

Rother District Council

Report to	-	Council
Date	-	11 November 2019
Report of the	-	Cabinet
Subject	-	References from Cabinet Meetings

The Council is asked to consider recommendations arising from the Cabinet meetings held on 30 September 2019 and 4 November, as set out below.

CABINET – 30 September 2019**CB19/47. PROPOSED OPERATIONAL CHANGES TO THE PLANNING COMMITTEE**

Members received and considered Minutes PL19/43 and OSC19/21 arising from the Planning Committee and the Overview and Scrutiny Committee (OSC) meetings held on 15 August and 9 September 2019 respectively, that had considered proposed operational changes to the Planning Committee, together with a report from the Executive Director.

During the discussion, the following points were noted:

- it was recommended and agreed that Members who were not present at site visits would be required to declare and while allowed to stay and contribute, they would not be allowed to vote;
- a Ward Member's unique local knowledge was considered to be hugely beneficial to Committee Members;
- the OSC had raised concerns over recommendation 3 limiting non-planning committee Members to five minutes per application and were recommending its removal;
- however, others felt limiting non-Planning Committee Members to five minutes per application or at the Chairman's discretion, allowed for flexibility if necessary;
- Members could raise a 'point of order' if they felt mis-information had been given at a meeting;
- Ward Members were not quasi-Members of the Planning Committee and therefore did not have equal rights to Committee Members; and
- recommendation 3 would embed in the Constitution the right of a non-Planning Committee Member to speak at Planning Committee.

RECOMMENDED: That the following proposed changes to the operation of the Planning Committee be approved and adopted:

- 1) the cut off time for any late submissions be 9:00am on the Monday before the Thursday Planning Committee;

- 2) all meetings of the Planning Committee be audio recorded in their entirety;
- 3) non-Planning Committee Members addressing Planning Committee be limited to five minutes per application or at the Chairman's discretion;
- 4) attendance at the formal Planning Committee site visits be compulsory for Planning Committee Members. Members who were not present at site visits will be required to declare and while they will be allowed to stay and contribute to the debate, they will not be allowed to vote; and
- 5) the Executive Director be authorised to make all consequential amendments to the Council's Constitution, Council practice and the Statement of Community Involvement.

(Cabinet Agenda Item 6)

CB19/48. PERFORMANCE PROGRESS REPORT: FIRST QUARTER 2019/20

Members received and considered Minute OSC19/23 arising from the Overview and Scrutiny Committee (OSC) meeting held on the 9 September 2019.

The Head of Service Acquisition, Transformation and Regeneration led Members through a summary of the Council's performance against the selected indicators across four key areas (Housing and Homelessness, Benefits Performance, Waste and Recycling and Asset Income), giving the position at the end of the first financial quarter (1 April to 30 June 2019) for 2019/20.

The original Asset Income target of £1,520,000 was set prior to the budget setting for 2019/20; the budget was forecast at £1,939,000 including the income from the property investment strategy. Therefore, it was recommended the target in the performance indicator be adjusted accordingly to bring it into line with the income requirement included in the approved 2019/20 Revenue Budget.

The OSC had requested two additional recommendations - that Cabinet be requested to consider lobbying Government regarding the introduction of a charge on housing developers for development sites with planning permission that remain unbuilt for three years or more; and that performance indicators not meeting their targets be reported with suggestions for improvement from officers.

During discussion the following points were noted:

- performance against the Waste and Recycling target mostly represented the performance of the previous contractor;
- East Sussex County Council was responsible for processing recycling, Rother District Council was responsible for increasing

- rates of recycling. This was a challenge requiring further education for residents for which there was currently no budget;
- Members raised concerns over the difficulties incurred in identifying suitable temporary accommodation to suit different circumstances, i.e. families or individual applicants; and
 - it was acknowledged that the time to process benefit claims applications depended on the correct information being provided by applicant in the first instance.

RECOMMENDED: That: the Asset Income target be increased to £1,939,000, to bring it into line with the income requirement included in the approved 2019/20 Revenue Budget.

Cabinet also **RESOLVED:** That

- 1) Government be lobbied regarding the introduction of a charge on housing developers for development sites with planning permission that remain unbuilt for three years or more; and
- 2) reports of performance indicators that have not met their target be accompanied by suggested recommendations for improvement from officers.

(Cabinet Agenda Item 7)

CABINET – 4 November 2019

CB19/54. PROPOSED CHANGES TO PUBLIC SPEAKING AT PLANNING COMMITTEE

Consideration was given to the report of the Chairman of the Planning Committee that proposed a number of changes to the Public Speaking Scheme at Planning Committee meetings. The report had also been considered by the Planning Committee on 12 September 2019 and scrutinised by the Overview and Scrutiny Committee (OSC) on 14 October 2019. The minutes from both meetings were appended to the report at Appendices 5 and 6 respectively.

