which of your interests might give rise to a conflict of interest. The register is a public document that can be consulted when (or before) an issue arises. The register also protects you by allowing you to demonstrate openness and a willingness to be held accountable. You are personally responsible for deciding whether or not you should disclose an

interest in a meeting, but it can be helpful for you to know early on if others think that a potential conflict might arise. It is also important that the public know about any interest that might have to be disclosed by you or other Councillors when making or taking part in decisions, so that decision making is seen by the public as open and honest. This helps to ensure that public confidence in the integrity of local governance is maintained.

You should note that failure to register or disclose a disclosable pecuniary interest as set out in **Table 1**, is a criminal offence under the Localism Act 2011.

Appendix B sets out the detailed provisions on registering and disclosing interests. If in doubt, you should always seek advice from your Monitoring Officer.

10. Gifts and Hospitality

AS A COUNCILLOR:

- 10.1 I do not accept gifts or hospitality, irrespective of estimated value, which could give rise to real or substantive personal gain or a reasonable suspicion of influence on my part to show favour from persons seeking to acquire, develop or do business with the Local Authority or from persons who may apply to the local authority for any permission, licence or other significant advantage.**
- 10.2 I register with the Monitoring Officer any gift or hospitality with an estimated value of at least £25 within 28 days of its receipt.**
- 10.3 I register with the Monitoring Officer any significant gift or hospitality that I have been offered but have refused to accept.**

In order to protect your position and the reputation of the Local Authority, you should exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a Councillor. The presumption should always be not to accept significant gifts or hospitality. However, there may be times when such a refusal may be difficult if it is seen as rudeness in which case you could accept it but must ensure it is publicly registered. However, you do not need to register gifts and hospitality which are not related to your role as a Councillor, such as Christmas gifts from your friends and family. It is also important to note that it is appropriate to accept normal expenses and hospitality associated with your duties as a Councillor. If you are unsure, do contact your Monitoring Officer for guidance.

THE SEVEN PRINCIPLES OF PUBLIC LIFE

The principles are:

1. Selflessness

Holders of public office should act solely in terms of the public interest.

2. Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must disclose and resolve any interests and relationships.

3. Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

4. Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

5. Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

6. Honesty

Holders of public office should be truthful.

7. Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

REGISTERING INTERESTS

Within 28 days of becoming a Member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in “The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012”. You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

“**Disclosable Pecuniary Interest**” means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

"Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A ‘sensitive interest’ is as an interest which, if disclosed, could lead to the Councillor, or a person connected with the Councillor, being subject to violence or intimidation.
3. Where you have a ‘sensitive interest’ you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

NON-PARTICIPATION IN CASE OF DISCLOSABLE PECUNIARY INTEREST

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a ‘sensitive interest’, you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a Disclosable Pecuniary Interest.
5. [Where you have a Disclosable Pecuniary Interest on a matter to be considered or is being considered by you as a Cabinet Member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it].

DISCLOSURE OF OTHER REGISTERABLE INTERESTS

6. Where a matter arises at a meeting which **directly relates** to the financial interest or wellbeing of one of your Other Registerable Interests (as set out in **Table 2**), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain

in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

DISCLOSURE OF NON-REGISTERABLE INTERESTS

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
8. Where a matter arises at a meeting which **affects**:
 - a) your own financial interest or well-being;
 - b) financial interest or well-being of a relative or close associate; or
 - c) a financial interest or wellbeing of a body included under Other Registrable Interests as set out in **Table 2** you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied.
9. Where a matter (referred to in paragraph 8 above) **affects** the financial interest or well-being:
 - a) to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
 - b) a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest.

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

10. [Where you have an Other Registerable Interest or Non-Registerable Interest on a matter to be considered or is being considered by you as a Cabinet Member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it].

TABLE 1: DISCLOSABLE PECUNIARY INTERESTS

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

| SUBJECT | DESCRIPTION |
|--|--|
| Employment, office, trade, profession or vocation | Any employment, office, trade, profession or vocation carried on for profit or gain. |
| Sponsorship | <p>Any payment or provision of any other financial benefit (other than from the Council) made to the Councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a Councillor, or towards his/her election expenses.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p> |
| Contracts | <p>Any contract made between the Councillor or his/her spouse or civil partner or the person with whom the Councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the Council:</p> <p>a) under which goods or services are to be provided or works are to be executed; and</p> <p>b) which has not been fully discharged.</p> |
| Land and Property | <p>Any beneficial interest in land which is within the area of the Council.</p> <p>'Land' excludes an easement, servitude, interest or right in or over land which does not give the Councillor or his/her spouse or civil partner or the person with whom the Councillor is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.</p> |
| Licenses | Any licence (alone or jointly with others) to occupy land in the area of the Council for a month or longer. |
| Corporate tenancies | <p>Any tenancy where (to the Councillor's knowledge):</p> <p>a) the landlord is the council; and</p> <p>b) the tenant is a body that the Councillor, or his/her spouse or civil partner or the person with whom the Councillor is living as if they were spouses/civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.</p> |
| Securities | <p>Any beneficial interest in securities* of a body where:</p> <p>a) that body (to the Councillor's knowledge) has a place of</p> |

| SUBJECT | DESCRIPTION |
|---------|--|
| | <p>business or land in the area of the Council; and</p> <p>b) either:</p> <ul style="list-style-type: none"> i. the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or ii. if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the Councillor, or his/her spouse or civil partner or the person with whom the Councillor is living as if they were spouses/civil partners have a beneficial interest exceeds one hundredth of the total issued share capital of that class. |

* 'director' includes a member of the committee of management of an industrial and provident society.

* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

TABLE 2: OTHER REGISTRABLE INTERESTS

You must register as an Other Registerable Interest:

- a) any unpaid directorships.
- b) any body of which you are a Member or are in a position of general control or management and to which you are nominated or appointed by your Authority.
- c) Anybody
 - i. exercising functions of a public nature;
 - ii. directed to charitable purposes or;
 - iii. one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)

of which you are a member or in a position of general control or management.

Rother District Council

| | | |
|---------------|---|---|
| Report to | - | Council |
| Date | - | 24 May 2023 |
| Report of the | - | Chief Executive |
| Subject | - | Appointments of Representatives to Outside Bodies |

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

- 1) appointments be made to the outside bodies attached at Appendices 1 and 2 for a term of one year except where stated otherwise, and attendance be designated as an approved duty;
 - 2) the Bexhill Chamber of Commerce and Tourism be removed from the list of outside bodies, as an appointment is no longer required;
 - 3) Connecting Hastings and Rother Together be removed from the list from 1 July 2023 due to cessation of the project on 30 June 2023; and
 - 4) Members be reminded of the need to report annually via the Members' Bulletin on the outside bodies to which they are appointed.
-

Introduction

1. Full Council has retained the responsibility for approving the list of outside bodies to which formal appointments are made and making such appointments at the Annual Council Meeting (ACM) or as otherwise required.

Appointments Required

2. Attached at Appendix 1 is a list of Outside Bodies to which the Council is required to make an appointment for the 2023/24 civic year. It also shows the name(s) of the current representatives that were appointed for the last municipal year; Members are shown in bold if they have been re-elected to the Council.
3. The Safer Rother Partnership have invited the Council to appoint a substitute representative from this year.

Reserved Appointments / Appointments not required

4. There are a number of appointments which are reserved for Members holding a certain position within the Council, for example the Portfolio Holder for Housing and Homes will be the Council's representative on the Sussex Local General Panel.
5. Those that are reserved in this way are listed at Appendix 2; these appointments are therefore not open for appointment and/or nomination but are shown for information and completeness following the appointment of Cabinet Members and allocation of portfolios confirmed by the Leader at the ACM. Substitutes, where appropriate, have also been confirmed by the Leader of the

Council. Where an appointment is reserved for the Leader of the Council, in practice, this will mean the Leader of the Council or a named replacement in his place.

