

To all Members of the Council

10 May 2024

You are hereby summoned to attend the Annual Meeting of Rother District Council to be held on **Monday 20 May 2024** at 6:30pm at the Town Hall, Bexhill, 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, the Dean of Battle, the Reverend Lee Duckett.

1. The Chair (Mrs V. Cook) 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.

A councillor to move that Councillor Richard Thomas be elected as Chair of the Council. To be seconded. The Chair to ask if there are any other 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.

A councillor to move that Councillor Andrew Mier be appointed Vice-Chair of the Council. To be seconded. The Chair to ask if there are any other 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 meetings held on 26 February and 22 April 2024.
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 Mrs Vikki Cook 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 Leader of the Council to confirm that Councillors Christine Bayliss and Teresa Killeen have been appointed as Deputy Leaders of the Council.
21. The Leader of the Council to confirm that Cabinet will comprise the Leader and the following eight 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
Killeen (Deputy Leader)	Planning
Coleman	Community Safety, Wellbeing, Equalities and Age Friendly Communities and Member Training Champion
Field	Environmental, Joint Waste Contract, Licensing, and Climate Strategy
Jeeawon	Finance and Governance
McCourt	Housing
Rathbone Ariel	Digital Transformation and Customer Services
Timpe	Neighbourhood Services, Tourism and 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).

**Any supplementary verbal questions put will be audio recorded for ease of reproducing the minutes of the meeting*

**For details of the Council, it's elected representatives and meetings
 visit the Rother District Council Website www.rother.gov.uk**

22. The Leader of the Council to confirm that Councillors Field and Timpe have been appointed as the Council's representatives on the Joint Waste and Recycling Committee with Councillors Killeen and Rathbone Ariel as substitutes.
23. 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 and that Councillor Byrne remains the Arms Forces Champion and becomes a Cabinet Spokesperson for the Armed Forces.
24. 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.
25. To consider and approve as detailed in Appendix 1 (**TO FOLLOW**):
- 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.
26. Disclosure of Interests and Dispensations
- To receive any disclosures by Members of disclosable pecuniary interests / other registerable interests / non-registerable interests in matters on the agenda and the nature of any interest and details of any dispensations obtained. Members are reminded of the need to repeat their declaration immediately prior to the commencement of the item in question.
27. To receive the report of the Cabinet on matters for determination by the full Council at its meetings held on 4 March, 8 April and 13 May 2024, as under: (Pages 5 - 14)
- 4 March 2024**
- Purchase of Former Sidley Highways Depot Site, Elva Way, Bexhill and Food Waste Collections 'New Burdens' Capital Funding (CB23/73)
 - Capital, Investment and Treasury Management Strategy 2024/25 (CB23/74)
- 8 April 2024**
- Temporary Accommodation Investment Strategy and Temporary Accommodation Purchases (CB23/87)
 - Long Term Plan for Towns Funding For Bexhill 2024-25 (CB23/88)
 - Levelling Up Partnership Funding and Projects (CB23/89)
- 13 May 2024**
- High Weald AONB Management Plan 2024-2029 – **TO FOLLOW**

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28. 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 an urgent decision taken by Cabinet 19 March 2024. (Pages 15 - 16)
29. To receive the report of the Audit and Standards Committee on the following matters for determination by the full Council considered at its meetings held on 28 February and 25 March 2024, as under: (Pages 17 - 22)
28 February 2024
 - Amendment to the Constitution - Function of the Licensing and General Purposes Committee (AS23/52)
 - Amendment to the Constitution - Procurement and Virement Thresholds (AS23/53)**25 March 2024**
 - Proposed Change to the Decision-Making Structure – Reduction of Members Appointed to the Planning Committee (AS23/61)
30. To receive the report of the Chief Executive on the Appointment of Representatives to Outside Bodies. (Pages 23 - 34)
31. To receive the Annual Report of the Member Development Task Group. (Pages 35 - 40)
32. To receive the Annual Report of the Overview and Scrutiny Committee submitted in accordance with Article 6 of the Constitution. (Pages 41 - 52)
33. To receive the report of the Director - Place and Climate Change on the Delegations to Officers in respect of the Planning Service. (Pages 53 - 62)
34. In accordance with Council Procedure Rule 13, consideration be given to the Motion to Council submitted by Councillor Gray on Zane's Law. (Pages 63 - 64)

L Ford

Lorna Ford
Chief Executive

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

**Any supplementary verbal questions put will be audio recorded for ease of reproducing the minutes of the meeting*

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Rother District Council

Report to:	Council
Date:	20 May 2024
Title:	References from Cabinet
Report of:	Cabinet
Purpose of Report:	To receive the recommendations from the Cabinet meetings held on 4 March, 8 April and 13 May 2024 as set out below.

CABINET – 4 MARCH 2024**CB23/73. PURCHASE OF FORMER SIDLEY HIGHWAYS DEPOT SITE, ELVA WAY, BEXHILL AND FOOD WASTE COLLECTIONS ‘NEW BURDENS’ CAPITAL FUNDING**

Consideration was given to the report of the Head of Neighbourhood Services which sought approval to set aside capital funding to purchase the former Sidley Highways Depot at Elva Way to use as a waste depot and agree a lease with the waste contractor, and increase the Capital Programme to purchase suitable vehicles and containers to comply with Government legislation for the Council to deliver a weekly food waste collection service from 1 April 2026.

The Council formed part of the East Sussex Joint Waste Partnership (ESJWP) with Hastings Borough Council and Wealden District Council to deliver a waste collection service. The contract was outsourced to Biffa Municipal Limited until June 2026 and included an option to extend to 2033 with the ability to introduce food waste collections. However, the contract did not require Biffa to provide depot space.

Members were advised that the current depot facilities would not have the capacity to accommodate the additional vehicles for the collection of food waste and therefore it was critical that an additional suitable depot space was identified and acquired. Unfortunately, at present the Council did not own a suitable site. Alternative options were also considered, such as land purchase etc. as identified within the report. However, the site at Elva Way owned by East Sussex County Council (ESCC) became available and was considered suitable, subject to planning permission and operating licences, as it had previously been used as a highways depot.

The site was not leasable, and Biffa had confirmed that it was suitable for a waste depot, however further investment would be required to make it fit-for-purpose. It was considered that as the land had been used as a waste depot previously, obtaining necessary operators' licences would be relatively straightforward, and although not large enough to accommodate the whole Rother service, it would offer future potential to deliver an in-house waste collection service. The Council had been

given the opportunity to purchase the land at an agreed price, prior to it being advertised on the open market, and subject to the transaction being completed as soon as possible. A request for depot 'New Burdens' funding was sent to the Department for Environment, Food and Rural Affairs (DEFRA) on 8 February 2024 based on the purchase of the site, however funding was not guaranteed.

DEFRA funding has been made available, subject to ministerial approval for councils to purchase food waste vehicles and containers. For Rother, this would amount to £1.42m (£716,000 vehicles / £326,000 containers). Funding was expected to be received before 31 March 2024. However, it would not be sufficient to cover all costs and the ESJWP would shortly be submitting evidence to DEFRA to request additional funding.

After discussion, Cabinet felt that the former Sidley Highways Depot at Elva Way would be suitable to operate the waste collection services and provided long-term investment opportunity for the Council. Some residents were concerned at the potential for disturbance due to the proximity of their gardens that backed on to the site, however all necessary steps would be taken to mitigate against any disruption. Members were also reassured that localised employment opportunities would be realised.

It was therefore, recommended that the Capital Programme be increased to purchase and refurbish the site, as well as £1.42m, plus an additional £300,000 to implement the weekly food waste collections and cover the shortfall. Delegated authority was also granted, as requested, to adjust finances as required and to complete the purchase to ensure that the site was fully operational by 1 April 2026.

At the conclusion of the debate on this item, the Leader paid tribute to and gave thanks to Madeleine Gorman, Waste Partnership Manager who would be retiring in the near future. Madeleine had worked at Rother District Council for many years as a Head of Service before taking on the role of Partnership Manager for the Joint Waste, Recycling, Beach & Street Cleaning Partnership contract. Her expertise, detailed knowledge and partnership management would be greatly missed.

RECOMMENDED: That:

- 1) the Capital Programme be increased by £1.75m for the purchase and refurbishment of the former Sidley Highways Depot, Elva Way; and
- 2) the funding from the Department of Environment Food and Rural Affairs for the implementation of weekly food waste collections of £1.42m be added to the Capital Programme plus a further amount of £300,000 be approved to cover the funding shortfall.

Cabinet also **RESOLVED:** That delegated authority be granted to the Director - Place and Climate Change, in consultation with the Cabinet Portfolio Holder for Neighbourhood Services, Tourism and Joint Waste Contract:

- 1) to complete the purchase of former Sidley Highways Depot, Elva Way and complete all necessary procurement and refurbishment to make the site operational as a waste depot from 1 April 2026;
- 2) to take the necessary steps to agree a lease of the former Sidley Highways Depot to the Waste, Recycling, Street & Beach Cleansing Contractor Biffa; and
- 3) delegated authority be granted to the Deputy Chief Executive, in consultation with Cabinet Portfolio Holder for Finance and Governance, to adjust the financing should further central Government funding for the depot site and food waste collections be made available.

(Councillors Field, Mrs Kirby-Green and Maynard each declared an Other Registrable Interest in this matter in so far as they were Members of East Sussex County Council (ESCC) and as the matter directly related to the finances of the ESCC, in accordance with the Members' Code of Conduct left the meeting during the consideration thereof.)

(Cabinet Agenda Item 8)

CB23/74.

CAPITAL, INVESTMENT AND TREASURY MANAGEMENT STRATEGY 2024/25

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. Detailed at Appendices B-G to the report were the Treasury Management Strategy, Credit and Counterparty Risk, Scheme of Delegation and Role of Section 151 Officer, as well as the Annual Investment Strategy.

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 were scrutinised by the Audit and Standards Committee (ASC) prior to making recommendations to 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 expectation was that 2024/25 would see a return to some sort of stability in the investment environment following the turbulences resulting from the post-pandemic economic climate and spiralling levels

of inflation. The strategies proposed in the report, together with the interest rates forecast, were in line with the assumptions made when preparing the 2024/25 Revenue and Capital Budgets. The costs of treasury operations were contained within the 2024/25 Revenue Budget.

RECOMMENDED: That:

- 1) the Capital Strategy as set out at Appendix A to the report be approved and adopted;
- 2) the Treasury Management Strategy as set out at Appendix B to the report be approved and adopted;
- 3) the Annual Investment Strategy as set out at Appendix C to the report be approved and adopted;
- 4) the Minimum Revenue Provision Policy Statement 2024/25 be approved as submitted;
- 5) the Prudential and Treasury Indicators as set out within the report be approved;
- 6) the authorised limits in the report be approved; and
- 7) delegated authority be granted to the Deputy Chief Executive (Section 151 Officer), in consultation with the Cabinet Portfolio Holder for Finance and Governance to further develop guidance in relation to non-treasury investments in line with best practice.

