

Rother District Council

Report to	-	Council
Date	-	31 January 2022
Report of the	-	Cabinet
Subject	-	References from Cabinet Meetings

The Council is asked to consider the recommendation arising from the Cabinet meetings held on 4 October, 8 November, 13 December 2021 and 10 January 2022 as set out below.

CABINET – 4 October 2021

CB21/39. UPDATED STATEMENT OF COMMUNITY INVOLVEMENT

Members considered the draft updated 'Statement of Community Involvement' (SCI), attached as Appendix A to the report, which set out how and when the Council would carry out consultations and involve the community in both the preparation of planning policy documents and in the determination of planning applications.

The SCI had been subject to public consultation, following which a small number of minor amendments had been made as set out in the Consultation Summary Report, attached as Appendix B to the report. None of the amendments made as a result of the public consultation had changed the substance of the draft updated SCI as presented to Cabinet in May this year.

The main amendments to the SCI related to early engagement on plan-making and the Duty to Co-operate, changes to the public speaking processes at Planning Committee, brought in by the current administration, and the increased scope of engagement using new online platforms. Members were pleased with the increased community engagement with both the public and the parish and town councils across the district that enabled participative and collaborative planning processes.

The updated SCI provided a clear, transparent basis for carrying out consultations on future plans and would provide a useful reference to all interested parties on what involvement they could expect to have in planning decisions.

RECOMMENDED: That the updated Statement of Community Involvement attached as Appendix A to the report be approved and adopted, with any comments being reported verbally to full Council.

(Attached at Appendix A to this report).

(Cabinet Agenda Item 8)

CB21/48. **STREET LITTER BININFRASTRUCTURE AND DRAFT LITTER STRATEGY FOR ROTHER**

Consideration was given to the report of the Head of Neighbourhood Services regarding the adoption of a Litter Strategy for Rother.

The Litter Strategy for England 2017 had been designed to apply best practice to reduce litter and littering behaviour, as well as outlining how tackling litter could be done in partnership with central and local government, volunteers, campaigners and businesses. A fundamental part of the strategy was the development of local government level litter strategies and a review of their 'bininfrastructure'. Bininfrastructure meant having the 'right bin in the right place'. Through the Department for Environment and Rural Affairs and Waste and Resource Action Programme, the Council applied for and was granted a financial award of £22,500. This enabled the Council to purchase multiple bins, including solar bins, signage and installation, some of which had already been allocated to appropriate locations. Full information was detailed in the draft Litter Strategy at Appendix A to the report.

It was noted that additional costs would be required to maintain the bins and that Hastings Direct (via the Welcome Back Fund) had provided financial support to empty the additional bins. Additional funding might be available, as a result of local businesses supporting litter bins. A local business sponsorship education and publicity campaign would be launched once the UK Environment Bill had been ratified.

Cabinet congratulated the Head of Neighbourhood Services and her team for achieving the award and were fully supportive of the draft Litter Strategy. It was important that the negative "throw away / throw down" culture was tackled, as this had a detrimental impact on everyday life. Officers would continue to explore all funding options to purchase suitable (affordable) bins and ensure that they were placed in appropriate areas to alleviate accumulated rubbish in high footfall locations e.g. seafront / promenade etc. Partnership working with food outlets and community groups was considered essential to reduce littering and create a clean environment across the district.

RECOMMENDED: That the draft Litter Strategy for Rother attached at Appendix A to the report be approved and adopted.

Cabinet also **RESOLVED:** That the:

- 1) Litter Strategy for England 2017 be noted; and
- 2) successful award of Bininfrastructure funding and its requirement for a Local Authority Litter Strategy be noted.

(Attached at Appendix B to this report).