Considerations

6. Following the District Council elections held on 4 May, the Council will need to appoint Councillors at this meeting to the outside bodies listed.
7. In considering each appointment, Members will need to take account of the following:
 - the benefit to the authority that continued membership provides; and
 - the views of the previous Member representative, if available.
8. To aid the Council's deliberations, Member representatives have been asked to submit comments in support or otherwise of the outside bodies to which they were previously appointed. Seven Members have responded, and their comments are attached at Appendix 4 for consideration. Any comments received subsequent to the publication of this report will be circulated at the meeting.
9. Where the Council has appointed non-Councillors as its representatives to certain outside bodies, it is confirmed that all are happy to continue to represent the Council in their appointments if that is Members' decision.
10. Members are requested to consider each outside body that requires an appointment and appoint thereto. In the light of any evidence given by the previous representative, either on the night or in writing, the Council may also wish to agree to the removal of any outside body from the current list.

Removals from the List

11. Bexhill Chamber of Commerce and Tourism no longer require the Council to appoint a representative and it is therefore recommended that this outside body is removed from the list.
12. The Connecting Hastings and Rother Together (CHART) project is due to be concluded on 30 June 2023 and therefore an appointment is required only until that date. It is recommended that this outside body is removed from the list from 1 July 2023.

Additions to the List

13. Since appointments to outside bodies were made in May 2022, there have been no additions to the Council's list of approved outside bodies.

Reports on Outside Bodies

14. It has previously been agreed that Members appointed to outside bodies are required to produce an annual report (published in the Members' Bulletin) to keep all other Councillors informed of the work of the outside body or bodies to which they had been appointed. Appendix 5 lists the reports that have been received from the Council's representatives over the last municipal year. While it is noted only a few reports have been received from the appointed

representatives during the last year, it is acknowledged that in some cases this is due to the fact that the outside body has not met or the Council's representative has been unable to attend any meetings.

15. A template for reports and timetable will be circulated after the meeting to those Members who represent the Council on outside bodies for reports to be submitted for inclusion in the Members' Bulletin.

Risk Management

16. Failure to appoint representatives to outside bodies may result in the loss of conduit between the Council and the respective external organisations.

| Other Implications | Applies? | Other Implications | Applies? |
|--------------------|----------|--------------------------|----------|
| Human Rights | No | Equalities and Diversity | No |
| Crime and Disorder | No | External Consultation | No |
| Environmental | No | Access to Information | No |
| Risk Management | Yes | Exempt from publication | No |

| | |
|----------------------------|---|
| Chief Executive: | Malcolm Johnston |
| Report Contact Officer: | Lisa Cooper, Democratic Services Manager |
| e-mail address: | lisa.cooper@rother.gov.uk |
| Appendices: | 1 Appointments Required 2023/24 2 Reserved Appointments 2023/24 3 No Appointments Required 4 Members' Comments 5 Members' Reports |
| Relevant Previous Minutes: | None |
| Background Papers: | None |
| Reference Documents: | N/A. |

APPOINTMENTS REQUIRED

| OUTSIDE BODY | DETAILS OF APPOINTMENTS IN 2022/23 | APPOINTMENT REQUIRED FOR 2023/24 (PROPOSED NOMINEE/S IN BOLD) |
|--|---|---|
| Battle Abbey Liaison Group (formerly the Battle Abbey Advisory Group) | Councillor Cook | One appointment required Cook |
| Battle Area Sports Centre Management Committee (4-year appointment) | Councillors Cook and Dixon (Substitutes: Curtis and Prochak) | Two appointments and two substitute appointments required Cook / Pearce Subs: Burton / Prochak |
| Bexhill Museum Limited (formerly Society of Bexhill Museums) (SLA) (4-year appointment) | Councillor Thomas (Substitute: Councillor Langlands) | One appointment and one substitute appointment required Thomas Sub: Gray |
| Combe Valley Community Interest Company | Councillor Timpe | One appointment required Pearce |
| Connecting Hastings and Rother Together, Local Action Group | Councillor Coleman Substitute: Councillor Courtel | One appointment and one substitute appointment required until 30 June 2023. TO BE REMOVED FROM THE LIST FROM 1 JULY 2023 Coleman Sub: Cook |
| Dungeness Power Station Site Stakeholders Group | Mr Hoggart (Substitute: Councillor Osborne) | One appointment and one substitute appointment required McGurk Sub: Osborne |
| East Sussex Health and Wellbeing Board | Councillor J Barnes | One appointment required Killeen |
| East Sussex Health Overview and Scrutiny Committee | Councillor Mrs Barnes (Substitute Councillor Osborne) | One appointment and one substitute appointment required (Member of Overview and Scrutiny Committee) Killeen Sub: Coupar |
| Harbour of Rye Advisory Committee (3-year appointment) | Councillors Norton & Stevens | Two appointments required McGurk / Osborne |

| OUTSIDE BODY | DETAILS OF APPOINTMENTS IN 2022/23 | APPOINTMENT REQUIRED FOR 2023/24 (PROPOSED NOMINEE/S IN BOLD) |
|---|--|---|
| Hastings Advice and Representation Centre (HARC) (SLA) (4-year appointment) | Councillor Coleman (Substitute: Councillor Mier) | One appointment and one substitute appointment required Coleman Sub: Mier |
| Hastings and Bexhill Renaissance Ltd (SeaSpace) | Councillor Dixon | One appointment required Jeeawon |
| Hastings and Rother Furniture Service (SLA) | Councillor Courtel | One appointment required Coupar |
| Hastings and Rother Mediation Service (SLA) (4-year appointment) | Councillor Thomas (Substitute: Councillor Vine-Hall) | One appointment and one substitute appointment required Thomas Sub: Coupar |
| Local Government Association – Coastal Issues Special Interest Group | Councillor Mier (Substitute: Mr Hoggart) | One appointment and one substitute appointment required Mier Sub: Osborne or Hacking |
| Pevensey and Cuckmere Water Level Management Board | Councillor Thomas | One appointment required Thomas |
| Police & Crime Commissioner Panel (4-year appointment) | Councillor Drayson (Substitute: Councillors Jeeawon & Mier) | One appointment and two substitute appointments required Drayson Subs: Jeeawon / Bayliss |
| Romney Marshes Area Internal Drainage Board | Councillors Mier , Norton, Osborne , Prochak , Mr Hoggart, Mr Lovejoy and Mr Oliver | Seven appointments required Mier, McGurk OR Creaser, Osborne, Prochak, Mr Hoggart, Mr Lovejoy and Mr Oliver |
| Romney Marsh Partnership | Mr Hoggart | One appointment required Mr Guy Harris |
| Rother District Citizens Advice Bureau (SLA) (4-year appointment) | Councillor Gray (Substitute: Councillor Timpe) | One appointment and one substitute appointment required Gray Sub: Timpe |

| OUTSIDE BODY | DETAILS OF APPOINTMENTS IN 2022/23 | APPOINTMENT REQUIRED FOR 2023/24 (PROPOSED NOMINEE/S IN BOLD) |
|--|--|--|
| Rother Voluntary Action (4-year appointment) | Councillor Cook (Substitute: Councillor Errington) | One appointment and one substitute appointment required Cook Sub: Delany |
| Rural Rother Trust | Chair of Council – Councillor Harmer (R), Vice-Chair of Council – Councillor Mier (R) , and Councillors Browne, Ganly , Mrs Kirby-Green and Prochak . | Five appointments required Chair of Council (R), Vice-Chair of Council (R), and Councillors Mrs Cook, Ganly, Mrs Kirby-Green, Mier and Prochak . |
| Rye Chamber of Commerce | Councillor Stevens | One appointment required Bayliss |
| Rye Harbour Nature Reserve Management Committee (SLA) | Councillor Norton and Mr Lloyd (Substitute: Mr Hoggart) | Two appointments and one substitute appointment required Mr Guy Harris, Mr Lloyd Sub: Mr Hoggart |
| Rye Partnership | Mr Hoggart | One appointment required Bayliss |
| Rye Sports Centre Advisory Committee (4-year appointment) | Councillors Osborne and Stevens | Two appointments required McGurk & Creaser |
| Safer Rother Partnership (4-year appointment) | Councillor Drayson | One appointment and the addition of one substitute appointment required Stanger Sub: |
| Team East Sussex (TES) | Councillor Bayliss | One appointment required Bayliss |