(Cabinet Agenda Item 10)

CABINET – 8 APRIL 2024

CB23/87. **TEMPORARY ACCOMMODATION INVESTMENT STRATEGY AND TEMPORARY ACCOMMODATION PURCHASES**

Cabinet considered the report of the Head of Housing and Regeneration which sought approval for additional funding to purchase Temporary Accommodation (TA) properties for homeless households and to amend the Council's Temporary Accommodation Investment Strategy (TAIS). Since its inception in 2019, the TAIS had been successful and achieved all aims and objectives set. The Housing Team now possessed the knowledge, experience, and skills to effectively purchase, refurbish, and manage the Council's own TA. Service improvements would be ongoing.

To date, the Council had spent c£5.4m and was forecast to spend a further c£6m in 2023/24 which left an unallocated balance of approximately £1.1m in 2024/25. To date, 30 general needs TA units and 12 Housing First units had been purchased, with a further seven units due to be completed shortly.

The actual costs avoided by the Council annually, based on 30 general needs TA units, was £390,000. The increased cost avoidance was

supported by the Council becoming a Registered Provider (RP), which enabled eligibility for additional funding. In total, the Council had secured approximately £3.5m additional funding. Homes England grant schemes could provide up to 30% match-funding against future Council investment.

As of February 2024, 172 households in TA were funded from the Council's Revenue Budget. At present, a further investment of £9m meant that 50 units could be purchased and avoid further costs of £564,000 annually (a return investment of 6.3%). It was noted that properties purchased with grant funding must be used for TA for 30 years. The Council could dispose of these properties later; however, a proportion of the funding must be paid back.

The average net cost to the Council of TA through private providers, per size of household, was illustrated in Appendix A to the report. The average length and cost of stay in TA was 70 (£3,266) and 80 (£5,005) days for single people and families, respectively. Based on a 2-bed house Council-owned property, an annual cost would be £6,813 compared to £16,860 private rented property.

The report outlined the investment over the next 5-6 years, which identified the costs that could be avoided by using Council-owned properties. At present, the forecast indicated an impact of £68,000 2024/25, £204,000 2025/26 and £341,000 2026/27 onwards. Reserves would need to be used to fund the TA costs. Costs monitoring would be ongoing.

Members were advised that the financial assessment should be read in conjunction with the TAIS at Appendix B to the report, which outlined the approximate number and types of property the Council would target for use as TA alongside how these properties would be purchased, managed, repaired and maintained. It was noted that despite the national picture, empty homes were not such an issue in the Rother district and the Council's Empty Homes Steering Group was proactive in identifying and working with these properties / owners; it was second home ownership and the prevalence of internet-based holiday lettings which were more of a concern.

Cabinet was supportive of the proposals in the report, which would reduce the drain on the Council's resources, ensure decent homes standards were maintained for TA and improve the Council's asset base. Cabinet paid tribute to the work of the Housing Team, particularly now that the expertise and experience to manage properties was in-house.

RECOMMENDED: That:

- 1) the amended Temporary Accommodation Investment Strategy be approved;
- 2) the current 'Housing - Temporary Accommodation Purchase' capital budget of £12.476m be increased by a further £12m to enable the acquisition of additional temporary accommodation, to be funded by

£9m of borrowing and £3m anticipated grant provision from Homes England;

- 3) the additional revenue impact for 2024/25 of £68,000 be approved, to be funded from reserves if service savings are not forthcoming and that the future estimated revenue impacts be noted;
- 4) delegated authority be granted to the Head of Housing and Regeneration to complete property purchases as required, in consultation with Section 151 Officer;
- 5) delegated authority be granted to the Head of Housing and Regeneration to receive Capital Grant Awards to support the purchase of temporary accommodation, in consultation with Section 151 Officer; and
- 6) delegated authority be granted to the Head of Housing and Regeneration to make amendments to the Temporary Accommodation Investment Strategy from time to time in consultation with the Cabinet Portfolio Holder for Housing.

(Cabinet Agenda Item 7)

CB23/88.
(8)

LONG TERM PLAN FOR TOWNS FUNDING FOR BEXHILL 2024-25

Cabinet considered the report of the Head of Housing and Regeneration which sought approval for the Long-Term Plan for Towns (LTPT) grant funding to be formally received by the Council and added to the Council's Revenue and Capital budgets. The funds would be provided directly to each delivery organisation following approval by the Bexhill Town Board.

The LTPT was a government initiative administered through the Department of Levelling Up and Communities (DLUHC). It was a regeneration initiative that aimed to support improvements to UK towns, boosting economic growth, improving infrastructure, enhancing social well-being and reducing disparities in areas most in need.

The total grant allocation over the 10-year period of LTPT was £19.510m across revenue and capital. £50,000 revenue funding had been paid in 2023/24, as initial capacity funding for the Council to do the work necessary to establish the Town Board by 1 April 2024. The provisional revenue allocation for 2024/25 was £449,000, the remaining £4,075,000 revenue funding was split across the budget years 2025/2034. The capital allocation totalled £14.936m between 2024 and 2034, with exact spend to be decided through the Town Board. It was noted that the allocation of funding was to the whole of Bexhill within the municipal boundary, including Little Common and Sidley.

The decision-making body for funding priorities would be the new local decision-making body – the Bexhill Town Board. The LTPT guidance stated that the Town Board should involve people from the local community, including businesses, working with central and local government representatives to identify and address regeneration

priorities. The Council would be the accountable body for the spend, as well as having a representative on the Town Board and was likely to become a delivery partner for some projects.

The funding would be released by DLUHC subject to a 10-year vision statement and 3-year investment plan. The Levelling Up Partnership Manager, supported by Council Senior Managers and Members, would work with the Town Board to develop both the vision statement and the investment plan, drawing on learning from direct community engagement. The 10-year vision and 3-year, evidence-based, investment plan must have formal Town Board approval.

DLUHC required the establishment of the Town Board by 1 April 2024, with a Chair and Membership identified and with draft Terms of Reference developed for consideration by the Board. The recently appointed Levelling Up Partnership Manager would support the Chair and the Membership and the meetings of the Town Board and any required sub-groups. They would also lead on community engagement, drawing in the expertise of colleagues and partners as appropriate. It was recognised that this new way of working would be challenging for the community and business sectors who would be the decision makers, via the Town Board.

A full economic and social impact assessment would be undertaken for the Town Board programme, alongside that for the Levelling Up Partnership projects funding (elsewhere on the agenda). This would be completed by 1 August 2024 as part of developing the evidence based 3-year investment plan.

The LTPFT governance arrangements would need to provide the Council with a level of assurance that satisfied its position as accountable body for the grant and minimise financial risks to the Council. Members noted that the governance arrangements were subject to change as the Council collaborated with stakeholders to ensure that it was able to achieve the assurances it needed as the accountable body. This was a fast-moving initiative with a complex relationship between its different elements and regular updates would be provided.

Cabinet was delighted to agree that the LTPT grant funding be formally received by the Council and added to the Council's Revenue and Capital budgets. Members agreed to grant delegated authority to the Chief Executive, in consultation with the Section 151 Officer, for approval of the governance arrangements when finalised. Members also agreed to grant delegated authority to the Head of Housing and Regeneration to enter into relevant agreements with third party entities, as agreed by the LTPT Board and for the purposes of delivering the programme, in consultation with the Cabinet Portfolio Holder for Finance and Governance.

RECOMMENDED: That £14.936m (2024/2034) be added to the Capital Programme and phased in-line with the 10-year drawdown schedule, for the Long Term Plans for Towns. Additionally, £449,000 revenue funding for 2024/25 only.

Cabinet also **RESOLVED:** That:

- 1) the receipt of £0.94m grant funding from the Department of Levelling Up Housing and Communities' Long-Term Plan for Towns Fund in 2024/25 as detailed in the report, be approved;
- 2) the Councils' role as the accountable body for the Long-Term Plans for Towns and delegated authority be granted to the Chief Executive, in consultation with the Section 151 Officer, for approval of the governance arrangements when finalised, be accepted; and
- 3) delegated authority be granted to the Head of Housing and Regeneration to enter into relevant agreements with third party entities, as agreed by the Long-Term Plans for Towns Board and for the purposes of delivering the programme, in consultation with the Cabinet Portfolio Holder for Finance and Governance.

(Cabinet Agenda Item 8)

CB23/89. **LEVELLING UP PARTNERSHIP FUNDING AND PROJECTS**

Cabinet considered the report of the Director – Place and Climate Change which sought approval for the Department of Levelling Up, Housing and Communities (DLUHC) grant funding for the Levelling Up Partnership Programme 2024/25 to be formally received by the Council and added to the Council's Revenue and Capital budgets. The funds would be provided to delivery organisations in-line with decisions made by DLUHC.

This funding was separate to the funding previously reported (the Levelling Up Fund), which was allocated by DLUHC to the De La Warr Pavilion and Sidley; it was a range of capital and revenue projects Rother-wide to boost economic growth and community infrastructure across the district.

Whilst the Council was consulted regarding strategic priorities, the final decisions on which projects would be allocated funding, and the amounts provisionally awarded, were made by DLUHC as a result of direct liaison with community and business projects and representatives. The grant award was for 2024/25 spend and contained both Capital and Revenue funding.

The prospective deliverers of the funded projects and project overviews were found at Appendix A to the report; projects needed to be delivered by March. DLUHC had also funded several other projects, for which East Sussex County Council was the accountable body and these were listed for information at the end of Appendix A to the report.

Reporting of delivery progress and spend to DLUHC would be undertaken by the Levelling Up Partnership Manager, approved by the Director – Place and Climate Change, in line with DLUHC grant agreement requirements to be advised. All projects would be screened and assessed, if necessary, under Subsidy Control regulations and an

initial communications plan had been developed with the Marketing Communications Account Manager.

A full economic and social impact assessment would be undertaken for the Levelling Up Partnership (LUP) programme, alongside that for the 3-year investment plan for the Bexhill Town Board (elsewhere on the agenda). This would be ongoing and completed by 1 August 2024.

The Council would be the accountable body for the LUP funded projects. Grant agreements between the Council and each individual grant recipient would make clear the terms under which the grant was awarded and minimise any risk to the Council as accountable body; however, given the complexity of this programme which covered 13 distinct projects, it was important that a robust programme management and performance monitoring approach was followed, to ensure the terms of the grant agreements were met.

The award of LUP funding represented much needed investment in community building infrastructure and capacity building, that underpinned social capital and reduction in social and health inequalities. Cabinet was delighted to receive this funding from Government, although some rural Members were disappointed at the allocation of projects supported and felt that the rural areas, which also had significant levels of poverty, had been overlooked. It was noted that officers and political leaders had promoted projects across the whole of the district and the issues pertaining to the rural areas had been highlighted.

Cabinet was pleased and enthusiastic to receive the LUP funding, allocated by DLUHC for projects across Rother, being added to the 2024/25 Capital Programme and Revenue Budgets and agreed that, subject to full Council approval of the programme of projects outlined in the report, the Director – Place and Climate Change be granted delegated authority to agree terms and conditions of the grant, in consultation with Cabinet Portfolio Holder for Regeneration and Economic Development.