(Cabinet Agenda Item 7)

CABINET – 13 December 2021

CB21/55. COUNCIL TAX REDUCTION SCHEME – OUTCOME OF CONSULTATION TO PROPOSED CHANGES

Each year, the Council was required to formally adopt and review a Council Tax Reduction Scheme (CTRS) by 31 January to commence on the 1 April of that year. The report had been scrutinised by the Overview and Scrutiny Committee (OSC) on 22 November 2021 and a copy of the Minutes arising from the OSC meeting had been appended to the report for Cabinet's consideration.

Two changes were proposed for the 2022/23 scheme namely to improve access for self-employed people who were also carers and self-employed residents who were registered disabled. The Council was legally required to consult with the community and stakeholders on substantive changes to the CTRS. All major preceptors had been consulted and one objection had been received. The CTRS was expected to have a relatively small impact on the total income (approximately £4,000) derived from Council Tax for Rother District Council but would make an important difference to those households affected. The uptake and ultimate cost would be monitored throughout 2022/23 and would be considered when the CTRS was next reviewed.

Cabinet was supportive of the proposed changes to the CTRS.

RECOMMENDED: That the changes to the Council Tax Reduction Scheme as outlined in this report be approved and adopted with effect from 1 April 2022.

(Cabinet Agenda Item 8)

CB21/56. NEW COMMUNITY INFRASTRUCTURE LEVY GOVERNANCE AND THE PROPOSAL FOR APPORTIONMENT OF STRATEGIC COMMUNITY INFRASTRUCTURE LEVY FUNDS

Consideration was given to the report of the Director – Place and Climate Change which proposed the new Community Infrastructure Levy (CIL) Governance arrangements and proposals for apportionment Strategic CIL funds. The report had been scrutinised by the Overview and Scrutiny Committee (OSC) on 22 November 2021 and a copy of the Minutes arising from the OSC meeting had been appended to the report for Cabinet's consideration.

A Community Infrastructure Levy Steering Group (CILSG) had been established to consider the allocation and spending of the Strategic CIL funding. Appendix 1 to the report identified the updated CIL Governance and Funding Decisions Protocol for consideration and allocation of Strategic CIL funding and included the application form, assessment criteria and validation checklist. The Protocol outlined how the Council, as the Charging Authority allocated the Strategic CIL and ensured governance arrangements were consistent and transparent. There were two main funds, namely the Rother Infrastructure Fund (RIF) (55% apportion) and the Infrastructure Matched Fund (25%

apportion). Both would be sub-divided into Bexhill and Rural sub-funds. Funds would be allocated to projects identified on the annual Infrastructure Funding Statement and prioritised by the Strategic CIL Allocations Panel. A Climate Emergency Bonus Fund (20% apportion) would be established to assist schemes that were considered 'green premium' e.g. reduced carbon emissions.

It was noted that CIL funding could be spent on the Council's own infrastructure requirements or assets; a briefing by the Planning Policy Manager would be delivered to the Corporate Management Team and Heads of Service to identify suitable projects / schemes etc.

Cabinet was supportive of the new Strategic CIL funding apportionment arrangements and composition of the Strategic CIL Allocations Panel. It was also agreed that a review of the Council's CIL Charging Scheme be delayed subject to the outcome of the Government's paused White Paper "Planning for the Future" and further investigation of future infrastructure needs as part of the Local Plan Review, and that the CILSG be disbanded.

The Leader thanked all Members of the CILSG and officers who had supported and contributed to the work of the Group.

RECOMMENDED: That:

- 1) the Strategic Community Infrastructure Levy Allocations Panel be established and comprised of the Cabinet Portfolio Holders for Strategic Planning, Finance and Performance Management and Economic Development and Regeneration, Chairman of Overview and Scrutiny, Chairman of the Council and supported by Director – Place and Climate Change, Planning Policy Manager, Chief Finance Officer and Principal Community Infrastructure Levy Officer;
- 2) strategic Community Infrastructure Levy funds be distributed by the Panel in accordance with the proposed Community Infrastructure Levy Governance and Funding Protocol; and
- 3) the Council's Community Infrastructure Levy Instalment Policy be maintained (the Council's Community Infrastructure Levy Instalment Policy was considered and compared with those of neighbouring authorities).