(SLA) = Voluntary Sector Service Levels Agreements

RESERVED APPOINTMENTS (R)

| OUTSIDE BODY | REPRESENTATIVE(S) APPOINTED IN 2022/23 | APPOINTMENTS 2023/24 |
|--|---|-----------------------------|
| 1066 Country Member Liaison Group (R) | Cabinet Portfolio Holder for Communities, Culture & Tourism – Councillor Timpe | |
| A21 Reference Group (R) | Cabinet Portfolio Holder for Environmental Management and the Chairman of the Overview and Scrutiny Committee – Councillors Field and Osborne | |
| Action in Rural Sussex (SLA) (R) | Cabinet Portfolio Holder for Environmental Management – Councillor Field (Substitute: Councillor Prochak) | |
| De La Warr Pavilion (R) | Cabinet Portfolio Holder for Communities Culture and Tourism and Deputy Leader of the Council – Councillors Timpe and Prochak | |
| District Councils' Network (DCN) (R) | Leader of the Council – Councillor Oliver | |
| East Sussex Strategic Partnership (R) | Deputy Leader of the Council – Councillor Prochak (Substitute: Councillor Oliver) | |
| Hastings and Rother Task Force (R) | Leader of the Council - Councillor Oliver (Substitute: Councillor Prochak) | |
| High Weald AONB Forum / Joint Advisory Committee (R) | Chair of the Planning Committee – Councillor Vine-Hall | Chair of Planning Committee |
| Local Government Association (R) | Leader of the Council – Councillor Oliver | |
| Rother Local Strategic Partnership (R) | Deputy Leader of the Council – Councillor Prochak | |

| | | |
|---|--|--|
| South East Employers (R) | Chair of Licensing & General Purposes Committee – Councillor Mier (Substitute: Councillor Coleman) | Chair of HR Committee (Sub: Vice-Chair of HR Committee) |
| The Sussex Local General Panel (formerly known as the AmicusHorizon Area Panel) (R) | Cabinet Portfolio Holder for Housing & Homes – Councillor Byrne | |
| Tourism South East (R) | Cabinet Portfolio Holder for Communities Culture & Tourism – Councillor Timpe (Substitute: Councillor Dixon) | Sub: Creaser |

(SLA) = Voluntary Sector Service Levels Agreements

*subject to appointment as Committee Chair / Vice-Chair.

NO APPOINTMENTS REQUIRED

| OUTSIDE BODY | REPRESENTATIVE(S) APPOINTED IN 2022/23 | CONFIRMED APPOINTMENTS 2023/24 |
|--|---|--|
| East Sussex Energy, Infrastructure & Development Ltd | None | Council agreed not to appoint at meeting held on 7 March 2022. |
| Bexhill Chamber of Commerce and Tourism | Councillor Langlands | Appointment no longer required. |

MEMBERS' COMMENTS

Action in Rural Sussex: Councillor Field

Where the appointment is not tied to a Cabinet post it should be completely apolitical and the rationale behind the appointment should be community involvement etc

Connecting Hastings and Rother Together (CHART): Councillor Coleman

The CHART project has been valuable to Rother, however it has now concluded and as such it should no longer be an outside body.

East Sussex Health Overview and Scrutiny Committee (HOSC): Councillor Mrs Barnes

Meetings are held four times a year at County Hall Lewes. They cannot be held remotely. Rother is one of four participating district councils who all send one Member and in addition there are county representatives and other health providers. Meetings are an opportunity to ask questions and challenge senior medical and administrative staff from the health authority.

The purpose of the Committee is to act as a critical friend when major changes in policy are being considered by East Sussex Health Authority.

Over the last four years for example, we have considered the formation of integrated healthcare partnerships, closing the walk-in centre at Eastbourne station, agreeing dedicated centres for stroke care, cardiology and optical services, the building of a new mental health treatment unit and a new elective surgery unit at Eastbourne general hospital. A feature of such changes involve working parties and consultation with the public.

Hastings Advice and Representation Centre (HARC): Councillor Coleman

The work done by HARC is necessary, important and valuable to us as a Council. We should continue to support HARC as an outside body as the service provided is of great use to Rother residents and they are the primary benefits advice and representation organisation in the area.

Hastings Advice and Representation Centre (HARC): Councillor Mier (substitute)

It is a very worthwhile organisation and worth supporting.

Hastings and Rother Mediation Service: Councillor Vine-Hall

Fully support this excellent service.

Hastings Furniture Service: Councillor Courtel

This is a well-run charity with a sound governance structure. By selling second hand furniture, at preferential rates to people on low incomes, it is alleviating poverty, encouraging recycling, reducing waste and creating employment opportunities. Its main income is derived from sales. Rother District Council has been one of its clients. It is also supported by several grants, ably sourced by a senior manager within the organisation.

The new Chief Executive, Kate Davidson, has involved all Directors, staff and volunteers in a strategy day to develop a feeling of involvement by all staff in the decision-making process. There appears to be a general feeling of contentment by

the hands on workforce and a willingness to contribute to the team. A new reporting structure has been created which appears to have gained general approval.

The Chief Executive has been invited to join the coordinating committee addressing poverty in Rother is now a member. It is the view of the Board that they would like to continue having a representative from Rother District Council at their meetings and I endorse that view.

LGA Coastal Issues Special Interest Group: Councillor Mier

As an authority with a coastline and as Coastal Protection Authority we should participate.

Romney Marshes Area Internal Drainage Board: Councillor Mier

Essential for any Councillor with a Ward on the Marsh or catchment area.

Rother District Citizens Advice Bureau: Councillor Gray

The Rother District Citizens Advice Bureau (RDCAB) has recently amalgamated with the Hastings branch, CA1066, and RDC have been supporting the Chief Executive Officer of CA1066 as she gets to grips with delivering money, welfare benefits, debt and related advice and support to residents throughout Hastings and Rother. We have received quarterly performance reports from CA1066 and it is positive to observe the improved performance and outcomes they are achieving.

At the Cabinet meeting on 27 February 2023, it was agreed to extend the existing contract by a further 12 months in order for the future commissioning timetable to align with the wider partnership. The revised proposals will be brought forward later in 2023 and will detail the commissioning approach it wishes to adopt, including a value for money appraisal as well as revised service specification, following the findings of the East Sussex Welfare Benefits and Debt Advice Independent Review Steering Group.

The RDCAB provide a valuable service in the provision of welfare benefits, debt recovery and money advice, supporting vulnerable people facing poverty and homelessness within Rother. At this time of transition, amalgamating the two services in Hastings and Rother, it is in my view, essential that we maintain an RDC representative for the service.

Rural Rother Trust: Councillor Mier

Very worthwhile.

South East Employers: Councillor Mier

I don't know what we get out of this. Officers might be involved, but I doubt the point so far as Councillors are concerned.