Following consideration of the comments / suggestions made by the Planning Committee and OSC, some of which had been taken on board, Cabinet was supportive of the proposed revised public speaking scheme as outlined at Appendix 3 and revised Code of Practice document at Appendix 4 to the report. It was also agreed that the scheme be subject to a 12 month review. It was noted that the five Minutes for Ward Members to speak, interspersed within the Planning Committee debate, would be timed, as at full Council meetings.

RECOMMENDED: That:

- 1) the proposed revised publish speaking scheme as set out in Appendix 3 to the report and revised Code of Practice document as set out in Appendix 4 to the report be agreed; and thereafter any minor changes to the public speaking system and/or the Code of

Practice to be delegated to the Executive Director in consultation with the Chairman of Planning; (Attached as Appendices 1 and 2 to this report).

- 2) non-Planning Committee Ward Members speaking under the scheme be encouraged to submit a brief summary of the issues they would raise in advance of the meeting to be circulated to the Planning Committee;
- 3) the word ‘interspersed’ be added in the Ward Member column in the table at Appendix 3 to the report; (Attached as Appendix 1 to this report).
- 4) Members calling in an application must attend the relevant Planning Committee, send a Member on their behalf or provide an apology / reason for non-attendance; and
- 5) the revised scheme be reviewed after 12 months.

(Cabinet Agenda Item 6)

CB19/55. 1066 COUNTRY WALK PATHWAYS – GRANT FUNDING

The Council had been successful in securing a grant of £163,272.60 for the 1066 Walk Pathways Project (WPP) from the Rural Payments Agency under the European Agricultural Funding for Rural Development Tourism Infrastructure Grant Programme.

1066 WPP aimed to promote and improve the signage infrastructure of the Pevensey to Rye 1066 Country Walk route. East Sussex County Council (ESCC) currently maintained the route, however improved signage and raised awareness was required.

The project would create and install bespoke visitor interpretation panels along the route reflecting local history, visitor attractions, eateries, accommodation etc.; along with two bespoke sculpture pieces, bespoke seating and sculpture trails, as well as promote the route. It was hoped that the project extended into Hastings and Bexhill off the main Pevensey to Rye route to capture the major population centres.

Necessary investigations and consultations with relevant partners had been completed and it was noted that a total of £14,500 had been committed from 1066 Country Marketing, ESCC and Wealden District Council towards the project. The Council would commit an additional £6,250 from the Tourism Budget and be responsible for maintaining the art installations for a period of five years.

A sister project was also being developed namely the 1066 Walk Puddings and Pathways Festival, to promote local food outlets along the route. Funding sources were currently being explored.

Cabinet agreed that the grant provided much needed investment into the green tourism sector, would help to promote this valuable asset and represented excellent value for money.

RECOMMENDED: That the provision of £163,272.60 be made in the Council's Revenue Budget to accommodate costs incurred in delivery of the 1066 Walk Pathways project, to be recovered by way of grant from the Rural Payments Agency.

(Cabinet Agenda Item 9)

CB19/56. **DISTRICT OF ROTHER (OFF-STREET) PARKING PLACES ORDER 2019**

Consideration was given to the report of the Executive Director on the District of Rother Parking Places Order (PPO). The Council currently operated its designated car parks under the District of Rother (Off Street) PPO 1983 and despite a number of small variations, had not been significantly updated since that time. In December 2018, Cabinet had recommended a number of changes and resolved that officers draft and consult on a new PPO.

The overall objective of the new PPO was to improve the ability of the Council to manage all car parks effectively, meet the cost of maintenance and enforcement. There was also a desire to provide greater controls to the Council within 'amenity open space parking areas' and certain rural car parks which were not named in the current PPO and, therefore, were largely unenforceable.

The proposed draft PPO was appended to the report at Appendix A and included the following changes: allowed recreational vehicles to park during the daytime; reduced maximum waiting period to 23 hours; removed devolved car parks; varied payment methods; included a number of parking areas currently designated as 'amenity open space parking areas'; and included rural car parks. The reduction in maximum waiting periods in car parks would allow improved enforcement of cars that were abandoned and or left for long periods of time. Local residents who used amenity car parks to park vehicles safely off the highway where there was no alternative parking would not be penalised if parked overnight.

The inclusion of the car park at the Bear at Burwash was queried as it was thought that this was being devolved to Burwash Parish Council who was awaiting a lease; this would be investigated by officers.

