

Northern Rother District Councillors' Report - August 2022.

Anti-Poverty Strategy.

A total of 25 local organisations responded to the public consultation including seven town and parish councils, 13 charities, voluntary agencies and three public sector organisations, two political parties (branches) and the Council's Planning Policy team.

A number of organisations felt that the delivery of the Strategy would need to be integrated with a range of existing strategies, including the Housing, Homelessness and Rough Sleeping Strategy, Local Plan, Economic Development and the Hastings & Rother Food Network's 'Food Insecurity Strategy for Rother'. In particular, the consultation responses from East Sussex County Council Public Health and the local Clinical Commissioning Group (CCG) drew attention to the strong alignment between the objectives within the draft Anti-Poverty Strategy and the drivers of broader health inequalities across the Health and Social Care sectors.

The development of the Strategy had highlighted that the causes of poverty were numerous and complex and its symptoms wide ranging. The effects of poverty were felt by a range of different sectors of the community across different demographic groups and geographic locations. Many of the causes of poverty could not be influenced effectively at a local level and the Council could not effectively tackle the symptoms of poverty on its own.

The proposed partnership approach that coordinated the 'whole system' of services supporting those experiencing poverty was therefore important. The proposed Strategy had been developed between key local partners to ensure that the objectives identified were relevant and that the actions proposed ambitious while being measurable and achievable within the resources available locally.

The proposed Anti-Poverty Steering Group (APSG) would be well placed to deliver the strategy action plan and provide periodic progress updates to the Rother Local Strategic Partnership which could, in turn, monitor APSG performance. The APSG would be able to build-upon the work of the Anti-Poverty Task and Finish Group and develop the Anti-Poverty Strategy into a broader Health and Wellbeing approach that was better aligned to the emerging priority aims of the new Integrated Care System introduced on 1 July 2022 and other existing local strategies.

The Ravenside Gateway roundabout improvement - an update.

In July 2020, the Council approved a project to improve the Ravenside Gateway roundabout and commission the installation of a sculpture or artwork on the roundabout. A contribution from the Bexhill Local Community Infrastructure Levy (BL CIL) of £150,000 was allocated towards the project at that time.

Officers had been working in conjunction with National Highways (NH) and East Sussex County Council to progress the project in a two-phase approach involving a phase 1 clearance, followed by a phase 2 installation of a sculpture and hardstanding. However, the presence of an invasive plant species, Horsetail, had led to significant delays to clearance of the site as no works could be undertaken unless carried out by NH contractors under their supervision.

This had delayed implementation of the phase 1 works which had yet to be programmed in. Whilst the allocation of BL CIL was intended to enable this project to move quickly with the certainty of funding, the delay to this project should not stop the progression of other improvements in Bexhill and it was therefore recommended that the BL CIL allocation be removed from this project at this time. Should this project progress to phase 2, a funding stream would need to be identified and it was proposed that external funding be sought, including a request for a contribution from Bexhill-on-Sea Town Council and a further paper would be presented at a later date.

Members were disappointed and frustrated at the lack of progress on this project, largely due to NH, but supported the reallocation of the BL CIL funding to support other current projects that were on-going. Members were reassured that the project would be pursued to completion.

Devolution of Public Conveniences in Bexhill

In accordance with the Council's Financial Stability Programme and the Protecting Discretionary Services Strategy, agreement was sought to devolve the public conveniences in Bexhill from Rother District Council to Bexhill on Sea Town Council (BoSTC) by April 2023, as part of the wider programme of devolution.

The devolution of assets and services project had two phases, with phase one focussing on public conveniences in Bexhill and the second phase covering assets/services for all other local councils by April 2024. Discussions were already underway with Rye and Battle Town Councils and discussions had begun with BoSTC about other assets and services that could be devolved. The desired outcomes of this project were to protect discretionary services for future use by the community and to reduce the Council's net spend on discretionary services by 2025/26.