MEMBERS' REPORTS

| OUTSIDE BODY / MEMBER REPRESENTATIVE | Members' Bulletin Edition |
|---|----------------------------------|
| Battle Abbey Liaison Group / Councillor Mrs Cook | June 2022 |
| Rother District Citizens Advice Bureau / Councillor Gray | July 2022 |
| Rural Rother Trust / Councillor Prochak | November 2022 |
| Local Government Association / Councillor Oliver | January 2023 |
| Rother Local Strategic Partnership / Councillor Prochak | January 2023 |
| Battle Abbey Liaison Group / Councillor Mrs Cook | January 2023 |

Rother District Council

| | | |
|---------------|---|--|
| Report to | - | Council |
| Date | - | 24 May 2023 |
| Report of the | - | Member Development Task Group |
| Subject | - | Annual Report of the Member Development Task Group |

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

Introduction

1. The Member Development Task Group (MDTG) provides a structured and on-going Member-led approach to Member training and development. This report provides Members with the last annual update on Member Training and Development issues from the current MDTG.
2. The Membership of the MDTG is usually fixed for the life of the Council and is made up of all Group Leaders, the majority Group Leader's Representative, the Member Training and Development Champion, two newly elected Members from the last elections (2019) and any independent (non-Group Members).
3. The current membership is confirmed as: Councillors Prochak (Member Training and Development Champion and Chairman), Bayliss (Labour Group Leader), Mrs Cook (newly elected 2019 Member), Dixon (Liberal Democrat Group Leader), Oliver (Independent Group Leader), Stevens (Conservative Group representative) and Timpe (newly elected 2019 Member). All Group Leaders are able to send a substitute if they are unable to attend and Councillor Gray has attended all meetings of the MDTG during the past year as a substitute for Councillor Dixon.
4. All Members are encouraged to contact their respective representatives if they have any training and development issues to be brought to the attention of the MDTG.
5. The MDTG has met three times since the last annual report. The minutes arising from the meetings are highlighted within the Members' Bulletin e-zine and published on the website (extranet).
6. At this stage of the life of the Council, the initial training and development needs of Members, particularly newly elected Members, have been met and consequently training and development activity reduces. Despite being in the last full year of the life of this Council, there has remained a steady provision of Member Training and Development opportunities for Members, including annual mandatory training.

Member Induction Programme 2023

7. Since October of last year, in conjunction with the Senior Leadership Team, the MDTG has worked on the formulation of the Member Induction Programme 2023, including the Induction Day itself. The Programme has

been compiled by drawing on the feedback received from both Members and officers following the 2019 Induction Programme.

8. The MDTG is confident that the Programme which is currently being put in place will meet the needs of the new Council by providing a comprehensive Induction Programme, at a reasonable pace.
9. The Programme will be reviewed and monitored by the MDTG and it is hoped that the approach and initiatives will be welcomed by both new and returned Members. It is vital that returned Members are active participants in the induction training for a number of reasons: to reinforce this Council's commitment to Member Training and Development; to encourage and help shared learning with fellow newly elected Members; and to further increase their own knowledge as new legislation and initiatives change the face of local government and service delivery.

Pre-Election Event

10. On 14 November 2022, the Council held its third pre-election event which forms part of the Council's strategy in attracting new Members to stand for election. Following a media campaign 25 delegates pre-registered to attend, 21 (four did not pre-register) attended in person and one person attended remotely.
11. The programme for the evening included: a welcome and introduction session by the Chief Executive and Deputy Chief Executive; a Panel of current serving Councillors who shared their experiences, including specific formal roles and work in their local areas; a brief overview of member development and training by the Democratic Services Manager; a question and answer session; and an informal session at the end for networking with Councillors, officers and political agents.
12. General feedback received showed that overall the event was well-received, with the majority of attendees indicating that they would be standing for election in May.

Training and Development Programme

13. Historically, during the last year of a four year term leading up to the elections, training and development activity is kept to a minimum. This tends to be due to a number of reasons including Members feeling more confident in their role and knowledge due to the earlier intensive training activity, training fatigue and a re-focus towards re-election and whether or not to re-stand.
14. This last year has been no exception with training focusing on on-going (mandatory) regulatory training (planning and licensing), finance and Treasury Management (mandatory for Audit and Standards Committee Members).
15. The Members' Learning Day has also proven to be popular with content including a progress overview on the Corporate Plan and presentations on the Council's Housing Needs and Solutions (including homelessness demand, asylum, refugee and immigration) and update on Environmental Enforcement and Exporting Fish to Europe, as well as questions to the Senior Leadership Team.

16. The Deputy Chief Executive has also introduced a series of monthly Member Briefing sessions which have also proved very popular and have included the following topics: the Town Hall Renaissance Project, Emergency Planning, Barnhorn Green Health and Employment Project, the Elections Act 2022, the Draft Local Plan, Financial Stability Programme and Local Government Finance Settlement, Levelling-Up Funding and Council Tax and Benefits Information.
17. Each appropriate training and development event held in 2022-23 has been evaluated on the day by participants and a summary of the results have been monitored and considered by the MDTG and published on the website (extranet).
18. Members can also benefit from attending conferences and other external events where they relate to their areas of interest or responsibility and assist in meeting the Council's corporate objectives, as well as individuals' personal development. Members are requested to contact their Group Leaders in the first instance and then the Member Training Champion if they wish to attend an external conference / event.
19. During this past year, Members have attended external events on finance, menopause, climate emergency, biodiversity net gain, neighbourhood approach to decarbonising buildings and transport, economic growth, WMF policy, digitalisation, photographic voter identification / raising awareness and next steps for mental health in England.

Partnership Working

20. There has been one opportunity over the past year for partnership working with Member training and development. The Annual (Mandatory) Licensing Training was shared with Wealden District Council. Sharing sessions continues to help reduce the impact on the Council's Member Training budget and enables the Council to recoup costs where applicable.

Finance

21. The Council continues to allocate both human and financial resources to Member Development and currently has a Member training budget of £15,000 per annum. A higher expenditure is usual in years 1 and 2 with less activity in years 3 and 4. Any underspent budget is not automatically carried forward year-on-year.
22. In light of potential budget reductions and in order to ensure value for money it is essential that once Members have requested a place on a training session that the date is reserved, particularly where an external consultant or other additional expenditure such as transport is involved; at the request of the MDTG, the cost of training per head is now advised to Members at the time that places are offered.
23. The MDTG receive routine budget reports throughout the year and, whilst it is evident that in most years the budget is not spent, the majority of spend will be within the first two years of a Council. The initial Member Induction Programme that is being put in place already includes a number of training

sessions that will be provided by external sources and this will involve a much heavier call on the budget than in subsequent years.

Evaluation

24. In accordance with the Council's Member Training and Development Strategy, the Council is committed to obtaining feedback on the effectiveness of training and development undertaken and Members are required to complete an evaluation form and in addition provide feedback on how the skills / knowledge gained has been of benefit to them and the Council.
25. The MDTG consider feedback on all training and development activities at the next available meeting and unfortunately, as a result of predominantly on-line training sessions the evaluation return rate has significantly deteriorated. As a result of the return to face-to-face training sessions, feedback rates have increased.