A consultation was held between 17 May to 26 July 2019 and the Council had received 302 responses; the executive summary was detailed in Appendix B to the report with full details available in the Members' Room. Feedback indicated that the majority of responders were supportive of the proposed changes. Two additional changes were put forward for Members' consideration, firstly, to include an electric vehicle charging clause to future proof the provision of electrical charging points and whether to award 'Disabled Person's Badge' holders free parking for the first three hours of any one day, in-line with neighbouring authorities. Should the Council agree to this it would result in a loss of £50,000 income per annum.

Members felt that the provision contained within PART I, Operative and General Provisions of the PPO, paragraph 23 (a) that a driver of a

vehicle in respect of which a standard charge had been incurred had to pay the standard charge within seven days was insufficient time. Cabinet suggested that this be amended to 21 working days and officers agreed to seek legal advice on this and advise accordingly for full Council on Monday 11 November.

Cabinet was pleased with the level of engagement and considered that all the suggested amendments to the proposed PPO were welcome, however, the suggestion to support free parking for the first three hours to 'Disabled Person's Badge' holders was not supported. It was considered that the provision of disabled bays within car parks was about access and not cost and the Council could ill afford this reduction in income.

RECOMMENDED: That:

- 1) the proposed District of Rother (Off-Street) Parking Places Order 2019 at Appendix A be approved and adopted; (Attached as Appendix 3 to this report).
- 2) the proposed free parking for the first three hours of any one day as part of the District of Rother (Off-Street) Parking Places Order 2019 for Disabled Person's Badge Holders NOT be supported; and

(Councillor Mrs Bayliss wished it to be recorded that she abstained from voting on this recommendation).
- 3) the number of days in which a driver of a vehicle in respect of which a standard charge had been incurred had to pay the standard charge be extended from seven to 21 days, subject to legal advice.

(Cabinet Agenda Item 11)

CB19/57. REVENUE BUDGET AND CAPITAL PROGRAMME MONITORING QUARTER 2 2019-20

Members received and considered the report of the Executive Directors on the Revenue Budget and Capital Programme Monitoring Quarter 2 2019/20. The report contained details of the significant variations of the Revenue Budget and updated Capital Programme.

Since the last report to Cabinet, there had been two reportable movements. The Council had provided an additional grant of £193,000 to the De La Warr Pavilion Charitable Trust to meet the pension shortfall and a staffing post had been transferred from the Resources to Housing and Community Service to improve operational efficiency.

Overall the cost of services identified a deficit of £1.2m which was 7.5% greater than the revised budget and represented an increase of £980,000 from the Quarter 1 2019/20 report. Currently reserves were being used to support the Revenue Budget however this would not be sustainable long term. The Council's Rother 2020 programme envisaged delivering ongoing services based on savings and it was

forecast in the financial plan that staff cuts would be required. The Strategic Management Team would be reviewing all vacant posts and seeking expressions of interest for voluntary redundancies. Costs of redundancies would be built into the Medium Term Financial Strategy and recovered within a year.

The main reasons for the variations were attributed to underspends / savings on employment related costs and staff vacancies. The deficit was attributed to election costs, planning fee and land charges income, costs associated within the Acquisitions, Transformation and Regeneration and Resources Services, waste services, provision of temporary accommodation, replacement of faulty Leisure Centre equipment and cemeteries income.

Investment returns were in-line with the budget. The final year end position would depend on treasury management and property investment decisions made between now and March 2020. 2019/20 Reserves were expected to meet £704,000 compared to the original budget assumption of £1.67m. Due to the reduction of reserves it was recommended that the Council did not continue to provide grass cutting of £40,000 per annum to East Sussex County Council in 2020/21.

The Council Tax collection rate was forecast to be broadly in-line with the annual estimate and the Business Rates collection performance would be higher than the budget by £170,000. Appendix B to the report, showed the Capital Programme for the period 2019/20 to 2024/25 which included £46,000 for upgrading Camber Car Park.

Capital spend to the end of September 2019 totalled £9.3m which included the purchase of Grovers House, Bexhill, as identified in Appendix A to the report. The significant save of £300,000 on the works at the untarmacked car park at Camber, following a review of the projected costs, was highlighted.

It was noted that following the forthcoming Corporate Peer Challenge follow up visit from the Local Government Association, if considered appropriate, a peer review on finance may be requested.

RECOMMENDED: That the updated Capital Programme at Appendix B to the report, be approved. (Attached as Appendix 4 to this report).

Cabinet also **RESOLVED:** That

- 1) the report and actions being undertaken by the Strategic Management Team to address the projected overspend be noted; and
- 2) Council ceases to fund East Sussex County Council for additional grass cutting to highway verges from 2020/21.

(Cabinet Agenda Item 14)

Councillor D.B. Oliver
Leader of the Council