Cabinet also agreed that delegated authority be granted to the Director – Place and Climate Change, in consultation with legal colleagues and the Council's Section 151 Officer, to extend Levelling Up Partnership grant funds to third party entities via individual grant agreements.

RECOMMENDED: That the Levelling Up Partnership funding allocated by the Department of Levelling Up, Housing and Communities for projects across Rother be added to the 2024/5 Capital Programme and Revenue Budgets at the amounts £18.080m and £0.410m, respectively.

Cabinet also **RESOLVED:** That:

- 1) subject to full Council approval of the programme of projects outlined in this report, the total of £18,490,000 Levelling Up Fund be accepted, and the Director – Place and Climate Change be granted delegated authority to agree terms and conditions of the grant, in

consultation with Cabinet Portfolio Holder for Regeneration and Economic Development;

- 2) delegated authority be granted to the Director – Place and Climate Change, in consultation with legal colleagues and the Council's Section 151 Officer to extend Levelling Up Partnership grant funds to third party entities, as decided by the Department of Levelling Up, Housing and Communities allocation advice, via individual grant agreements; and
- 3) the Councils' role as the accountable body for the Levelling Up Partnership be noted.

(Cabinet Agenda Item 9)

CABINET – 13 MAY 2024 – TO FOLLOW

Councillor D.B. Oliver
Leader of the Council

Report Author Contact Officer:	Prepared by Democratic Services Manager Lisa Cooper
e-mail address:	lisa.cooper@rother.gov.uk
Appendices:	A – Capital Strategy (See Cabinet Report 4 March) B – Treasury Management Strategy (See Cabinet Report 4 March) C – Annual Investment Strategy (See Cabinet Report 4 March)
Relevant Previous Minutes:	NONE
Background Papers:	NONE
Reference Documents:	NONE

Rother District Council

Report to:	Council
Date:	20 May 2024
Title:	Decisions taken as a matter of urgency at Cabinet Meetings
Report of:	Lorna Ford, Chief Executive
Purpose of Report:	To receive the report of Cabinet, in accordance with paragraph 17 (a) of the Overview and Scrutiny Procedure Rules on a decision taken as a matter of urgency at its meeting held on 19 March 2024.

CABINET – 19 March 2024**CB23/82. PAY AWARD DISPUTE RESOLUTION**

Consideration was given to the confidential report of the Chief Executive and Interim People Programme Manager, which outlined the revised pay offer for 2023/24 made to UNISON on 6 March 2024, for Cabinet's approval. The current dispute had arisen following the HR Committee's decision on 30 August 2023 to confirm a final pay offer of 3% with effect from September 2023.

Cabinet was asked to approve the final offer made to UNISON on 6 March 2024, detailed at paragraph 18 in the report.

After some discussion, Cabinet agreed the recommendations proposed and thanked officers for their work in the negotiations, highlighting that Cabinet recognised the workforce was the organisation's greatest asset. A more strategic approach to pay awards and a review of the pay structure would be taken moving forward, engaging with staff on a People Strategy.

RESOLVED: That the recommendations be approved as submitted.

(This matter was considered exempt from publication by virtue of paragraph 4 of Schedule 12A of the Local Government Act 1972, as amended).

(The Chair of Council had agreed that this decision could be taken as a matter of urgency to enable the Council to resolve the current pay dispute as soon as possible).

(The Chair of the Overview and Scrutiny Committee had agreed that this key decision which had not been included on the Cabinet's Forward Plan of Key Decisions could be taken at this meeting in accordance with Access to Information Rule 15 (Key-Decisions - Special Urgency).

(Cabinet Agenda Item 6)

Lorna Ford
Chief Executive

Report Author Contact Officer:	Prepared by Democratic Services Manager Lisa Cooper
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Appendices:	NONE
Relevant Previous Minutes:	NONE
Background Papers:	NONE
Reference Documents:	NONE

Rother District Council

Report to:	Council
Date:	20 May 2024
Title:	References from Audit and Standards Committee
Report of:	The Chair of Audit and Standards Committee
Purpose of Report:	To receive the recommendations from the Audit and Standards Committee meetings held on 28 February and 25 March as set out below.

AUDIT AND STANDARDS COMMITTEE – 28 FEBRUARY 2024**AS23/52. AMENDMENT TO THE CONSTITUTION - FUNCTION OF THE LICENSING AND GENERAL PURPOSES COMMITTEE**

Members received the report of the Chief Executive that presented a necessary amendment to the Constitution for approval and adoption concerning the functions of the Licensing and General Purposes (L&GP) Committee.

In November 2023, the Department for Transport published Taxi and Private Hire Vehicle Licensing Best Practice Guidance for licensing authorities in England. The guidance confirmed that, unlike most licensing functions, the setting of fares that hackney carriages licensed by the authority could charge was an executive function and should therefore be determined by Cabinet and not the L&GP Committee.

The L&GP Committee had undertaken this function since the introduction of the Cabinet system in 2001, as an optional (local choice function) at that time. However, following confirmation within the published guidelines that this was an executive function, Members of the Committee were happy to recommend the removal of this function from the L&GP Committee.

RECOMMENDED: That the functions of the Licensing and General Purposes Committee at Part 3 of the Constitution be amended by the removal of the setting of the Hackney Carriage Fares.

(Audit and Standards Committee Agenda Item 9)

AS23/53. AMENDMENT TO THE CONSTITUTION - PROCUREMENT AND VIREMENT THRESHOLDS

Members received the report of the Interim Deputy Chief Executive that presented two proposed amendments to the Constitution concerning the procurement thresholds and the virement limits, which would improve the efficiency and speed of decision making.

Officers considered that the current thresholds were too low and should be raised to both increase the speed at which contracts could be secured and commenced and reduce the administrative burden required in terms of quotation and tender exercises for what were comparatively low contract values. These changes would also reduce the need for procurement exemptions which also added to the administrative burden. In addition, the changes would bring the Council's thresholds into line with the local government reporting requirements for Contracts Finder, the central Government procurement portal.

It was also recommended to introduce the ability for the Chief Executive Officer, in consultation with the Leader of the Council, to be given authority to sign off concession and construction contracts under £200,000.

Following the end of the BREXIT Transition Period, the EU procurement regulations were amended to address deficiencies arising from the UK's withdrawal from the EU. The current thresholds applicable to local authorities were outlined in the report (due to be updated from January 2024) and now included VAT whereas previously they did not.

New updated legislation was expected to be brought into force during the current calendar year and the Procurement Hub was looking to provide a further, more detailed update to the Procurement Procedure Rules in the autumn. It was therefore recommended that delegated authority was granted to the Deputy Chief Executive (Section 151) in consultation with the Cabinet Portfolio Holder for Finance and Governance to ensure that any further changes to reflect the recommendations could be progressed.

The proposed changes to the Council's budget virement limits effectively doubled the current limits and would provide officers with additional flexibility in terms of operational budget decisions without having the need to revert to Committee. The changes related to virements which were movements within the agreed budget and reserve policy framework and would not allow officers to make changes outside of the framework. The proposed changes to 4-6 Financial Procedure Rules (B3 – B6) were listed in the report for Members' consideration and had been discussed with a number of key stakeholders.

Members were happy to recommend the proposed changes as outlined in the report as this would result in significant efficiency savings for officers.

RECOMMENDED: That:

- 1) the procurement thresholds as outlined within paragraphs 6 and 7 of the report be approved;
- 2) delegated authority is provided to the Deputy Chief Executive (Section 151) in consultation with the Cabinet Portfolio Holder for Finance and Governance to ensure that any further changes to reflect the recommendations made in (1) above can be progressed; and

- 3) the virement thresholds as outlined within paragraph 15 of the report be approved.

(Audit and Standards Committee Agenda Item 10)

AUDIT AND STANDARDS COMMITTEE – 25 MARCH 2024

AS23/61. PROPOSED CHANGE TO THE DECISION-MAKING STRUCTURE – REDUCTION OF MEMBERS APPOINTED TO THE PLANNING COMMITTEE

Members received the report of the Chief Executive which outlined the proposed reduction of Members appointed to the Planning Committee (PC) from 14 Members to 10, subject to full Council approval at the Annual Council Meeting. In order for this approval to be sought, the tight timescale meant that it had not been possible to consult formally with the PC ahead of this meeting and this would therefore take place informally via MS Teams in due course and their views submitted to the Annual Council Meeting, as part of the reference from this Committee.

The PC comprised of 14 Members, which was a medium to large Committee, and had been that size for 20 years, reducing from 15 to 14 in December 2003. Members were appointed in accordance with political balance, which was currently broken down as four Conservative Members, three each for the Rother Association of Independents, Labour and Liberal Democrats and one Green.

There was also a high number of Cabinet Members either acting as Substantive (three) or Substitute (four) Members on the PC which was inadvisable. The Cabinet and PC role could regularly clash, particularly if the portfolio was relevant to a particular application or if an application had a positive or negative impact on the Council's corporate priorities or land.

The time and commitment required by Members of the PC could not be underestimated and the number of Members who could dedicate their time to the role was therefore limited. Since the introduction of the public speaking scheme in its present form, the length of meetings had also increased, and on some occasions, had been over six hours in length.

The most effective PCs tended to be smaller, under 10 Members. In comparison to 16 other councils across the south east, 13 had less than 14 Members, with six of these having 10 or less Members. It was therefore recommended that the number of Members appointed to the PC be reduced from 14 to 10. The number of Members appointed by each political group, would be reduced by one per group (save for the Green Party who would retain their existing seat) and each political party would have a named substitute as per the current substitute scheme. During the debate, the following points were noted:

- concerns were raised about not allowing any Cabinet Members on the PC, particularly from the smaller parties, as this would leave a limited number of their Members available to act as either substantive or substitute Members;

- consideration should be given to not allowing certain Cabinet posts with portfolios that included planning, housing and possibly environmental issues;
- politics should not play a part in the PC, but more weight given to a balanced split between rural and urban Members, due to the varied topography of the district. This should be set out in the Constitution;
- the PC should also comprise of representatives from the smaller towns;
- a broader discussion was required by the PC and other Members, with the views from those discussions, plus the views of the Audit and Standards Committee, taken to full Council in May. An informal meeting would take place over MS Teams and would be open to all Members;
- the Cabinet Member for Planning should not be Chair of the PC;
- if there was not to be a blanket ban on all Cabinet Members acting as substantive or substitute Members of the PC, then individual portfolios to be banned should be specified in the Constitution;
- Members on the Board of the Housing Company and any future Council owned company should not be on the PC;
- environmental issues affected the Council as a whole, so should not restrict the Cabinet Portfolio Holder from acting as a Member of the PC; and
- consideration should also given to the Leader not acting as a Member of the PC.