Member Training and Development Attendance Statistics

26. The MDTG continues to receive an update at each meeting on the number of training events each Member has attended since the elections in May 2019; this information is primarily for use by the Group Leaders and the most recent update is detailed below:

Gray, Polly – 70
Courtel, Paul – 69
Timpe, Hazel – 64
Langlands, Lynn – 63
Mier, Andrew – 62
Prochak, Sue – 59
Madeley, Chris – 57
Drayson, Brian – 55
Errington, Sarah – 53
Coleman, Sam – 48
Harmer, Kathy – 45
Oliver, Doug – 43
Vine-Hall, Jonathan – 43
Cook, Vikki – 42
Stevens, Gennette – 42
Thomas, Richard – 42
Byrne, Terry – 37
Barnes, Mary – 35
Brewerton, Jay – 34

Barnes, John – 33
Bayliss, Christine – 27
Norton, Howard – 26
Ganly, Tony – 25
Field, Kathryn – 24
Curtis, Gary – 21
Dixon, Kevin – 19
Jeeawon, Ashan – 15
Earl-Williams, Deirdre – 14
Browne, Graham – 13
Kirby-Green, Eleanor – 13
***Bird, Roger – 8
Osborne, Paul – 8
Mooney, Martin – 6
Carroll, James – 6
Maynard, Carl – 6
* Hacking, Lizzie – 5
** Gordon, Neil – 2
Clark, Charles – 1

* elected 6 May 2021

** elected 16 June 2022

*** resigned 13 December 2022

27. Training and Development is not compulsory, except for those Members serving on the Council's regulatory committees; each Member has very specific training and development requirements, based on their own personal circumstances which will include experience, role (both internal and external to Rother), interests, availability and length of service as a Councillor.

28. Those Members who had attended five or fewer sessions were contacted to ascertain whether there were any specific reasons why they were not participating in training. One responded stating that as a long-standing experienced Member they felt they did not require additional training.
29. From May 2023, training events attended by Councillors will be uploaded to the ModGov system and displayed on each Councillors' individual website page.

Terms of Reference

30. The Terms of Reference will be reviewed by the new MDTG at its first meeting in July 2023.

Conclusions

31. This last civic year in the four-year cycle, has seen the customary reduction in Member Training and Development, with only mandatory and other essential training taking place. As mentioned, some Members have taken advantage of the wide range of free Local Government Association virtual training sessions, chosen because they have a particular interest or usefulness to them in their Council work.
32. The next 12 months will be a busy and challenging time for the new MDTG; the all-out district elections in May will no doubt see several Councillors not seeking re-election, and this, together with the unpredictable election results, could result in many new Councillors being elected. As mentioned, a successful pre-election event has already been held.
33. The need to ensure that Councillors therefore engage in a high quality, relevant and robust Member Training and Development Programme is therefore even more crucial than ever. The MDTG will be monitoring and evaluating the on-going Member Induction Programme and agreeing the Member Training Programme, based on the results of the Training Needs Analysis for the following 18 months after the initial induction period.
34. I would like to thank Democratic Services staff for supporting this ongoing programme so well, in particular Julie Hollands. There are also very welcome initiatives and suggestions from Chairs of Committees. The involvement of all Chairs would be useful in planning training sessions when we are half way through a term of office. Training particularly about the Council's planning role is always on going but will be needed with the emergence of the new Local Plan. We should also consider a recommendation from an external trainer that all Members participate in basic planning training.
35. I am pleased to take this opportunity also to thank formally my fellow Task Group Members, Councillors Bayliss, Cook, Dixon (Gray), Oliver, Stevens and Timpe for the contribution they have made over the past year and the officer support that is provided both directly by Democratic Services, the Transformation Team and indirectly through all staff involved in guiding and providing assistance to Members in a number of ways.

Councillor Prochak
Chairman of the Member Development Task Group

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Rother District Council

| | | |
|---------------|---|--|
| Report to | - | Council |
| Date | - | 24 May 2023 |
| Report of the | - | Overview and Scrutiny Committee Chair, Councillor Paul Osborne |
| Subject | - | Overview and Scrutiny Annual Report to Council |

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

Introduction

1. The Local Government Act 2000 states that where councils operate an executive style administration, there must be at least one committee that has the power to review or scrutinise decisions or actions which affect the authority's area or its residents. The Overview and Scrutiny Committee (OSC) acts as a critical friend to the Cabinet (Executive) and other local service providers, helping to monitor performance and develop policies. The OSC also has the power to hold the Cabinet to account by "calling in" decisions before or after they have been taken.
2. The OSC cannot make decisions or policies themselves, but they have the power of influence. They make recommendations informed by partner and public opinions, performance information, examples of best practice and professional advice.
3. In accordance with Article 6, paragraph 6.3. (d) of Rother District Council's (RDC) Constitution, the OSC must report annually to Council on their workings and make recommendations for future work programmes and amend working methods, if appropriate.
4. In compiling this report, consideration has been given to the terms of reference contained within Article 6 of the Constitution and how the OSC has fulfilled its role under these terms.
5. This report covers the period from April 2022 through to the end of March 2023; the report has been prepared before the last scheduled meeting of the OSC for the 2022/23 municipal year has been held.

Scrutiny Improvement Review

6. As Members may recall, the Council commissioned the Centre for Governance and Scrutiny (CfGS) to carry out a review and evaluation of the Council's scrutiny function, as one of the recommendations that came out of the review of the Council's Constitution.
7. The CfGS commenced the review in July 2022 which involved evidence gathering in person and online through conversations with Members and officers. They met with elected Members and officers, including the Council

Leader and Cabinet Members, the Scrutiny Chair, Members of the Scrutiny Committee, and the Council's Senior Leadership Team (SLT).

8. As part of the feedback stage a facilitated workshop was held with Members and officers in January this year to reflect on the review and to discuss options for improvement. The SLT will be considering the themes identified and ways in which to progress the various suggestions for improvement within the existing resources available for discussion and progression with Members in the new civic year.

Scrutiny at Rother

9. Currently, RDC has 38 elected Members who represent the 21 wards within the boundaries of Rother. With nine Members currently appointed to Cabinet, this enables 29 Members to have the opportunity to be involved in Scrutiny.
10. During the period of this report, 62% of non-Cabinet Members have been involved in Scrutiny either through membership of the Council's Scrutiny Committee or in the Task and Finish Group(s).

Structure of Scrutiny Committees

11. During the period of this report, four Task and Finish Groups have been in operation. In addition to Scrutiny meetings, the Council can have up to four active Task and Finish Groups in place at any one time provided that the same service officers are not being involved in more than one active group at any one time.
12. There are 12 Members appointed on the OSC and they meet formally eight times a year. The OSC is politically balanced in that its make-up reflects that of the Council as a whole and its Chair and Vice-Chair are elected annually from amongst its membership. The Chair must be appointed from one of the opposition group serving on the Committee.

Overview and Scrutiny Committee

13. The following Members were appointed by Full Council to the OSC in May 2022:

P.N. Osborne (Chair), Mrs V. Cook (Vice-Chair), J. Barnes, J.J. Carroll, C.A. Clark, S.J. Coleman, P.C. Courtel, Mrs D.C. Earl-Williams, P.J. Gray, K.M. Harmer (ex-officio), C.A. Madeley, C.R. Maynard and M. Mooney.
14. The following substitute Members were appointed to the OSC: L.M. Langlands (Association of Independents), G.F. Stevens (Conservative) and R. Thomas (Liberal Democrat). Due to the board membership requirements of the East Sussex Health Overview and Scrutiny Committee, Councillor Mrs M.L. Barnes subsequently replaced G.F. Stevens. In accordance with the system, a formal substitution has been made on seven occasions during the period covered by this report.
15. The Committee has met nine times in person between April 2022 and the end of March 2023. An additional meeting was held in November 2022 to consider the temporary closure of Rye swimming pool.

16. Attendance at meetings by Members appointed to the Committee has been good, with an average of 89% of the Committee attending the meetings during the period of this report.
17. The average number of reports on the agenda for each meeting was four and the average length of a meeting was 2 hours and 8 minutes. A total of 200 members of the public were in attendance either in the Council Chamber or via the live broadcast at the nine committee meetings held during the period of this report. Dependent on the business to be considered, the relevant Cabinet Portfolio Holders continued to be invited to attend meetings.