Cabinet also **RESOLVED:** That:

- 1) a review of the Council's Community Infrastructure Levy Charging Scheme be delayed subject to the outcome of the Government's paused White Paper "Planning for the Future" and further investigation of future infrastructure needs as part of the Local Plan Review;
- 2) the Community Infrastructure Levy Steering Group be disbanded; and

- 3) it be noted that 'best practice guidance' on Community Infrastructure Levy arrangements were to be created by Councillor Dixon, in consultation with Battle Town Council, the Cabinet Portfolio Holder for Strategic Planning and Planning Policy Manager.

(Cabinet Agenda Item 10)

CB21/57. **DESIGNATION OF MONITORING OFFICER AND CHIEF FINANCE OFFICER**

The posts of the Monitoring Officer (MO) and Chief Finance Officer (CFO) were two of three statutory posts which the Council was required to have and as such appointment to these posts needed to be approved by full Council.

Following the Council's restructure and appointment of the new Deputy Chief Executive / designated MO and reintroduction of the Deputy Monitoring Officer (DMO) role, Cabinet recommended the appointment of Lorna Ford as the MO and Lisa Cooper as the DMO with effect from 17 January 2022. The Council's current Section 151 Officer, Robin Vennard was retiring and would formally leave the Council on 31 December 2021. Cabinet recommended the appointment of Antony Baden as the CFO / Section 151 Officer with effect from 1 January 2022 or an earlier date as agreed by the Chief Executive. Full Council would be meeting on 20 December 2021 to formally ratify the appointments.

RECOMMENDED: That Lorna Ford, Deputy Chief Executive be designated as the Council's Monitoring Officer and Lisa Cooper be designated as the Council's Deputy Monitoring Officer with effect from 17 January 2022 and Antony Baden be designated as the Council's Chief Finance Officer (Section 151 Officer) with effect from 1 January 2022 or an earlier date as agreed by the Chief Executive.

(Cabinet Agenda Item 12)

CABINET – 10 January 2022

CB21/66. **UPDATED LOCAL PLANNING ENFORCEMENT PLAN**

The Local Enforcement Plan (LEP) adopted in July 2016 was consistent with the National Planning Policy Framework (NPPF) guidance and described how the Council investigated allegations of unauthorised development within the district. The Development Manager advised that as a result of several factors, namely updates to the NPPF, adoption of the Council's Development and Site Allocations Local Plan in 2019 and consequences of COVID-19 pandemic, it was necessary to update the document. All Members had the opportunity to consider the draft Plan in November and contribute to its revision and several Member suggestions had been incorporate into the draft.

A copy of the revised draft LEP was attached to the report at Appendix A.

The proposed updated plan drew on current good practice and current working practices as well as up-to-date legislation and planning policies to both set out how the Planning Enforcement services managed investigating alleged planning breaches proactively, but also what it could and could not do including when some factors may be beyond its control. In addition, the revised LEP provided appendices which should assist visually with setting out the investigation and action processes and the 'toolkit' of powers at the Service's disposal.

Whilst formal consultation with the parish and town councils across the district had not taken place on this draft, it was agreed that a remote meeting would be held following full Council's adoption of the plan and this could be advised at the Rother Association of Local Councils' meeting being held this week. Consultation with the parish and town councils would take place in subsequent reviews of the plan in two/three years' time.

Cabinet was supportive of the updated LEP and acknowledged that the document provided a clear and concise 'toolkit' for the Council's Planning Enforcement Team for dealing with breaches of planning. The Cabinet Portfolio Holder for Strategic Planning thanked the Development Manager who had made significant improvements to the planning service since his appointment.

RECOMMENDED: That the updated version of the Local Planning Enforcement Plan be approved and adopted.

(Attached as Appendix C to this report)

(Cabinet Agenda Item 9)

Councillor D.B. Oliver
Leader of the Council