After the discussion, the Committee recommended that the PC be reduced by up to four Members and the decision on the final number be taken at full Council, once the views of the PC and other Members were considered. Regard should be given to the rural / urban balance due to the varied topography of the district, plus representation of the smaller towns. Finally, in order to respect probity in planning, the Committee also recommended that the Cabinet Portfolio for Planning should not take the position of Chair of the PC.

RECOMMENDED: That:

- 1) the number of Members appointed to the Planning Committee be reduced by up to four, the final number to be decided by full Council, to take effect from the first meeting in the new civic year 2024-25 (30 May);
- 2) regard be given to the rural / urban balance of the Planning Committee Members, due to the varied topography of the district, plus representation of the smaller towns;
- 3) the Chair of the Planning Committee not to also be the Cabinet Portfolio for Planning;
- 4) the views of all Members be sought at an informal MS Teams meeting in due course and comments received alongside the reference from this Committee; and

- 5) the Chief Executive be authorised to make all necessary amendments to the Council's Constitution to reflect the new size of the Committee, subject to full Council approval.

(Audit and Standards Committee Agenda Item 5)

Councillor B.J. Drayson
Chair, Audit and Standards Committee

Report Author Contact Officer:	Prepared by Democratic Services Manager Lisa Cooper
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Appendices:	NONE
Relevant Previous Minutes:	NONE
Background Papers:	NONE
Reference Documents:	NONE

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Rother District Council

Report to: Council

Date: 20 May 2024

Title: Appointments of Representatives to Outside Bodies

Report of: Lorna Ford, Chief Executive

Purpose of Report: Appointments be made to the Outside Bodies attached at Appendices 1 and 2 and to remind Members of the need to report annually on the Outside Bodies to which they are appointed.

Officer

Recommendation(s): It be **RESOLVED:** That:

- 1) appointments be made to the Outside Bodies attached at Appendices 1 and 2 for a term of three years, expiring in May 2027 and attendance be designated as an approved duty; and
- 2) 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 2024/25 civic year. It also shows the name(s) of the current representatives that were appointed for the last municipal year.
3. In order to reduce bureaucracy in future years it is proposed that appointments to Outside Bodies are made for the 4-year term of office following the ordinary elections. To this end it is recommended that all appointments made at this meeting are to the end of the current term of office, i.e. May 2027.

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 will be the Council's representative on the Sussex Regional Residents 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.

6. Attached at Appendix 3 is a list of the Outside Bodies that do not require an appointment to be made this year, as these appointments are of a longer duration – this is therefore for information only.

Considerations

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. Five 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. Since appointments to Outside Bodies were made in May 2023, Connecting Hastings and Rother Together was removed from the Council's list of approved Outside Bodies on 1 July 2023, due to cessation of the project on 30 June 2023. This was approved at the Annual Council Meeting in May 2023.

Additions to the List

12. **Bexhill Maritime:** In July 2023, full Council agreed to the appointment of a representative to Bexhill Maritime, an organisation made up of residents from the local community who have been working on a project to create a Maritime Coastal Environment Centre at the far end of the Bexhill-on-Sea promenade, since 2019.
13. **Rural Services Network:** In July 2023, full Council agreed to the appointment of a representative and substitute to the Rural Services Network, a membership organisation (to which Rother District Council is currently a member of) that exists as the national champion for rural services. The organisation campaigns on behalf of its membership for fair funding for rural

areas and works to share best practice and network across its wide membership.

14. **Bexhill Festival of Music:** In February 2024, full Council agreed to the appointment of a representative to Bexhill Festival of Music, founded in 2007 to further Bexhill's identity as a cultural destination, celebrate the rich talent of its community, engage education as a core element, bring world class performers, increase local and regional tourism and strengthen the economic impact within the town.

Reports on Outside Bodies

15. 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.
16. 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.

Corporate Plan and Climate Strategy / Action Plan

17. Not applicable.

Financial Implications

18. There are no Financial Implications for the proposals within this report.

Legal Implications

19. There are no Legal Implications for the proposals within this report.

Human Resources Implications

20. There are no Human Resource implications for the proposals within this report.

Human Rights

21. There are no Human Rights implications for the proposals within this report.

Crime and Disorder

22. There are no Crime and Disorder implications for the proposals within this report.

Environmental

23. There are no Environmental Implications for the proposals within this report.

Risk Management

24. Failure to appoint representatives to Outside Bodies may result in the loss of conduit between the Council and the respective external organisations.

GDPR / Data Protection

25. There are no GDPR / Data Protection implications for the proposals within this report.

Equalities, Diversity and Inclusion

26. There are no Equalities, Diversity, Inclusion Implications for the proposals within this report.

Socio Economic Duty

27. There are no implications for the Council under its' Socio Economic Duty for the proposals within this report.

Exempt from publication

28. This report is not confidential.

Conclusion

29. Members are requested to consider each Outside Body that requires an appointment and appoint thereto in order to maintain conduit between the Council and the respective external organisations.

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Appendices:	1 Appointments Required 2024/25 2 Reserved Appointments 2024/25 3 No Appointments Required 4 Members' Comments 5 Members' Reports
Relevant Previous Minutes:	None
Background Papers:	None
Reference Documents:	None

APPOINTMENTS REQUIRED

OUTSIDE BODY	DETAILS OF APPOINTMENTS IN 2023/24	APPOINTMENT REQUIRED FOR 2024/25 (PROPOSED NOMINEE/S IN BOLD)
Battle Abbey Liaison Group (formerly the Battle Abbey Advisory Group)	Councillor Cook	One appointment required Propose Cook
Bexhill Maritime	Councillor Timpe	One appointment required Propose Timpe
Combe Valley Community Interest Company	Councillor Pearce	One appointment required Propose Pearce
Dungeness Power Station Site Stakeholders Group	Councillor McGurk (Substitute: Councillor Osborne)	One appointment and one substitute appointment required Propose McGurk Sub: Osborne
East Sussex Health and Wellbeing Board (Must not be the same as the East Sussex Heath Overview and Scrutiny Committee)	Councillor Killeen	One appointment required Propose Killeen
Hastings and Bexhill Renaissance Ltd (SeaSpace)	Councillor Bayliss	One appointment required Propose Bayliss
Hastings and Rother Furniture Service (SLA)	Councillor Coupar	One appointment required Propose Coupar
Local Government Association – Coastal Issues Special Interest Group	Councillor Mier (Substitute: Councillor Osborne)	One appointment and one substitute appointment required Propose Mier Sub: Osborne
Pevensey and Cuckmere Water Level Management Board	Councillor Thomas	One appointment required Propose Thomas
Romney Marshes Area Internal Drainage Board	Councillors Creaser, Mier, Osborne, Prochak, Mr Hoggart, Mr Lovejoy and Mr Oliver	Seven appointments required Propose Creaser, Mier, Osborne, Prochak, Mr Hoggart, Mr Lovejoy

OUTSIDE BODY	DETAILS OF APPOINTMENTS IN 2023/24	APPOINTMENT REQUIRED FOR 2024/25 (PROPOSED NOMINEE/S IN BOLD)
		and Mr Oliver
Romney Marsh Partnership	Mr Harris	One appointment required Propose Mr Harris
Rural Rother Trust	Chair of Council – Councillor Cook (R), Vice-Chair of Council – Councillor Thomas (R), and Councillors Ganly, Mrs Kirby-Green, Mier and Prochak.	Five appointments required Chair of Council (R) , Vice-Chair of Council (R) , and Propose Councillors Mrs Cook, Ganly, Mrs Kirby-Green, Mier and Prochak.
Rural Services Network	Councillor Oliver (Substitute: Councillor Prochak)	One appointment and one substitute appointment required Propose Oliver Sub: Prochak
Rye Chamber of Commerce	Councillor Bayliss	One appointment required Propose Bayliss
Rye Harbour Nature Reserve Management Committee (SLA)	Mr Harris and Mr Lloyd (Substitute: Mr Hoggart)	Two appointments and one substitute appointment required Propose Mr Harris, Mr Lloyd Sub: Mr Hoggart
Rye Partnership	Councillor Bayliss	One appointment required Propose Bayliss
Safer Rother Partnership (4-year appointment)	Councillor Stanger (Substitute: none appointed)	One substitute required Propose
Team East Sussex (TES)	Councillor Bayliss	One appointment required Propose Bayliss

(SLA) = Voluntary Sector Service Levels Agreements

RESERVED APPOINTMENTS (R)

OUTSIDE BODY	REPRESENTATIVE(S) APPOINTED IN 2023/24	CONFIRMED APPOINTMENTS 2024/25
1066 Country Member Liaison Group (R)	Cabinet Portfolio Holder for Neighbourhood Services, Tourism & Joint Waste Contract – Councillor Timpe	
A21 Reference Group (R)	Cabinet Portfolio Holder for Environmental, Licensing, Community Safety, Climate Strategy and Joint Waste Contract and the Chair of the Overview and Scrutiny Committee – Councillors Field and Osborne	
Action in Rural Sussex (SLA) (R)	Cabinet Portfolio Holder for Environmental, Licensing, Community Safety, Climate Strategy and Joint Waste Contract – Councillor Field (Substitute: Councillor Prochak)	
De La Warr Pavilion (R)	Cabinet Portfolio Holder for Neighbourhood Services, Tourism & Joint Waste Contract and Deputy Leader of the Council – Councillors Timpe and Prochak (Field temp from 15 December)	
District Councils' Network (DCN) (R)	Leader of the Council – Councillor Oliver	
East Sussex Strategic Partnership (R)	Deputy Leader of the Council – Councillor Prochak (Oliver temp from 19 December) (Substitute: Councillor Oliver)	Sub:
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 Drayson	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 (Field temp from 19 December)	
South East Employers (R)	Chair of HR Committee – Councillor Oliver (Substitute: Vice-Chair of HR Committee - Councillor Coleman)	Chair of HR Committee (Sub: Vice-Chair of HR Committee)
Sussex Regional Residents Panel (R)	Cabinet Portfolio Holder for Housing – Councillor McCourt	
Tourism South East (R)	Cabinet Portfolio Holder for Neighbourhood Services, Tourism & Joint Waste Contract – Councillor Timpe (Substitute: Councillor Creaser)	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 2023/24	APPOINTMENT REQUIRED FOR 2024/25
Battle Area Sports Centre Management Committee (4-year appointment)	Councillors Cook and Pearce (Substitutes: Burton and Prochak)	None required
Bexhill Festival of Music (4-year appointment)	Councillor Timpe	None required
Bexhill Museum Limited (formerly Society of Bexhill Museums) (SLA) (4-year appointment, SLA renewed for 1-year)	Councillor Thomas (Substitute: Councillor Gray)	None required
Citizens Advice 1066 (SLA) (4-year appointment)	Councillor Gray (Substitute: Councillor Timpe)	None required
East Sussex Energy, Infrastructure & Development Ltd	None	Pending appointment
East Sussex Health Overview and Scrutiny Committee (A Member of Overview and Scrutiny Committee and not the same as East Sussex Health and Wellbeing Board)	Councillor Coupar (Substitute Councillor McGurk)	None required
Harbour of Rye Advisory Committee (3-year appointment)	Councillors McGurk & Osborne	None required
Hastings Advice and Representation Centre (HARC) (SLA) (4-year appointment)	Councillor Coleman (Substitute: Councillor Mier)	None required
Hastings and Rother Mediation Service (SLA) (4-year appointment)	Councillor Thomas (Substitute: Councillor Coupar)	None required
Police and Crime Commissioner Panel (4-year appointment)	Councillor Drayson (Substitute: Councillors Bayliss & Jeeawon)	None required
Rother Voluntary Action (4-year appointment)	Councillor Cook (Substitute: Councillor Delany)	None required

Rye Sports Centre Advisory Committee (4-year appointment)	Councillors Creaser & McGurk	None required
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MEMBERS' COMMENTS

Battle Area Sports Centre Management Committee: Councillor Chas Pearce

I believe this Outside Body is beneficial to Rother residents and I will continue to support it.