Between April 2022 and the end of March 2023, the OSC received reports on a number of issues including:

- Annual Review of the Housing, Homelessness and Rough Sleeping Strategy (2019-2024)
 - Anti-Poverty Strategy
 - East Sussex Temporary Accommodation Policy
 - Medium Term Financial Plan 2023/24 to 2027/28
 - Progress on the Environment Strategy (2020)
 - Recommendations of the Bexhill Town Centre Conservation Area TAN Task & Finish Group
 - Recommendations of the Health and Wellbeing Task and Finish Group
 - Recommendations of the Off-Street Car Parks Task and Finish Group
 - Review of the Constitution, Recommendations of the Constitution Review Steering Group
 - Rother District Council Owned/Leased Accommodation Complaints Handling Policy
 - Rother Health and Well-Being: Leisure Facilities Strategy
 - Technical Advice Notes - First Homes and 100% Affordable Housing
 - Temporary Closure of Rye Swimming Pool
 - Town Hall Renaissance Project
18. Standing items reviewed by the Committee included:
 - Annual Work Programme
 - Annual Report of the Rother Community Safety Partnership
 - Call-in and Urgency Procedures
 - Draft Annual Report to Council
 - Draft Revenue Budget
 - Key Performance Targets
 - Quarterly Progress Reports on the Annual Performance Plan
 - Revenue Budget and Capital Monitoring Programme

Crime and Disorder Committee

19. The Scrutiny Committee is designated as the Council's 'Crime and Disorder Committee' under section 19 of the Police and Justice Act 2006. This is not a separate working or steering group; it simply means that on an annual basis, as part of their regular Scrutiny business, the OSC reviews the work of the Safer Rother Partnership as the Council's Crime and Disorder Committee.

20. The opportunities and challenges for 2022/23 included: Anti-Social Behaviour (ASB) and youth crime; rural crime; drug related harm; White Ribbon campaign; tackling modern slavery; and road safety.

Scrutiny Reviews

April 2022

21. **Progress on the Environment Strategy (2020):** Members received the report of the Director – Place and Climate Change, which outlined progress made on the Environment Strategy (2020) since the last report to the Committee in October 2021. Two environmental posts had and would be recruited to: Projects Officer (Environment) and Environment Strategy Officer. Various initiatives were in progress including the Bexhill i-Tree Study, Hedgerow Planting, Biodiversity, a second session of Carbon Literacy training for Councillors and officer, Electric Vehicle Charging Points in Council-owned Car Parks, Hydro-treated Vegetable Oil Waste Collection Fuel Trial, a new process for distributing Community Infrastructure Levy funding, allocated to projects that addressed climate emergency or those with a distinctive environmental benefit.

The Climate Change Steering Group had met four times since the previous update and a list of agreed projects was detailed in Appendix A to the report. Members noted the progress made.

July 2022

22. **Town Hall Renaissance Project:** Members received the report of the Director – Place and Climate Change, which presented the detailed business case for the redevelopment of the Town Hall site. A budget of £460,000 for the development of a planning application had been agreed at full Council in February 2021, subject to a review of the proposals by the Overview and Scrutiny Committee. Robinson Low Francis was appointed in 2021 as the project employer's agent, Austin Smith Lord was appointed as the architects and lead designers and a planning application was to be submitted in July 2022.

Members were guided through the high-level summary of the rationale for the development as detailed in the report, which included issues such as Climate Change, Financial, Regeneration/Employment, Staff Welfare and Office Accommodation and Funding.

Members agreed to defer making any recommendations until the results of the public engagement could be reported to a meeting of the Committee in September, prior to a meeting of Cabinet, and that the public engagement be extended to six weeks.

November 2022

23. **Environment Strategy Review:** Members considered the report of the Director – Place and Climate Change, which outlined progress made on the Environment Strategy (ES) (2020) since the last report to the Overview and Scrutiny Committee on 25 April 2022. Two new staff members had joined the Council to lead work on carbon reduction and the ES. Delivery of the ES and action plan had significantly improved over the previous six months. There was

a renewed focus within the Climate Change Steering Group and Members were guided through the projects being reviewed by the Steering Group.

The current adopted ES was outdated, and the strategic ambitions lacked clarity of focus. As such, a full review and rewrite of the strategy was required with a view to have a fully adopted revision by December 2023. Members were pleased to note the progress that had been made against the ES.

January 2023

24. **Review of the Housing, Homelessness and Rough Sleeping Strategy 2019-2024 (Part A):** Members received an update on the progress of the Improvement Delivery Plan of Priority 1 and Priority 3 of the Housing, Homelessness and Rough Sleeping Strategy 2019-2024 (Part A), together with an updated Improvement Delivery Plan and a summary of all the actions achieved since the Strategy's inception.

Members were pleased to note the progress made and made several recommendations to Cabinet, as detailed in Appendix 1. Other suggestions and ideas discussed would be brought to the attention of the Council's Housing Company via the Head of Housing and Community.

25. **Review of the Housing, Homelessness and Rough Sleeping Strategy 2019-2024 (Part B):** Members received an update on the progress of the Improvement Delivery Plan of Priority 2 of the Housing, Homelessness and Rough Sleeping Strategy 2019-2024 (Part B), together with an updated Improvement Delivery Plan and a summary of all the actions achieved since the Strategy's inception.

Members were pleased to note the progress made and made several recommendations to Cabinet, as detailed in Appendix 1.

26. The OSC also scrutinised the performance of services and the resources they use on a quarterly basis. In conjunction, the OSC considered the wider, strategic implications for the district and the lives of residents that are represented by individual indicators and targets. Just some of the themes addressed over the period were:

- **Housing and Communities:** Members were advised that the Number of Affordable Homes Delivered (gross) (supply), Homelessness Prevented and Homelessness Relieved and Cost of Temporary Accommodation (TA) targets were being met, but the other two targets of Number of all Households in TA and Number of Households on the Housing Register were not. The Council had a limited ability to influence the various factors that increased homelessness and the number of households in TA, so focus was aimed at homelessness prevention measures as an indicator of performance for the Housing Service.
- **Financial Performance:** Both measures had met the target (Net income from all investment assets and Additional Income Generation). There were no changes to the income from assets, however there was an increase in additional income generation from £55k to £93,856.
- **Economic Development and Poverty:** Members were pleased to note that all three measures continued to meet their targets (Number of Council

Tax Reduction Claimants, Council Tax Collection Rates and Business Rates Collection Rates).

- **Environment:** One measure had not met its target (East Sussex County Council Waste re-used, composted and recycled, reported one quarter in arrears), the other measure did not currently have a set target (Carbon Baseline).
- **Planning:** Members were advised that both measures did not meet their targets (Major Applications weeks/calendar days to process and Minor Applications days to process) but were improving towards the targets. Returns continued to show a downward trend and work continued processing improvements.

Recommendations to Cabinet

27. During the period of the report a total of 17 recommendations were made to Cabinet, all of which were supported with some amendments. Details of all recommendations made to Cabinet by the OSC can be seen at Appendix 1.

Call-In

28. The OSC has not found it necessary to call-in any decisions of the Cabinet for further scrutiny during the last year. The annual report on the Call-In and Urgency Procedures can be seen elsewhere on the Agenda for this meeting.

