

**CABINET**

12 June 2023

Minutes of the Cabinet meeting at the Town Hall, Bexhill-on-Sea on Monday 12 June 2023 at 6:30pm.

Committee Members present: Councillors D.B. Oliver (Leader), C.A. Bayliss (Deputy Leader) (remote), S.M. Prochak (MBE) (Deputy Leader), T.J.C. Byrne (remote), S.J. Coleman, K.M. Field, A.K. Jeeawon (remote), R.A. McCourt, A. Rathbone Ariel and H.L. Timpe.

Other Members present: Councillors J. Barnes (remote), S. Burton (remote), G.R.M. Delany (in part), P.N. Osborne and C.J. Winter.

Advisory Officers in attendance: Interim Chief Executive, Interim Deputy Chief Executive, Director – Place and Climate Change, Head of Environmental Services, Licensing and Community Safety, Head of Housing and Regeneration, Environment Strategy Officer and Democratic Services Officer.

Also Present: 5 members of the public in the Council Chamber and 12 members of the public via the live webcast.

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The decisions made under PART II will come into force on 23 June 2023 unless they have been subject to the call-in procedure.

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**CB23/1. MINUTES**

(1)

The Chair was authorised to sign the Minutes of the meeting held on 27 March 2023 as a correct record of the proceedings.

**CB23/2. APOLOGIES FOR ABSENCE**

(2)

There were no apologies for absence.

**CB23/3. DISCLOSURE OF INTERESTS**

(5)

There were no declarations of interest made.

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

CB23/4.  
(9)

## **NET ZERO PLEDGE FOR UK100 MEMBERSHIP**

UK100 was a network of local authorities that had pledged to be Net Zero by 2030 for council operations and 2045, at the latest, for area-wide emissions. Membership was free, the pledge was not legally binding, and the benefits included networking; events; communications tools; media packs; support; facilitated dialogue with national politicians; knowledge sharing including webinars / workshops; promoting best practice; research opportunities and publications; and provided connections to world-leading business and industry.

The report detailed the Net Zero Pledge that the Council would need to sign and adopt, as well as required commitments.

Cabinet was supportive of approving and adopting the Council's membership to UK100 and agreed that it would support Rother's climate emergency ambitions and provide valuable resources for both Members and officers.

**RECOMMENDED:** That the Net Zero Pledge be approved and adopted and the Council's membership of UK100 be confirmed.

### **AND**

**\*RESOLVED:** That subject to Council approval, the Director – Place and Climate Change be granted delegated authority to sign the pledge and agree the on-going requirements to ensure Rother District Council's ongoing UK100 Membership.

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

**PART II – EXECUTIVE DECISIONS** – subject to the call-in procedure under Rule 16 of the Overview and Scrutiny Procedure Rules by no later than 4:00pm on 22 June 2023.

CB23/5.  
(6)

## **ROLE AND FUNCTIONS**

Members considered the report of the Interim Chief Executive on Cabinet's role and functions. As part of the Members' Induction process a report outlining each Committee's roles and responsibilities was presented to the first meeting of each Committee in the new municipal year, including Cabinet.

The report gave details of the decision-making structure at Rother which detailed how the Council operated a Leader and Cabinet Executive model of decision making since November 2001. Additionally, in accordance with the Local Government and Public Involvement in Health Act 2007, the Council had adopted the provisions of the "strong Leader" Executive Leader and Executive Cabinet model.

The report detailed workings of Cabinet in relation to its role and responsibilities, meetings (including confidential items), decision-making, call-in of Cabinet decisions, steering groups, agenda – what business, the Forward Plan, attendance and speaking at Cabinet meetings by non-Cabinet Members, and broadcastings of meetings. It was agreed that the report provided a useful guide for all Members.

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

CB23/6.  
(7)

### **CLIMATE CHANGE STEERING GROUP**

Members considered the report of the Director – Place and Climate Change which outlined the proposed re-establishment of the Climate Change Steering Group (CCSG) and the Terms of Reference (ToR) as detailed at Appendix A to the report.

It was understood that there was a desire to designate the CCSG as a formal committee of the Council. Full consideration would need to be given to formality, legal obligations and administration issues before this could be completed. In the meantime, Cabinet was requested to consider reconvening the CCSG and appoint Members, in accordance with the current ToR.

It was recommended and agreed that the CCSG be reconvened and for continuity purposes the membership consist of: Councillors S.J. Coleman, K.M. Field, P.J. Gray, P.N. Osborne and S.M. Prochak. The ToR would be amended accordingly. It was agreed that the format should remain as before, monthly informal meetings, with one public meeting every six months and minutes uploaded to the website. All Members were encouraged to attend the meetings, as their input was considered invaluable and where appropriate, advice would be sought from relevant stakeholders and national / local environmental groups.