Combe Valley Community Interest Company: Councillor Chas Pearce

I believe this Outside Body is beneficial to Rother residents and I will continue to support it.

East Sussex Health and Wellbeing Board: Councillor Killeen

It is important that we continue to work in partnership with the ES H&W Board. We have significant joint ventures and strategic drivers. It is a very relevant external body.

Hastings Advice and Representation Centre (HARC): Councillor Coleman

HARC provide an essential service for Rother residents as the primary benefits advice and representation organisation in the area. Rother's investment in this service pays back dividends in the benefits to residents who use the service. It should continue as an Outside Body.

Citizens Advice 1066: Councillor Gray

I am happy to remain their representative and support the good work they provide.

MEMBERS' REPORTS

OUTSIDE BODY / MEMBER REPRESENTATIVE	Members' Bulletin Edition
Rother Voluntary Action / Councillor Mrs Cook	October 2023
Hastings Advice and Representation Centre / Councillor Coleman	January 2024

Rother District Council

Report to:	Council
Date:	20 May 2024
Title:	Annual Report of the Member Development Task Group
Report of:	Councillor Killeen, Member Training Champion and Chair of the Member Development Task Group
Purpose of Report:	To inform Members of the first annual update on Member Training and Development issues since the elections in May 2023.
Officer	
Recommendation(s):	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 first annual update on Member Training and Development issues since the elections in May 2023.
2. The Membership of the MDTG is usually fixed for the life of the Council (as far as possible) but one change was made in the last year with Councillor Killeen being appointed (on a temporary basis) as the Member Training and Development Champion in Councillor Prochak's absence. The current membership is confirmed as: Councillors Killeen (Member Training and Development Champion, Liberal Democrat Leader and Chair), Bayliss (Labour Group Leader), Clark (Independent Member), Coupar (newly elected 2023 Member), Delany (newly elected 2023 Member), Gray (Green Leader), Oliver (Rother Associations of Independents Group Leader), Osborne (Conservative Group representative) and Winter (Independent Member). All Group Leaders can send a substitute if they are unable to attend; to date, no substitutes have attended.
3. 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.
4. The minutes arising from the meetings are highlighted within the Members' Bulletin e-zine and published on the ModGov system on the Intranet.
5. The last 12 months has been a very busy period for Member Training and Development following the elections in May 2023 and this report highlights the key events and work of the MDTG during this period.

Member Training Induction Programme 2023

6. In accordance with the Council's Member Training and Development Strategy, a comprehensive induction programme was provided for all Members following

the elections in May 2023. It is pleasing to report that all newly elected Members, as well as the majority of returned Members embraced the learning and development opportunities offered to them and most of the events were well attended.

7. The MDTG has considered the feedback received and this will be used to ensure that the induction programme following the 2027 elections and other training and development events will be adjusted accordingly to take account of the feedback. It is really encouraging to see that the feedback response rate has remained relatively high and this reinforces the importance and commitment Members have to their learning and development.

Training and Development Programme

8. As well as providing a full and thorough Member Induction Programme, Members were asked to complete a Training Needs Analysis (TNA) which has been used to compile the ongoing training and development programme for Members; a 94% return rate was achieved for the TNA.
9. The TNA results were considered by the MDTG at its meeting in October last year when it was agreed that, as Members had been subject to an extensive induction programme since the elections, the training and development activity identified through the TNA would be programmed from May 2024 onwards.
10. The information gathered via the TNA will be used to further develop the training programme over the coming 12-18 months. A second TNA will take place in year 3 of this Council (2025/26) to ascertain on going requirements and to help evaluate the success of the programme delivered thus far.
11. A full list of the development activities that have been offered to Members since the elections in May 2023 is published in the Members' Library on the Intranet.
12. In tandem with the Training and Development Programme, the Council has implemented a series of Member Briefings to complement Members' learning and understanding of key issues facing the Council. These are usually held each month, on a Thursday evening, at 5:30pm on MS Teams. To date the briefings have been well received and well attended. Sessions are recorded and are available for Members to view in their own time if they were unable to attend the live session.
13. Given the success of delivery sessions on the MS Teams platform, it is likely that this will be the main delivery platform for training and development moving forward in future years.

Finance

14. The Council continues to allocate both human and financial resources to Member Development and had a training budget of £15,000 per annum up until the end of 2023/24 financial year and is subject to quarterly reporting to the MDTG. A higher expenditure is usual in years 1 and 2 with less activity in years 3 and 4 with any underspent budget not being carried forward year-on-year.
15. In light of budget reductions, and in order to ensure value for money (vfm), 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.

16. As part of the Council's new 'Fit for the Future' financial resilience programme, it has been agreed that from the next financial year (2024/25) the member training budget will be reduced by £6,000 to £9,000 per annum.

Member Training and Development Attendance Statistics

17. 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 2023; this information is primarily for use by the Group Leaders and the most recent update is attached is detailed below:

Pearce, Chas – 25	Maynard, Carl – 11
Gray, Polly – 24	Stanger, Jimmy – 11
Coupar, Beverley – 23	Cook, Vikki – 10
Barnes, John – 22	Ganly, Tony – 10
Killeen, Teresa – 22	Hayward, Andrew – 10
Mier, Andrew – 21	Osborne, Paul – 10
Timpe, Hazel – 20	Coleman, Sam – 9
Biggs, Tony – 19	Kirby-Green, Eleanor – 9
Burton, Sue – 19	Winter, Connor – 9
Prochak, Sue – 17	Chowdhury, Fazlul – 7
Rathbone Ariel, Arren – 17	Drayson, Brian – 7
Barnes, Mary – 16	Field, Kathryn – 7
Thomas, Richard – 15	Grohne, Tim – 7
Oliver, Doug – 13	McGurk, Simon – 7
Legg, Mark – 13	Bayliss, Christine – 6
McCourt, Ruairi – 13	Gordon, Neil – 2
Creaser, Cheryl – 12	Clark, Charles – 1
Delany, Gareth – 12	Jeeawon, Ashan – 1
Byrne, Terry – 11	Hacking, Lizzie – 0

18. 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.
19. All training events (organised by the Council) attended by Councillors have been uploaded to the ModGov system and are displayed on each Councillors' individual website page.

Conclusions

20. This civic year has been a challenging time for Member Training and Development – a new Council to train and develop, which has gone extremely well, under the stewardship of Councillor Prochak, up until her current period of absence.
21. This civic year will see the continued delivery of identified training needs, the mandatory annual training for licensing and planning, together with any other

service specific training / development requirements as a result of service changes / new legislation etc.

22. I am pleased to take this opportunity, on behalf of Councillor Prochak to thank formally the fellow Task Group Members, Bayliss, Clark, Coupar, Delany, Gray, Oliver, Osborne and Winter for the contribution they have made over the past year and the officer support that is provided both directly by Democratic Services and indirectly through all staff involved in guiding and providing assistance to Members.
23. I look forward to working with Members and Officers to ensure that the excellent training and development activities provided by the Council continue, particularly considering budget constraints moving forward.

Corporate Plan and Climate Strategy / Action Plan

24. N/A

Financial Implications

25. As detailed at paragraphs 14 to 16 in the report.

Legal Implications

26. There are no legal implications for the proposals within this report.

Human Resources Implications

27. There are no Human Resource implications for the proposals within this report.

Human Rights

28. There are no Human Rights implications for the proposals within this report.

Crime and Disorder

29. There are no Crime and Disorder implications for the proposals within this report.

Environmental / Insert Carbon and Co-Benefits Decision Support Tool Result (if applicable)

30. There are no Environmental implications for the proposals within this report.

Risk Management

31. There are no Risk Management implications for the proposals within this report.

GDPR / Data Protection

32. There are no GDPR / Data Protection implications for the proposals within this report.

Equalities, Diversity and Inclusion

33. There are no Equalities, Diversity, Inclusion implications for the proposals within this report.

Socio Economic Duty

34. There are no implications for the Council under its' Socio Economic Duty for the proposals within this report.

Exempt from publication

35. This report is not confidential.

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Appendices:	None
Relevant Previous Minutes:	None
Background Papers:	None
Reference Documents:	None

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Rother District Council

Report to:	Council
Date:	20 May 2024
Title:	Annual Report of the Overview and Scrutiny Committee
Report of:	Councillor Osborne, Chair of the Overview and Scrutiny Committee
Purpose of Report:	To inform Members of the work of the Overview and Scrutiny Committee from April 2023 to March 2024.
Officer Recommendation(s):	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 2023 through to the end of March 2024; the report has been prepared before the last scheduled meeting of the OSC for the 2023/24 municipal year has been held.

Scrutiny Improvement Review

6. During the last administration, 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 last 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 2023 to reflect on the review and to discuss options for improvement. Given that the make-up of the OSC had changed significantly since the elections in May 2023, it was suggested at the first meeting of the civic year that the OSC meet informally to consider in detail the outcome and recommendations of the Scrutiny Improvement Review and agree future working arrangements in light of the review's findings. Members of the Committee were happy to agree to an informal meeting to take place once the Committee had met a few times, in order for new Members to gain more of an understanding of the scrutiny process at Rother District Council.
9. The OSC met informally in January 2024 and worked through the original recommendations made by the CfGS with officer comments, which had been updated with further officer comments. After considering all 16 recommendations in turn, a total of seven actions were agreed to help improve the scrutiny function, including separate and then joint officer / Member training which had been scheduled to take place later in the year.

Scrutiny at Rother

10. Currently, RDC has 38 elected Members who represent the 21 wards within the boundaries of Rother. With 10 Members currently appointed to Cabinet, this enables 28 Members to have the opportunity to be involved in Scrutiny.
11. During the period of this report, 71% 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

12. During the period of this report, three 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.
13. 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 save that the Chair must be appointed from one of the opposition groups serving on the Committee. As there is currently only one opposition group, this means that a Conservative Member of the OSC must be appointed as the Chair of the Committee.