Task and Finish Groups

29. Members have previously requested that this Annual Report to Council incorporates a cumulative examination of the results of working groups, when they have concluded their work, to establish if their recommendations and outcomes have delivered their set objectives.
30. During the period of this report the Off-Street Car Parks Task and Finish Group (OSCPT&FG), reported back for the final time to the OSC in March 2023. The OSCPT&FG recommended various changes to car park signage and a proposed response on behalf of the Council to the East Sussex County Council's response to the Civil Parking Enforcement's first annual review, for onward recommendation to Cabinet. The OSCPT&FG also recommended that it be disbanded as its Terms of Reference had been met. The OSC agreed with the OSCPT&FG's recommendations and Cabinet was happy to support this.
31. The Health and Well-Being Task and Finish Group (HWBT&FG) was established in September 2022, to examine the role that the Council took, through its policies, strategies, and operations support to promote the health and well-being of its residents. The HWBT&FG met five times between November 2022 and February 2023 and reported back to the OSC in March 2023 with various recommendations for onward recommendation to Cabinet, and recommended that it be disbanded, as its Terms of Reference had been met. The OSC agreed with the HWBT&FG's recommendations; Cabinet agreed to amend one of the recommendations for clarification purposes and was happy to support all others. It was noted that the OSC would review progress against the recommendations in years one and three.

32. The Bexhill Town Centre Conservation Area Task and Finish Group (BTCCAT&FG) was established in November 2022 and met once in February 2023. The BTCCAT&FG reported back to OSC in March 2023 with various recommendations for onward recommendation to Cabinet, which were essentially not to publish a Technical Advice Note for windows in the Bexhill Town Centre Conservation Area and that the Conservation Area status be retained. The BTCCAT&FG also recommended that it be disbanded as its Terms of Reference had been met. The OSC agreed with the BTCCAT&FG's recommendations and Cabinet was happy to support most but amended one.
33. The Anti-Poverty Task and Finish Group (APT&FG) was reconvened in January 2023 to give consideration to voluntarily adopting the socio-economic duty to affirm the Council's commitment to preventing and combatting hardship, with particular considerations to any impact on those with protected characteristics as outlined in the Equality Act 2010. The APT&FG reported back to OSC in March 2023 and recommended that the Council adopted the socio-economic duty and that it be reflected in the new Corporate Plan. The OSC agreed with the APT&FG's recommendations and Cabinet was happy to support these, for onward recommendation to Council.

Overview and Scrutiny Chair's Statement

34. From the contents of this report, it is evident that this has been another busy and productive year for the OSC. As Chair, I am pleased with the progress that has been made in terms of improved scrutiny processes and comprehensive contributions from outside representatives. I would like to thank the Members of the Committee for their attendance and their input to the many debates that have taken place.
35. The Task and Finish Groups that we have established continue to do a lot of good work with regard to the individual tasks that they have been set. I would particularly like to thank the Members of these Task and Finish Groups, as well as outside representatives and officers for their time and input.
36. I would like to thank Councillor Mrs Vikki Cook, my Vice-Chair and Democratic Services, in particular Louise Hollingsworth, for their continued support throughout the year.

Risk Management

37. Failure to produce this report would be in breach of Article 6, paragraph 6.3. (d) of the Constitution.

| Other Implications | Applies? | Other Implications | Applies? |
|--------------------|----------|--------------------------|----------|
| Human Rights | No | Equalities and Diversity | No |
| Crime and Disorder | No | External Consultation | No |
| Environmental | No | Access to Information | No |
| Risk Management | Yes | Exempt from publication | No |

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|-------------------------|--|
| Chief Executive: | Malcolm Johnston |
| Report Contact Officer: | Louise Hollingsworth |
| e-mail address: | louise.hollingsworth@rother.gov.uk |

| | |
|----------------------------|------------------------------------|
| Appendices: | Appendix 1 – References to Cabinet |
| Relevant previous Minutes: | N/A |
| Background Papers: | N/A |
| Reference Documents: | N/A |

REFERENCES TO CABINET

From April 2022 until end March 2023, the Overview and Scrutiny Committee (OSC) referred the following reports to Cabinet:

25 APRIL 2022

1. **REVIEW OF THE CONSTITUTION, RECOMMENDATIONS OF THE CONSTITUTION REVIEW STEERING GROUP:**

Members received the report of the Chief Executive which detailed the recommendations of the Constitution Review Steering Group. Members were happy to support the recommendations to Cabinet.

Cabinet was supportive of the OSC's recommendations for onward recommendation to Council.

18 JULY 2022

2. **ANTI-POVERTY STRATEGY:** Members received and considered the report of the Head of Housing and Community which outlined the results of the six-week consultation (approved by Cabinet in March 2022) of the Anti-Poverty Strategy and recommended that the new Anti-Poverty Strategy be adopted. Members were happy to support the recommendations to Cabinet for onward recommendation to Council.

Cabinet was supportive of the OSC's recommendations.

29 SEPTEMBER 2022

3. **TECHNICAL ADVICE NOTES – FIRST HOMES AND 100% AFFORDABLE HOUSING:** Members received and considered the report of the Director – Place and Climate Change, which gave details of three Technical Advice Notes (TANs) to support the Adopted Development Plan (Core Strategy 2011-2028; Development and Site Allocations Plan (DaSa); and made Neighbourhood Plans), relating to First Homes, 100% Affordable Housing, and the Bexhill Town Centre Conservation Area. Members approved amended recommendations to Cabinet.

Cabinet noted the OSC's comments and approved amended recommendations to Council.

17 OCTOBER 2022

4. **ROTHER HEALTH, WELL-BEING AND LEISURE FACILITIES STRATEGY:** Members received the report of the Head of Neighbourhood Services and a presentation by the Managing Director of Strategic Leisure Limited, who had completed the independent market research and drafted the Strategy report, which outlined the draft Rother Health, Well-Being and Leisure Facilities

Strategy for Members' consideration, prior to public consultation. Members made a number of recommendations to Cabinet.

Cabinet was supportive of all but one of the Committee's recommendations, which was amended and subsequently approved.

5. **EAST SUSSEX TEMPORARY ACCOMMODATION POLICY:** Members received the report of the Head of Housing and Community which gave details of the East Sussex Temporary Accommodation Policy that had been written by the operational housing managers across all five districts and boroughs. Members recommended that the Policy be approved and adopted. The Policy outlined the standards applied to the size and location of Temporary Accommodation as well as the processes and procedures to follow.

Cabinet was supportive of the OSC's recommendation for onward recommendation to Council.

6. **ROTHER DISTRICT COUNCIL OWNED/LEASED ACCOMMODATION COMPLAINTS HANDLING POLICY:** Members received the report of the Head of Housing and Community which gave details of the proposed Rother District Council Owned / Leased Accommodation Complaints Handling Policy. The Policy would apply to all activity undertaken by Council staff or contractors that might be involved in property management and support of tenants and Members recommended it be approved and adopted.

Cabinet was pleased to acknowledge that the Policy was required as a direct consequence of the Council becoming a registered provider of accommodation and was supportive of the OSC's recommendation for onward recommendation to Council.

21 NOVEMBER 2022

7. **MEDIUM TERM FINANCIAL PLAN 2023/24 TO 2027/28:** Members considered the report of the Chief Finance Officer on the Council's Medium Term Financial Plan 2023/24 to 2027/28, which would be considered by Cabinet at their meeting on 12 December 2022. Members were happy to support all but one of the recommendations to Cabinet which was reworded to read 'officers develop proposals, which will enable the Council to maintain or replenish its level of Revenue Reserves to one third of net expenditure or £5m, whichever was the lesser.'

Cabinet was supportive of the OSC's recommendations but removed the wording 'or replenish' from the OSC's reworded recommendation.

8. **TEMPORARY CLOSURE OF RYE SWIMMING POOL:** Members received a presentation by the Chief Executive Officer of Freedom Leisure (FL), outlining the reasons for and the events leading up to the temporary closure of Rye Swimming Pool. FL had been operating the leisure centre service for Rother District Council (RDC) since 2006 and had two managing contracts – Bexhill Leisure Centre and Bexhill Leisure Pool until 31 March 2024 and Rye Leisure Centre until 31 March 2026.

