

CABINET

4 APRIL 2016

Present: Councillors Chowney (Chair), Forward, Cartwright, Poole, Atkins, Cooke and Davies

Apologies for absence were noted for Councillor Fitzgerald

58. MINUTES OF THE MEETING HELD ON 7 MARCH 2016

RESOLVED that the minutes of the meeting held on 7 March 2016 be approved and signed by the chair as a correct record of the meeting

RESOLVED the Chair called over the items on the agenda, under rule 13.3 the recommendations set out in minute numbers 59, 60, 61, 63, 64, 65, 66 and 67 were agreed without being called for discussion

59. REVISIONS TO THE LOCAL DEVELOPMENT SCHEME (LDS) (LOCAL PLAN TIMETABLE)

The Assistant Director for Regeneration and Culture submitted a report which advised Cabinet of the updated timescales for the production of the emerging Local Plan documents, since the last Local Development Scheme (LDS) was adopted in July 2014.

The LDS is a public statement of the council's programme for production of Local Development Documents (LDDs), which form part of the Local Plan for Hastings. Local authorities are required to review their LDS from time to time, to ensure the work programme remains realistic and achievable.

Since the last review of the LDS in 2014, the council has adopted the Hastings Development Management Plan and two supplementary planning documents (SPDs) in relation to the retention of employment land and visitor accommodation. A number of other significant regeneration projects have also taken place in the town, including the restoration of Hastings Pier and the redevelopment of the White Rock Baths as a BMX and skate park.

It is therefore necessary to review the LDS. In particular, consideration has been given to extending the Town Centre Area Action Plan, to include the area known as White Rock to reflect the west of the town centre. This change reflects the importance of the White Rock area to the town's civic and cultural identity, as well as the new opportunities which have emerged to widen the cultural, recreational and leisure facilities in the area following earlier regeneration activity.

The revised LDS identified further SPDs, to be prepared over the next 3 years, including affordable housing, contribution to play space provision, design and developer contributions. The report also proposed timescales for the adoption of the documents and associated consultation.

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RESOLVED that the contents of the revised Local Development Scheme be agreed

The reason for this decision was:

So that an up-to-date Local Development Scheme is in place in accordance with Section 15 of the Planning and Compulsory Purchase Act 2004, as amended by section 180 of the Planning Act 2008 and section 111 (7) of the Localism Act, and the Town and Country Planning (Local Development) (England) regulations 2004.

60. HASTINGS SPORT AND PHYSICAL ACTIVITY STRATEGY

The Assistant Director for Regeneration and Culture submitted a report which advised that the Hastings Sport and Physical Activity Strategy had been updated.

Supporting sport and physical activity was integral to the council's broader ambitions to improve the health and wellbeing of residents, develop stronger and safer communities and facilitate the economic prosperity of the town. During the lifespan of the previous strategy, which covered the period from 2012 – 2015, physical activity rates of Hastings adult residents increased significantly.

A revised strategy has been developed by a working group of partners from the statutory, voluntary and community sectors. The working group have considered local needs and national and regional priorities. The development and implementation of a strategy is also expected as part of the funding agreement with ESCC Public Health.

The revised strategy focused on 3 key priority areas of increasing participation and encouraging more residents to meet the recommended physical activity levels, enhance capacity and build the skills of volunteers and to strengthen partnerships to ensure a co-ordinated approach.

The strategy will be subject to regular review, the Active Hastings Partnership will also produce an annual action plan, along with an annual report to show progress against the priorities contained in the strategy.

RESOLVED that the updated Hastings Sport and Physical Activity Strategy 2016-2020 be considered and agreed

The reason for this decision was:

Sport and physical activity play a key role in improving the health and wellbeing of our residents, as well as developing stronger and safer communities, contributing to economic prosperity, increasing skills, reducing our carbon footprint and increasing personal confidence and self-esteem.

The strategy aims to make participation in sport and physical activity a regular habit for more people, particularly under-represented and inactive groups.

The strategy reflects the coming together of a range of partners to establish a creative and coordinated approach to make a difference through sport and physical activity.

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61. **DISABLED FACILITIES GRANT BUDGET 2016/17**

The Assistant Director for Housing and Built Environment submitted a report which set out the increased Disabled Facilities Grant (DFG) budget allocation through the Better care Fund for 2016/17, and set out options for delivery.

Since April 2015, DFG funding had formed part of wider Better Care Fund which is paid to health and social care authorities. The funding is ring-fenced within the fund for 2016/17. THE DFG funding allocation to Hastings Borough Council in 2016/17 has been increased by 83% to £1,407,313.