The CCSG was considered key in steering Council priorities as part of the strategic approach to drive and realise the ambition to be carbon neutral by 2030.

**RESOLVED:** That the:

- 1) Climate Change Steering Group be reconvened and comprise of the following five Members - Councillors S.J. Coleman, K.M. Field, P.J. Gray, P.N. Osborne and S.M. Prochak; and
- 2) Terms of Reference be amended accordingly.

CB23/7.  
(8)

### **ENFORCEMENT OF ENVIRONMENTAL OFFENCES**

Consideration was given to the report of the Head of Environmental Services, Licensing and Community Safety regarding the concessionary agreement of enforcement of environmental offences which was subject to a 12-month review.

Since August 2022, the Council employed NES Ltd on a concession agreement, to conduct enforcement of environmental offences namely dog fouling, littering and fly-tipping. NES Ltd patrolled the district and issued Fixed Penalty Notices (FPNs) on the Council's behalf. They also prosecuted offenders who failed to pay FPNs and provided limited promotional opportunities. There were no costs involved and the Council retained 30% income from the FPNs paid which could be used to remove graffiti, waste and cleaning the public realm etc.

The monetary value of FPNs for each offence was set by the Council and were fixed. To reset values, the Council would have to re-procure the agreement. It was understood that the Government's intention was to substantially increase the maximum rate of FPNs. FPNs could be challenged and cancelled if agreement reached. Payment instalment options were not permissible.

The current agreement also oversaw business waste disposal across the district, domestic and commercial waste in Bexhill Town Centre, which had significantly improved, plus Camber Sands would be patrolled in the summer, particularly at busy weekends. It was anticipated that a significant reduction of littering would be realised. The service of a private Solicitor was also included to carry out prosecutions on behalf of the Council. At the end of March 2023, 16 prosecutions had commenced; the number of prosecutions would increase.

Members were advised that some complaints had been received regarding the conduct of NES staff; all had been investigated. The staff wore bodycams which recorded audio and video images of public interactions. Officers had reviewed recordings where complaints were lodged. To date, evidence identified that NES staff were assertive only and often subject to abuse from the public. The Council had only intervened on a few occasions to cancel the FPNs.

Employment of NES had substantially increased the number of environmental offences detected, the number of FPNs issues and prosecutions commenced, which accorded with Government Policy.

Cabinet agreed that the introduction of the contract had significantly reduced littering and fly-tipping across the district and therefore recommended that the concessionary agreement with NES Ltd be continued. It was considered important that the service be promoted across all Council social media platforms.

**RESOLVED:** That the concessionary agreement with NES Ltd, to carry out the enforcement of environmental offences be continued.

CB23/8. **DRAFT REVISED ALLOCATIONS POLICY FOR PUBLIC CONSULTATION - REFERENCE FROM THE OVERVIEW AND SCRUTINY COMMITTEE**

(10)

Cabinet received and considered Minute OSC23/09 arising from the Overview and Scrutiny Committee (OSC) meeting held on the 5 June

2023, which considered the Council's draft Housing Allocations Policy (HAP), Consultation Plan (CP) and Consultation Questionnaire (CQ).

The draft HAP, CP and CQ were detailed at Appendices A, B and C respectively to the report. As a result of the COVID-19 pandemic, the documents approved in 2019 were not implemented, it was considered opportune to review them again. Significant changes included new approaches to the way in which social housing was allocated to prevent homelessness, as well as providing greater social housing allocation control. The main changes were outlined in the report.

An eight-week consultation period would be launched in June or July 2023 with residents and relevant stakeholders. Stakeholders would be invited to complete the CQ; the results analysed, and adjustments would be made to the HAP in consultation with core stakeholder groups and the Cabinet Portfolio Holder for Housing. The finalised HAP would be reported to full Council for formal adoption later in the year.

Members agreed it was important that all relevant social media platforms advertised the consultation to the community, that a summarised version of the policy be created and, where possible, officers attend community events or parish and town council meetings to provide support and advice. It was also considered important that residents who did not have access to IT technology should not be disadvantaged and that additional support be provided for these residents.

Cabinet agreed that the draft HAP and CQ be approved for consultation.

**RESOLVED:** That the draft Housing Allocations Policy and Consultation Questionnaire for consultation with residents and wider stakeholders be approved.

CB23/9. **PERFORMANCE REPORT: FOURTH QUARTER 2022/23 -  
REFERENCE FROM THE OVERVIEW AND SCRUTINY  
COMMITTEE**

(11)

This agenda item was withdrawn as no recommendations were proposed by the Overview and Scrutiny Committee at their meeting held on 5 June 2023.

**CHAIR**

The meeting closed at 7:14pm