Overview and Scrutiny Committee

14. The following Members were appointed by full Council to the OSC in May 2023:

P.N. Osborne (Chair), Mrs V. Cook (Vice-Chair), J. Barnes (MBE), Mrs M.L. Barnes, S. Burton, C.A. Clark, B.J. Coupar, C.A. Creaser, T.M. Killeen (MBE), M.C. Legg, C.R. Maynard and S.B. McGurk.

15. The following substitute Members were appointed to the OSC: F.H. Chowdhury (Labour), P.J. Gray (Green), N. Gordon (Conservative), C. Pearce (Liberal Democrat) and J. Stanger (Association of Independents).
16. The Committee has met nine times in person between April 2023 and the end of March 2024. This includes an additional meeting held in February 2024 to consider the draft Local Plan Consultation. The Committee also met informally over MS Teams in January 2024 to consider the recommendations of the scrutiny improvement review.
17. Attendance at meetings by Members appointed to the Committee has been good, with an average of 93% of the substantive Members attending the meetings during the period of this report. The Substitute Scheme has been used on four occasions over three meetings.
18. The average number of reports on the agenda for each meeting was four and the average length of a meeting was 1 hour and 43 minutes. A total of 125 members of the public were in attendance either in the Council Chamber or via the live broadcast at the nine formal committee meetings held during the period of this report. Dependent on the business to be considered, the relevant Cabinet Portfolio Holders continues to be invited to attend meetings.

Between April 2023 and the end of March 2024, the OSC received reports on a number of issues including:

- Climate Strategy 2023
 - Council Tax Reduction Scheme
 - Discharge of Homelessness Duty to a Suitable Private Rented Property Policy
 - Grounds Maintenance Contract – Specification
 - Medium Term Financial Plan 2024/25 to 2028/29
 - New Housing Allocations Policy
 - People Strategy and Workforce Plan
 - Rail Ticket Office Consultation
 - Report of the Climate Change Steering Group
 - Rother District Council Owned / Leased Accommodation Policies
 - Rother Draft Local Plan Regulation 18 Document
19. 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

Informal Annual Work Programming Meeting

20. The meeting for the 2024/25 municipal year will take place on Wednesday 15 May in order to highlight Council priorities for the year. All current non-executive Members will be invited to this meeting whether or not they will be appointed to the new OSC. The Work Programme items identified during this informal meeting will be considered alongside the Annual Work Programme report that will be received by the new OSC at its first meeting on 3 June 2024.

Crime and Disorder Committee

21. 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 designated Crime and Disorder Committee.
22. The opportunities and challenges for 2023/24 included: Anti-social behaviour and youth crime; drug related harm (including drug supply (both local and county lines) and the impact on the local community); and rural crime. Work on domestic abuse, business crime, the impact of the cost-of-living crisis and road safety was also included as a focus for work, but not as specifically identified priorities.

Scrutiny Reviews

April 2023

23. **Report of the Climate Change Steering Group (CCSG):** Members received the report of the CCSG, which summarised their work to address the Climate Emergency since their last public meeting in March 2022. The CCSG had met on 10 occasions overseeing the development and implementation of projects, which included Council Emissions Baselineing; Tree Planting in Bexhill; Urban Forest 1066; Bexhill Tree Planting Strategy; and Couch to Carbon Zero. Various presentations had also been received and the Group were given regular updates on all projects.

September 2023

24. **Rail Ticket Consultation:** Members received the report of the Chief Executive which gave an update on the proposed changes to ticket office services at train stations within the Rother district. Rail operators were seeking views on proposals to improve and modernise the experience for passengers, by moving staff out from behind the ticket office screens and onto station concourses and platforms, which rail operators hoped would provide support to passengers where they most needed it and help to those who could not or did not want to use contactless or digital tickets.
25. Southern Rail had already carried out a public consultation in July 2023; Southeastern Rail had completed the first phase of public consultation, with a further consultation planned for later in the year. The Council would continue to monitor and feedback updates on the ticket office consultations. Depending

on the timing of the next phase of consultation, the Managing Director of Southeastern Railway would be invited to attend the next meeting of the OSC or a Member's Briefing.

Scrutiny of Services

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. The Council's performance was scrutinised against 26 selected Key Performance Indicators (KPIs), broken down into eight service areas:

- **Corporate Core:** (Percentage of Freedom of Information Requests answered in 20 working days)
- **Customer Services:** (Percentage of enquiries that are resolved on the first contact with customer services; Average call waiting time for the contact centre; and Total number of customer contacts to the Council (channel shift towards digital (Telephone calls answered by customer services))
- **Environmental Health:** (% of scheduled food inspections that were carried out; and % of service requests completed in the required timescale).
- **Estates:** (Income from all assets).
- **Housing:** (Number of households either prevented from homelessness or relieved from homelessness; Average cost of placing household in temporary accommodation; and Average weeks a household was in temporary accommodation before placement).
- **Neighbourhood Services:** (Missed bins per 100,000 collections; Missed bins per 100,000 collections; Percentage of public land found with unacceptable levels of detritus when surveyed; Fly tips recorded each month, cleared from public land; and Fly tip fines issued).
- **Planning Development Management:** Percentage of major development applications determined in 13 weeks or agreed extension; Percentage of minor development applications determined in 8 weeks or agreed extension; Major development planning appeals allowed by the Planning Inspector; Minor development planning appeals allowed by the Planning Inspector; and Total number of PS1 and PS2 planning applications (live cases)).
- **Revenues and Benefits:** (Average calendar days to process a new housing benefit claim; and Average calendar days to process a change to an existing housing benefit claim), (Percentage of council tax owed for the year that has been collected; and Percentage of business rates owed for the year that have been collected)

Recommendations to Cabinet

27. During the period of the report, a total of 12 recommendations were made to Cabinet, the majority of which were supported. 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 Digital and Customer Services Strategy Task and Finish Group (DCSS T&FG), the Housing Development Strategy Task and Finish Group (HDS T&FG) and the Local Enforcement Plan Task and Finish Group (LEP T&FG) were established. The initial report of the DCSS T&FG is elsewhere on the agenda, the HDS T&FG is scheduled to report back to the OSC in 2025 and the LEP T&FG have not met yet.
31. The DCSS T&FG was established in October 2023 and has been tasked with developing a Digital and Customer Services Strategy and action plan that mandates the aims and objectives of the Council's digital and customer service aspirations over the next four years, along with Key Performance Indicators to measure the success of its outcomes. The DSCC have met four times between December 2023 and March 2024.
32. The HDS T&FG was established in September 2023 to gather evidence from a range of stakeholders and make recommendations that will inform the shape and direction of a Housing Strategy. The HDS T&FG have met once since January 2024.

Overview and Scrutiny Chair's Statement

33. From the contents of this report, it is evident that this has been another busy and productive year for the OSC. Following the elections in May 2023, there has been a change to the make-up of the OSC and the new Members appointed to the Committee who are new to scrutiny have engaged in the process and made valuable contributions. 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. I look forward to continuously improving scrutiny by engaging in training and development opportunities in the coming year and other initiatives as a result of the scrutiny improvement review.
34. 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.

35. 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.

Corporate Plan and Climate Strategy / Action Plan

36. N/A

Financial Implications

37. There are no financial implications for the proposals within this report.

Legal Implications

38. There are no legal implications for the proposals within this report.

Human Resources Implications

39. There are no Human Resource implications for the proposals within this report.

Human Rights

40. There are no Human Rights implications for the proposals within this report.

Crime and Disorder

41. There are no Crime and Disorder implications for the proposals within this report.

Environmental / Insert Carbon and Co-Benefits Decision Support Tool Result (if applicable)

42. There are no environmental implications for the proposals within this report.

Risk Management

43. Failure to produce this report would be in breach of Part 2, Articles, Article 6, paragraph 6.3. (d) of the Constitution.

GDPR / Data Protection

44. There are no GDPR / Data Protection implications for the proposals within this report.

Equalities, Diversity and Inclusion

45. There are no equalities, diversity, inclusion implications for the proposals within this report.

Socio Economic Duty

46. There are no implications for the Council under its' socio economic duty for the proposals within this report.

Exempt from publication

47. This report is not confidential.

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Appendices:	1 References to Cabinet
Relevant Previous Minutes:	None
Background Papers:	None
Reference Documents:	None

REFERENCES TO CABINET

From April 2023 until end March 2024, the Overview and Scrutiny Committee (OSC) referred the following reports to Cabinet:

5 JUNE 2023

1. **NEW HOUSING ALLOCATIONS POLICY:** Members received the report of the Head of Housing and Regeneration, which provided details of the new draft Housing Allocations Policy (HAP). The Policy provided a transparent framework for the effective and equitable allocation of social housing in the Rother District, having regard to the statutory guidance as set out in s.196 of the Housing Act 1996 and the Localism Act 2011. The Council was obliged to consult local residents and other stakeholders on the proposed changes within the new draft HAP so these could be revised, refined and adjusted to best meet the needs of the community. Members of the OSC were happy to recommend to Cabinet that the draft Consultation Plan, draft Consultation Questionnaire and the draft Housing Allocations Policy be approved for consultation, as submitted.

Cabinet was supportive of the OSC's recommendation.

10 JULY 2023

2. **REVENUE BUDGET AND CAPITAL PROGRAMME MONITORING DRAFT OUTTURN 2022/23:** Members received and considered the report of the Interim Deputy Chief Executive which updated Members on the Council's finances as at the end of March 2023 and included a brief update on the Collection Fund performance, as well as information on income write offs for the last financial year, as required by the updated Constitution. Members raised concerns about the £7.5m underspend on Temporary Accommodation (TA) purchases, and recommended that Cabinet consider giving more priority to the purchase of TA.

Cabinet noted the OSC's recommendation.

11 SEPTEMBER 2023

3. **ROTHER DISTRICT COUNCIL OWNED / LEASED ACCOMMODATION POLICIES:** Members received and considered the report of the Head of Housing and Regeneration that outlined the proposed Rother District Council (RDC) owned / leased accommodation policies for implementation. As a Registered Provider, the Council had to ensure it had a suite of policies in relation to its accommodation, tenants and staff/contractors, in order to comply with Housing Ombudsman, Social Housing (Regulation) Act 2023 and duties as a landlord.

Members were happy to recommend to Cabinet, for onward recommendation to full Council, that the policies be approved for adoption. Cabinet were supportive of the OSC's recommendation.

4. **DISCHARGE OF HOMELESSNESS DUTY TO A SUITABLE PRIVATE RENTED PROPERTY POLICY:** Members received the report of the Head of Housing and Regeneration which gave details of the proposed Discharge of Homelessness Duty to a Suitable Private Rented Property Policy. The policy outlined the criteria for how offers of private sector accommodation were made when discharging the Council's homelessness duties under the Housing Act 1996 (as amended) and Homelessness Reduction Act 2017. To have a formal policy in place would enable the Council to transparently make an offer of a private sector tenancy inside or outside of the Rother District Council area to all households where a suitable property had been identified and leave it less open to formal appeal from customers.