Members were presented with a timeline of the events and discussions that had taken place, ultimately leading to the temporary closure of the swimming pool,

together with details of the financial impact and other measures and mitigations that had been taken by FL to offset the additional utility costs and financial pressures.

Members recommended that Cabinet consider that RDC continue to work with FL and Rye Town Council to explore options and that a report be brought to the OSC in the new year outlining the options available and their financial implications. Cabinet was supportive of the OSC's recommendations and added that officers continue to lobby local MPs and local government organisations.

23 JANUARY 2023

9. **DRAFT REVENUE BUDGET 2023/24 PROPOSALS:** The OSC considered the draft Revenue Budget which outlined the likely financial position and key issues that Members needed to consider as part of the budget setting process. The Committee had been requested to consider the draft budget and make recommendations to Cabinet, to be considered at its meeting on 6 February 2023.

Cabinet noted the OSC's comments and agreed to increase Council Tax at Band D by £5.22 (2.70%) per annum and set at £198.60.

10. **KEY PERFORMANCE TARGETS 2023/24:** The OSC considered the report of the Director - Place and Climate Change which gave details of the current Key Performance Indicators (KPIs) and their target levels of performance for the financial year 2022/23. It was intended to change the style of KPIs to better reflect indicators over which the Council had direct control and report other more wide-ranging factors through an annual state of the district report and the report invited Members to consider which of the proposed 25 KPIs for 2023/24, broken down into eight service areas, they wished to monitor.

After considerable discussion, Members felt unable to recommend which KPIs should be monitored, as the current performance for the proposed KPIs was not included within the report. Members therefore agreed to recommend all the suggested KPIs, with a couple of amendments, provided that Cabinet received details of the current performance to enable consideration of the proposed target in each case.

Cabinet was supportive of the KPIs and their performance targets recommended by the OSC for 2022/23, but amended two and added two to Planning and Development Management. It was acknowledged that the KPIs selected would adequately reflect a review of the Council's performance.

11. **ROTHER HEALTH AND WELL-BEING: LEISURE FACILITIES STRATEGY:** Members considered the report of the Head of Neighbourhood Services which outlined the results of the public consultation on the draft Health and Well-Being: Leisure Facilities Strategy for consideration and amendment, prior to final approval of the strategy by Cabinet and full Council.

The results were strongly supportive overall of the draft strategy and it was not considered necessary to change any of the recommendations, but for some

additional commentary be recommended to be added to paragraph 5.3 of the draft Strategy. Members were disappointed that Cabinet had not previously approved their suggested re-wording for Key Principle 2 of the Strategy that had put greater emphasis on RDC's role as a deliverer and agreed to recommend the rewording for a second time.

Cabinet was not supportive of the OSC's recommendation to amend the wording of Key Principle 2 but did support the recommendation to Council that the Strategy be approved and adopted as originally drafted, with additional commentary at paragraph 5.3.

12. **Review of the Housing, Homelessness and Rough Sleeping Strategy 2019-2024 (Part A):** Members received an update on the progress of the Improvement Delivery Plan of Priority 1 and Priority 3 of the Housing, Homelessness and Rough Sleeping Strategy 2019-2024 (Part A), together with an updated Improvement Delivery Plan and a summary of all the actions achieved since the Strategy's inception.

The OSC made recommendations to Cabinet to amend the Improvement Delivery Plan with proposed amended targets, which Cabinet was happy to support.

13. **Review of the Housing, Homelessness and Rough Sleeping Strategy 2019-2024 (Part B):** Members received an update on the progress of the Improvement Delivery Plan of Priority 2 of the Housing, Homelessness and Rough Sleeping Strategy 2019-2024 (Part B), together with an updated Improvement Delivery Plan and a summary of all the actions achieved since the Strategy's inception.

The OSC made recommendations to Cabinet to amend the Improvement Delivery Plan with proposed amended targets, which Cabinet was happy to support.

13 MARCH 2023

14. **RECOMMENDATIONS OF THE OFF-STREET CAR PARKS TASK AND FINISH GROUP:**

Members considered the report of the Off-Street Car Parks Task and Finish Group (OSCPT&FG) which summarised the work and final recommendations of the Group in reviewing the East Sussex County Council's (ESCC) response to the Civil Parking Enforcement's first annual review. The OSCPT&FG recommended various changes to car park signage and a proposed response on behalf of the Council to ESCC's response, for onward recommendation to Cabinet. The OSCPT&FG also recommended that it be disbanded as its Terms of Reference had been met.

The OSC agreed with the OSCPT&FG's recommendations and Cabinet was happy to support this.

15. **RECOMMENDATIONS OF THE HEALTH AND WELL-BEING TASK AND FINISH GROUP TASK AND FINISH GROUP:**

The Health and Well-Being Task and Finish Group (HWBT&FG) was established in September 2022, to examine the role that the Council took, through its policies, strategies, and operations support to promote the health and wellbeing of its residents. The HWBT&FG met five times between November 2022 and February 2023 and reported back to the OSC in March 2023 with various recommendations for onward recommendation to Cabinet, and that it be disbanded as its Terms of Reference had been met.

The OSC agreed with the HWBT&FG's recommendations; Cabinet agreed to amend one of the recommendations for clarification purposes and was happy to support all others. It was noted that the OSC would review progress against the recommendations in years one and three.

16. **RECOMMENDATIONS OF THE BEXHILL TOWN CENTRE CONSERVATION TASK AND FINISH GROUP:**

The Bexhill Town Centre Conservation Area Task & Finish Group (BTCCAT&FG) was established in November 2022 and met once in February 2023. The BTCCAT&FG reported back to OSC in March 2023 with various recommendations for onward recommendation to Cabinet, essentially not to publish a Technical Advice Note for windows in the Bexhill Town Centre Conservation Area and that the Conservation Area status be retained. The BTCCAT&FG also recommended that it be disbanded as its Terms of Reference had been met.

The OSC agreed with the BTCCAT&FG's recommendations and Cabinet was happy to support most but amended one.

17. **RECOMMENDATIONS OF THE ANTI-POVERTY TASK & FINISH GROUP:**

The Anti-Poverty Task and Finish Group (APT&FG) was reconvened in January 2023 to consider to voluntarily adopting the socio-economic duty to affirm the Council's commitment to preventing and combatting hardship, with particular consideration to any impact on those with protected characteristics as outlined in the Equality Act 2010. The APT&FG reported back to OSC in March 2023 and recommended that the Council adopted the socio-economic duty, that it be reflected in the new Corporate Plan.

The OSC agreed with the APT&FG's recommendations and Cabinet was happy to support these, for onward recommendation to Council.

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Rother District Council

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|---------------|---|--|
| Report to | - | Council |
| Date | - | 24 May 2023 |
| Report of the | - | Chief Executive |
| Subject | - | Appointment of Interim Chief Executive |

Recommendation: It be **RESOLVED:** That Lorna Ford, Deputy Chief Executive be appointed on an interim basis to the role of Chief Executive and Head of Paid Service until a substantive appointment is made and be also appointed as Returning Officer and Electoral Registration Officer for the same interim period.

Introduction

1. As Members will be aware, I am retiring from the Council at the end of May 2023, following the local elections and the establishment of the new Council.
2. A recruitment process is in place and about to commence but in the interim period the Council must have a Head of Paid Service, along with a nominated Returning Officer and Electoral Registration Officer. These roles currently are designated to me and my recommendation is that the current Deputy Chief Executive, Lorna Ford, is appointed into these roles on an interim basis until such time as the incoming Chief Executive takes up the role.
3. Lorna Ford is currently the Council's Monitoring Officer and legal advice has stated that she can remain in this role whilst designated as the Interim Chief Executive.

Malcolm Johnston
Chief Executive

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