There are 14 public conveniences in Bexhill that could be devolved. BoSTC had indicated its interest in taking on all public conveniences, however, there were also ongoing discussions with two other organisations regarding the future management arrangements of the public conveniences at the Polegrove and Manor Gardens. In

2021, the newly created BoSTC conducted a survey seeking the views of Bexhill residents on a range of issues, with over 2,000 responses; 36% wanting to see improvements to the public conveniences.

It was noted that in order to achieve the ambitious timescale, public conveniences would be leased rather than disposed of, which provided control over potential future uses and a model lease was already available as a starting point for negotiation. Legal Services had confirmed that there was the capacity to deliver the programme and, if necessary, additional external legal support would be **commissioned**.

Members also requested that consideration be given to the installation of solar panels on any appropriate public convenience buildings as part of this project, to assist the Council in meeting its climate change decarbonisation programme which could potentially be funded through the Climate Change CIL fund. The delivery of local services by local organisations would save money as well as the carbon footprint of the service delivery.

The amount of revenue savings was dependent on the number of facilities transferred, ranging from £123,771.10 to £137,493.99 per annum. These figures were based on 2022/23 expenditure on contract cleaning and 2021/22 expenditure on utilities, grounds maintenance, hired and contract services, insurance and repairs only.

It was proposed that up to £218,000 of local CIL funding collected for Bexhill between 2016 and May 2021 (prior to BoSTC being established) would be made available to BoSTC and other community organisations to enable a programme of refurbishment to be undertaken. A one-off cost of £20,000 had also been earmarked from the Invest to Save fund, set up to enable the delivery of the Financial Stability Programme, to carry out the condition surveys for Bexhill public conveniences.

Article 4 Direction - Coastal Land at Fairlight Cove.

Members considered the making of an Article 4 Direction at coastal land at Fairlight Cove. An Article 4 direction is a direction under Article 4 of the Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended) ("the GPDO") which enables the Secretary of State or the local planning authority to withdraw specified permitted development rights across a defined area.

The effect of the Article 4 direction at Fairlight Cove would remove permitted development rights from specified residential properties close to the cliff edge for certain forms of householder development, including residential extensions and outbuildings. The removal of these specific permitted development rights did not stop development but meant that planning permission would be required to allow for the proper assessment of risks before development was permitted to proceed.

An independent report by a Chartered Geologist and Chartered Civil Engineer specialising in coastal science, coastal risk management and landslide management had been undertaken, to evidence the need for the Article 4 direction and inform its

scope and geographical coverage. The report confirmed that for the short to medium term, there were 12 most vulnerable properties which were closest to the cliff line. Whilst there were existing planning policies which applied to planning applications for development at Fairlight Cove covering unstable or potentially unstable land, none were applicable to development not requiring planning permission; it was noted that Building Regulations were also unlikely to cover the impact of development on ground stability.

Consequently, in order to offer appropriate protection in reducing risks to ground stability, it was proposed that the Article 4 direction would cover 28 residential properties, Once agreed, the Article 4 Direction would be kept under review and extended to other properties if and when appropriate in future years.

In order to make an Article 4 direction, the Council is required to publish a notice, allowing for a period of at least 21 days for representations and specifying the date on which it is proposed to come into force between 28 days and two years from the date of notice.

It was noted that compensation could be payable by the Council to affected householders following the imposition of an Article 4 direction if introduced with less than 12 months' notice. Cabinet therefore had two options:

- (a) provide the minimum notice period removing "permitted development rights" from the affected properties within 28 days, with the risk of compensation; or
- (b) provide a notice period of 12 months, thereby removing the risk of compensation but enabling affected property owners to commence developments within that time period, without needing planning permission, should they wish to do so.

It was agreed that

- 1/ the making of an Article 4 Direction in respect of the land and those classes of development described in this report be approved;
- 2) the Director of Place and Climate Change be granted delegated authority to confirm the Article 4 Direction following a 21 day consultation period, subject to consideration of any representation response received, so that it comes into effect at the end of a 12 month notice period; and
- 3) the Director of Place and Climate Change be granted delegated authority to make an immediate Article 4 Direction within the 12 month period specified in 2) above, if warranted, i.e. if a development which constitutes a threat to the amenities of the area is identified.

Councillors Tony Ganly and Martin Mooney.