Members were happy to recommend to Cabinet, for onward recommendation to full Council, that the policy be approved for adoption and that the Head of Housing and Regeneration be granted delegated authority to make any further changes to the policy that may be required in the future. Cabinet was supportive of the Committee's recommendations

5. **MEDIUM TERM FINANCIAL PLAN 2024/25 TO 2028/29:** Members considered the report of the Interim Deputy Chief Executive (Section 151) on the Council's Medium Term Financial Plan 2024/25 to 2028/29, which would be considered by Cabinet at their meeting on 6 November 2023. The updated Medium Term Financial Strategy, identified savings and efficiencies, draft capital budget, fees and charges proposals, a risk assessment for the next year's budget and a sensitivity and scenario analysis were appended to the report.

Members made three recommendations to Cabinet, two of which were not supported and one was already being considered as part of the Council's Fit for the Future work.

6. **COUNCIL TAX REDUCTION SCHEME:** Members received the report of the Revenue and Benefits Manager which outlined a proposed consultation with both the public and the Major Precepting Authorities in respect of proposed changes to the Council's Council Tax Reduction (CTR) Scheme with effect from 1 April 2024. The proposed changes in the scheme for 2024/25 were to increase the working age maximum to 100% and to remove the £5 per week minimum payment; the discounts available based on current income thresholds were outlined in the report for Members' information.

Members requested that Cabinet consider the Council consult with the public and Major Precepting Authorities on proposed changes to the Scheme and Cabinet was supportive of the OSC's recommendation.

7. **PERFORMANCE REPORT: FIRST AND SECOND QUARTERS 2023/24:** Members considered the report of the Corporate Programme and Improvement Manager on the Performance Report of the First and Second Quarters 2023/24. Members were given the opportunity to scrutinise progress towards corporate operations and service delivery and make any necessary recommendations to Cabinet for future service delivery. Members were

provided with a summary of the Council's performance against the selected 26 Key Performance Indicators (KPI) broken down into eight service areas; performance was compared to the previous quarter result and to the same quarter the previous year. Members were asked to consider a change to the target for processing all types of planning applications to 80%, which Members were happy to recommend to Cabinet.

Cabinet was supportive of the OSC's recommendation.

8. **CLIMATE STRATEGY:** Members considered the report of the Environment Strategy Officer, which summarised the work of the Climate Strategy refresh and provided the resulting draft Climate Strategy (CS) to be considered for onward approval and adoption. In 2022/23, in partnership with stakeholders and the local community, a review of the Council's strategy to reduce emissions and create a cleaner, greener, more equitable district was completed, alongside a review of the Environment Strategy 2020. The resulting CS detailed how the Council would use its powers and influence to make the district carbon neutral and reduce its operational emissions to Net Zero by 2030.

The aim of the CS was to enable, encourage and accelerate the reduction of GHG emissions across the district to net zero by 2030. The CS outlined its five objectives with five action areas (Buildings and Energy Efficiency, Transport, Resource Consumption and Waste, Biodiversity and Land Use and Energy Generation), which detailed the challenges and the Council's approach. A three-year Climate Action Plan had been produced to direct delivery of the CS.

Members recommended that Cabinet be requested to consider that the draft Climate Strategy be recommended to Council for approval and adoption, which Cabinet were supportive of.

22 JANUARY 2024

9. **DRAFT REVENUE BUDGET 2024/25 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 5 February 2024.

Cabinet noted the OSC's comments and agreed to recommend to Council an increase in Council Tax at Band D by £5.94 (2.99%) and set at £204.54 (subject to any changes to special expenses yet to be confirmed).

10. **KEY PERFORMANCE TARGETS 2024/25:** The OSC considered the report of the Corporate Programme, Risk and Improvement Manager, which gave details of the current Key Performance Indicators (KPIs) and their target levels of performance for the financial year 2023/24. A new KPI for Progress of the Climate Strategy had been added to the set for 2024/25, minor changes made to the Planning Development and Revenues and Benefits KPIs and a reduction in the number of KPIs for Customer Services were proposed.

Members recommended and agreed that Planning Development KPIs P3 and P4 be combined and agreed to recommend all the suggested KPIs for consideration by Cabinet. Members requested they be listed in alphabetical order for ease of reference.

Cabinet was supportive of the KPIs and their performance targets recommended by the OSC for 2024/25 and it was acknowledged that the KPIs selected would adequately reflect a review of the Council's performance.

11. **ALLOCATIONS POLICY:** The OSC considered the report of the Head of Housing and Regeneration, which presented the findings of the eight-week public consultation on the draft Housing Allocations Policy 2024 (HAP) and the proposed final version of the Policy. Members were happy to recommend the Policy to Cabinet and full Council for approval and adoption, with delegated authority granted to the Head of Housing and Regeneration to formally adopt it make any further minor amendments, in consultation with the Cabinet Portfolio Holder for Housing, following the conclusion of the implementation period.

Cabinet was supportive of the OSC's recommendations.

19 FEBRUARY 2024

12. **LOCAL PLAN CONSULTATION DRAFT (REG 18):** The OSC considered the report of the Planning Policy Manager, together with the Rother Draft Local Plan Regulation 18 document and the Rother Local Development Scheme, ahead of their formal consideration by Cabinet on 4 March 2024.

After some discussion, Members were happy to recommend the Rother Draft Local Plan Regulation 18 document to Cabinet for approval and formal consultation and for the revised Rother Local Development Scheme to be approved and published alongside the Local Plan. Cabinet noted the OSC's comments, were supportive of their recommendations and also agreed that delegated authority be granted to the Director – Place and Climate Change, in consultation with the Cabinet Portfolio Holder for Planning to make any minor modifications to the draft LP prior to the consultation.

Rother District Council

Report to:	Council
Date:	20 May 2024
Title:	Delegations to Officers – Planning Service
Report of:	Ben Hook, Director – Place and Climate Change
Purpose of Report:	To approve a corrected set of the current officer delegations in respect of the Planning Service.
Officer Recommendation(s):	It be RESOLVED : That the delegations to officers in respect of the Planning Service, attached at Appendix 1 be approved and adopted.

Introduction

1. At the Full Council meetings held on 20 February and 18 September 2023, the delegations to officers for the Planning Service were confirmed, following review and amendment by the Planning Committee.
2. It has since come to light that unfortunately, the delegations submitted on both occasions did not include all previous amendments approved by the Planning Committee at the January 2023 meeting.
3. To ensure that these administrative errors are corrected, a revised, complete version is submitted for further approval and adoption as set out at Appendix 1.

Corporate Plan and Climate Strategy / Action Plan

4. This decision links to delivery of the Council's Corporate Plan objective to be an open council.

Financial Implications

5. There are no financial implications for the proposals within this report.

Legal Implications

6. The Council's Constitution must be kept up to date. The scheme of officer delegations in respect of the planning service must reflect all the previous proposed amendments to ensure transparency and clarity of roles and responsibilities.

Human Resources Implications

7. There are no Human Resource implications for the proposals within this report.

Human Rights

8. There are no Human Rights implications for the proposals within this report.

Crime and Disorder

9. There are no Crime and Disorder implications for the proposals within this report.

Environmental

10. There are no Environmental Implications for the proposals within this report.

Risk Management

11. Failure to have in place an approved scheme of officer delegations in respect of the planning service could lead to legal challenges.

GDPR / Data Protection

12. There are no GDPR / Data Protection Implications for the proposals within this report.

Equalities, Diversity and Inclusion

13. There are no Equalities, Diversity, Inclusion Implications for the proposals within this report

Socio Economic Duty

14. There are no implications for the Council under its' Socio Economic Duty for the proposals within this report.

Exempt from publication

15. This report is not confidential.

Conclusion

16. The officer scheme of delegations in respect of the Planning Service require approval to ensure that all relevant amendments, previously recommended by the Planning Committee are approved by Council and published.

Ben Hook
Director – Place and Climate Change

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Appendices:	1 – Officer Scheme of Delegations for the Planning Service
Relevant Previous Minutes:	PL22/106 – Planning Committee – 12 January 2023 C22/75 – Full Council – 20 February 2023 C23/52 – Full Council – 18 September 2023
Background Papers:	NONE
Reference	NONE

Documents:	
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3.1 Director – Place and Climate Change / Development Manager

Planning Service

The Council's Cabinet and Planning Committee may delegate some of its functions and powers to specific officers of the Council. The following is a list of those delegations

C denotes from Cabinet. P denotes from Planning Committee.

In the absence of the nominated officers delegated power may be exercised by the Chief Executive or such officer as the Chief Executive may nominate.

DEVELOPMENT MANAGER

All functions exercised by Development Manager and in their absence the Development Management Team Leaders.

Development Management

- 3.1.1 To deal with applications for listed building consent under S10 of the Planning (Listed Buildings and Conservation Areas) Act 1990. (P)
- 3.1.2 To prescribe conditions or reasons for refusal or approval to be applied to any planning application determined by the Council for delegated decisions or resolved to be delegated by the Planning Committee. (P)
- 3.1.3 That where decisions of the Planning Committee vary from an officer recommendation the decision notice will not be issued until it agrees with the draft minutes approved by the Chair. Alignment of the two documents will take place within two clear working days of the receipt of the draft minutes. Should any issue be unresolved at the end of those two days it will be referred to the Chief Executive for final resolution.
- 3.1.4 To approve minor amendments to planning consents and to approve or disapprove any matter submitted as a condition of planning approval or in relation to a planning obligation made under S106 of the Town and Country Planning Act 1990. Function also to be exercised by Team Leaders, Principal Officers (Level 5) and Senior Officers (Level 4) of Development Management. (P)
- 3.1.5 To deal with applications for Lawful Development Certificates under S191 and S192 of the Town and Country Planning Act 1990. Function also to be exercised by the Development Manager, Team Leaders Principal Officers (Level 5) and Senior Officers (Level 4). (P)
- 3.1.6 To determine applications for planning permission in accordance with the arrangements detailed under Delegated Procedures and to determine individual planning applications specifically delegated by Committee resolution and to prescribe conditions or reasons for refusal or approval as

appropriate. Under the delegated system all applications identified with the (DEL) notification on the weekly list will be dealt with by officers where there are no conflicting views and the matter has not been subject to a call in 'call-in' by a Member.

- 3.1.7 The weekly list sets out new applications on a ward basis, so that Councillors are fully aware of new submissions in their local area at the outset. They may call applications to Committee (clearly citing planning reasons and whether the call-in is conditional or a recommendation of approval or refusal) up to seven days (no later than 5pm on the last day) after the closure of any weekly list publicity period or expiry of the site notice whichever is the later (P). The officer for a planning application is required to inform the Ward Member or Chair of the Planning Committee of the expected outcome of an application prior to call-in (or any time after) if requested by the Ward Member or Chair of the Planning Committee.
- 3.1.8 Where the time for call-in set out above has expired, a Member may subject to the agreement of the Chair of Planning Committee and in agreement with the Development Manager, call-in a planning application where such an application is considered to be controversial or generate significant local interest. Under exceptional circumstances, the Chair of the Planning Committee will be granted authority to call-in an application, at any time before the Decision Notice is issued after consultation with the local Ward Member(s). Call-ins' may not be made under any other circumstances by officers or Members.
- 3.1.9 Planning applications on the weekly list sets out the applications which are time limited and/or for information only, for example those set against the relevant regulations and those not subject to appraisal against planning policy. Such applications are not subject to any call-in measures.
- 3.1.10 Planning applications which are labelled (COM) automatically go to be determined at Planning Committee where the applicant is or is related to an elected member of the Council or member of Council staff, is for Council owned land, or applications submitted by the Council itself.
- 3.1.11 To refuse planning permission for applications in circumstances where no extension of time is agreed, and it is not possible to resolve any outstanding matters. Function also to be exercised by the Function also to be exercised by Team Leaders, Principal Officers (Level 5) and Senior Officers (Level 4) (P)
- 3.1.12 To rescind or revoke all obsolete, irrelevant or inoperative entries in the registers under his control relating to the Town and Country Planning Act 1990; Article 4 Directions made under the General Permitted Development Orders; the Town and Country Planning (Control of Advertisements) Regulations 1992, and Notices under Section 65 of the Public Health Act 1936. Function also to be exercised by the Function also to be exercised by Team Leaders, Principal Officers (Level 5) and Senior Officers (Level 4) (P) (C)
- 3.1.13 To exercise the Council's functions under Section 224 of the Town and Country Planning Act 1990 - power to remove or obliterate placards and posters. Function also to be exercised by the Function also to be exercised

by the Development Manager and Development Management Team Leaders (C).

- 3.1.14 Acting in conjunction with the Solicitor to the Council to authorise Section 106 Planning Obligations or authorise the modification of existing Section 106 Planning Obligations which relate to planning control matters. (Any Obligations that relate to financial matters, including changes to affordable housing provision are to be referred to Planning Committee for decision). All such Obligations to be concluded within a six-month period of the authorisation unless extended at the discretion of the Development Manager or Solicitor to the Council. Function also to be exercised by the Development Management Team Leaders. (P)
- 3.1.15 To decide not to investigate alleged breaches of planning control where it is considered that the matter is not having a serious impact on amenity or the environment, having regard to the provisions of the development plan and any other material considerations nor in respect of slight variations which would otherwise be permitted by the Town & Country (General Permitted Development) Order 2015 (as amended) or other minor development that amounts only to a technical breach. Function also to be exercised where appropriate by the Development Manager and Development Management Team Leaders. (P)
- 3.1.16 To decide to take no further action on breaches of planning control that have been investigated and are not having a serious impact on amenity or the environment, having regard to the provisions of the development plan and any other material considerations. Function also to be exercised where appropriate by the Planning Service Managers, Development Manager and the Development Management Team Leaders. (P)
- 3.1.17 To take enforcement action, having first consulted with the Solicitor to the Council in respect of breaches of planning control, under Part V11 and Part VIII of the Town and Country Planning Act 1990 which are having a serious impact on amenity or the environment, having regard to the provisions of the development plan and any other material considerations. The Solicitor to the Council be authorised to take any other steps necessary to remedy the breach of planning control including legal action under Part VII and Part VIII of the Town and Country Planning Act 1990. Function also to be exercised where appropriate by the Development Manager and the Development Management Team Leaders. (P)
- 3.1.18 To issue Notices under Powers to require information in relation to Notices of the land under Section 330 of the Town and Country Planning Act 1990 and to issue Planning Contravention Notices under Section 171C of the Town and Country Planning Act 1990. Function also to be exercised where appropriate by the Development Manager and the Development Management Team Leaders. (P)
- 3.1.19 Acting through the Solicitor to the Council, to withdraw an enforcement notice which has been complied with, where it is considered that the breach of planning control cannot be repeated or waive or relax any requirements of any notice under Section 173A of the Town and Country Planning Act 1990. Function also to be exercised where appropriate by the Development Manager and the Development Management Team Leaders. (P)

- 3.1.20 Acting in consultation with the Solicitor to the Council, to extend the period for compliance with any enforcement notice under Section 173A where that would be expedient; such extension not to exceed 12 months. Function also to be exercised where appropriate by the Development Manager and the Development Management Team Leaders. (P)
- 3.1.21 The making of land use planning representations to the Traffic Commissioner on applications for Operators Licences made under the Goods Vehicles (Licensing of Operators) Act 1995. Function also to be exercised by the Development Manager and Development Management Team Leaders. (P)
- 3.1.22 The making of directions under Article 4 of the Town and Country (General Permitted Development) Order 1995. Function also to be exercised by the Development Manager and Development Management Team Leaders. (P)
- 3.1.23 To exercise the Council's functions in respect of the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 or any subsequent replacement regulations. Function also to be exercised by Development Manager and Development Management Team Leaders. (P)
- 3.1.24 To make representations where necessary in respect of proposals made by Government Departments in consultation with the Chair of Planning Committee, where appropriate. (P)

Rights of Entry

- 3.1.25 To authorise at his discretion officers (either generally or specifically) to exercise all or any statutory rights of entry in the Planning Acts and the Regulations made thereunder. (P)

Planning Policy

- 3.1.26 To make representations on draft planning and related policy statements and documents upon which the Council is consulted in terms of their alignment with Council policies and strategies in consultation with the Chair of Planning Committee. (C)

Tree Matters

- 3.1.27 That the following actions shall be delegated to the Development Manager and Development Management Team Leaders:
- To determine applications to fell, lop or prune trees the subject of a tree preservation order or in a conservation area. (C)
 - To respond to Forestry Commission consultations on the basis of the Council's adopted policy. (C)
 - To deal with the hedgerow removal notices under The Hedgerow Regulations 1997 and to issue hedgerow retention notices. (C)
- 3.1.28 Acting through the Solicitor to the Council, to make such tree preservation orders as considered necessary. This justified through a report to be confirmed by the Development Manager and/or Development Management

Team Leaders before the Order is confirmed detailing any objection received.
(P)

- 3.1.29 To exercise the Council's functions in respect of High Hedges under Section 8 of the Anti-Social Behaviour Act 2003. Function to be exercised following consultation with and acting through the Solicitor to the Council. This justified through a report to be confirmed by the Development Manager and Development Management Team (P)

Highway Matters

- 3.1.30 To deal with consultations by the East Sussex County Council on highway matters, including the creation, diversion and closure of footpaths and bridleways, and traffic management measures and highway Stopping Up Orders. (C)

Nature Conservation Matters

- 3.1.31 To determine Appropriate Assessments submitted to the Council under the Conservation (Natural Habitats etc) Regulations 1994.

DIRECTOR – PLACE AND CLIMATE CHANGE – STRATEGY AND PLANNING AND BUILDING CONTROL MANAGER

(Concurrent Power)

- 3.1.32 To prepare and implement, after consultation with the Chief Finance Officer, a scheme for the charging of fees in accordance with the Building (Local Authority Charges) Regulations 1998.
- 3.1.33 To approve Site Waste Management Policies for the construction and demolition of sites after consultation with the Director – Place and Climate Change.
- 3.1.34 To issue decisions on all applications under the Building Regulations, and to determine applications for relaxation thereof. (C)
- 3.1.35 To employ qualified consultant structural engineers to check where necessary structural details of applications submitted under the Building Regulations. (C)
- 3.1.36 To exercise the Council's functions under the following Sections of the Building Act 1984. (C)

S.8	Relaxation of Building Regulations
S.16	Passing and rejection of plans
S.19	Use of short-lived materials
S.20	Use of materials unsuitable for permanent building
S.21	Provision of drainage
S.22	Drainage of buildings in combination
S.24	Provision of exits etc.
S.25	Provision of water supply
S.31	Proposed departure from plans
S.32	Lapse of deposit of plans

S.36	Removal of alteration of offending work
S.59	Drainage of buildings
S.72	Means of escape in case of fire
S.73	Raising of chimney
S.74	Cellars and rooms below subsoil water level
S.75	Consents under Section 74
S.76	Defective Premises
S.77	Dangerous Building
S.78	Dangerous building - emergency measures
S.79	Ruinous and dilapidated buildings and neglected sites
S.80. 81, 82	Demolitions
S.84	Paving and drainage of yards and passages
S.95	Power to authorise officers to enter premises

May 2024

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Rother District Council

Motion to - Council
Date - 20 May 2024
Subject - Support for Zane's Law

Motion submitted by Councillor Polly Gray, seconded by Councillor Simon McGurk**Preamble**

The current UK regulations with regard to toxic waste disposal and the danger to human life, to our environment, and to the planet as a whole, from both historic landfill sites and currently approved landfill sites operating the 'dry tomb' principle, are dangerously inadequate. Especially so, in the face of climate breakdown, with rising sea levels, increased rainfall, and widespread flooding.

In 2014, 7-year-old Zane Gbangbola died, and his father was paralysed with a diagnosis of hydrogen cyanide (HCN) poisoning, during catastrophic flooding in the UK. It is understood that flood water passing through a historic landfill site carried HCN into Zane's home, and this was detected there at high levels by the Fire and Rescue Services on the night of the tragedy. This is expected to be the subject of an Independent Panel Inquiry.

'Zane's Law' seeks to address the crisis of contaminated land in the UK, reinstating legislative provisions removed by successive governments from the 1990 Environment Protection Act, and recognising the Human Right to a Healthy Environment, approved by the UN General Assembly, in July 2022.

Therefore, 'Zane's Law' proposes that the following measures be adopted into legislation by the Government, to prioritise the protection and safety of people and planet, and the human right to a healthy environment. The legislation if passed would likely include:

1. Each relevant Local Authority must keep a full, regularly updated Register of Land that may be contaminated within their boundary.
2. The Environment Agency must keep a full, public 'National Register of Contaminated Land' to be regularly updated by information from Local Authorities.
3. All above mentioned Registers of Land must be accessible and available for inspection by the General Public.
4. Relevant Local Authorities must inspect any land registered that may be contaminated and must fully remediate or enforce remediation of any land which poses harm to public safety, or which pollutes controlled waters*.
5. Relevant Local Authorities must be responsible for inspecting previously closed landfill sites and fully remediating them or enforcing their remediation when they pose a risk of significant harm to people or controlled waters.
6. The Government must take full responsibility for providing the necessary funds for Local Authorities to meet these new requirements, following the 'polluter pays' principle: to recover costs as appropriate where those responsible for the pollution can be identified.

These measures are not all in place currently and would require significant investment and full funding from the Government to be implemented. These must take account of other statutory requirements (such as data protection provisions).

Motion

This Council therefore resolves:

To write to the Prime Minister, the Secretary of State for Health, and the Secretary of State for the Environment, Food and Rural Affairs to express the Council's support for new legislation on contaminated land based on the proposed principles of 'Zane's Law', to request that these ministers support Baroness Natalie Bennett, by all possible means, in her efforts to advance 'Zane's Law' through the House of Lords, and that the Government provides all necessary funds for Local Authorities and others to meet the requirements of any new legislation.

* Controlled waters are groundwater or surface water intended for human consumption