The DFG allocation for 2015/16 has been fully spent; with a further committed spend rolling into 2016/17. Initial discussions with the Operations Manager for Occupational Therapy Services at East Sussex County Council (ESCC) indicate that there is a need for the increased budget. The Adult Social Care team at ESCC was currently changing their working practices in order to clear the current waiting list of clients for assessment by an Occupational Therapist. The report proposed that a proportion of the allocation be used to fund an additional surveyor to administer the DFG's for 2016/17.

RESOLVED that:

- 1) **The DFG allocation for 2016/17 be noted, and;**
- 2) **An additional revenue resources, funded through the DFG allocation, is agreed to deliver the increased spend**

The reason for this decision was:

Nationally DFG allocations through the Better care Fund have increased by an average of 80% for 2016/17. In Hastings, the Better care Fund is administered through East Sussex County Council and subsequently allocated to Districts and Boroughs. The allocation in Hastings for 2016/17 is £1,407,313 this represents an 83% increase on 2015/16. ESCC Adult Social Care are confident the need for adaptations in Hastings is such that the full budget can be spent, in order to administer this increased level of grant activity however an additional resource is required within the Housing Renewal Team.

62. **PROPOSED KIOSK ON THE UPPER PROMENADE ABOVE BOTTLE ALLEY**

The Assistant Director, Financial Services and Revenues, presented a report which sought approval to progress with proposals for the construction of a kiosk on the Upper Promenade.

The council had been considering options to create additional interest along the seafront. An appraisal had been undertaken which identified four potential sites for new facilities, including a kiosk for catering use.

A public consultation had been undertaken on design and location of the new kiosk, and a scheme was chosen which was in-keeping with the existing modernist

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structures on the seafront. Planning consent for the new structure had been granted in January 2015.

Nine proposals had been received when initial expressions of interest had been invited in October 2014 to operate the new kiosk. It is proposed to market the site while tenders are being sought, construction of the kiosk will only begin once a leasing agreement is in place.

Councillor Chowney proposed approval of the recommendations to the Assistant Director – Financial Services and Revenue's report, which was seconded by Councillor Cartwright.

RESOLVED (unanimously) that capital funding of £79,000 be approved for constructing a kiosk

The reason for this decision was:

The council is keen to enhance the facilities for residents and visitors to the town. As part of the Seafront Strategy we have made a commitment to new kiosks on the promenade that link to the Bottle Alley refurbishment (concrete repairs due to be completed by the end of March) and will help animate this long stretch of seafront.

63. SELEP HOUSING BID - COASTAL SPACE PHASE 3

The Assistant Director for Housing and Built Environment submitted a report which proposed a third phase of the Coastal Space project to be taken forward with the support of the South East Enterprise Partnership (SE LEP).

In February 2013, the council had agreed to invest in a proposed housing acquisition and improvement scheme by Amicus Horizon, to support the continued regeneration of Central St Leonards. A second phase was agreed in February 2015, and the remit of the scheme was extended to include long term empty properties outside Central St Leonards. The report provided an update on phases 1 and 2 of the scheme.

The council made a successful submission to the SELEP in July 2014 on behalf of several coastal communities to support investment in local housing markets. Provided the business plan is approved when it is considered by the Local Enterprise Partnership (LEP) in June 2016, the allocation of funding to Hastings could support a third phase of the scheme.

Phase 3 of the scheme would involve the potential compulsory purchase (CPO) or a long term empty home and its onward sale to Amicus Horizon for redevelopment. The council would also be required to make an additional investment in the scheme under Section 435 of the Housing Act 1985.

RESOLVED that the council approves a grant of £709,000 to Amicus Horizon in respect of a further Coastal Space project, as outline in a part II report submitted at the meeting

The reason for this decision was:

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Phase 1 and 2 of the Coastal Space project have been funded in part by the Homes and Community Agency, AmicusHorizon and Hastings Borough Council. The intention had been that phase 3 would also be a mixed funded but with the South East LEP compensating for any further significant level of investment required of the council. However, recent policy changes introduced by central government have reduced the ability of AmicusHorizon to fund development at the levels previously envisaged for the coastal space project. Even with the additional £600,000 SELEP funding, the association now require a substantial financial contribution from the council in order to proceed. The association would commit to matching the level of investment made by the council.

64. COMPULSORY PURCHASE OF LONG TERM EMPTY PROPERTY

The Assistant Director for Housing and Built Environment submitted a report on proposals to compulsory purchase a property located in Gensing ward, with the intention of onward disposal to AmicusHorizon Housing Association.

The property, which comprised a three storey block of 17 flats, was vacant and in a poor state of repair. AmicusHorizon intended to redevelop the site to create self-contained general needs affordable housing, which would then be let to local people in housing need identified through the Choice Based Lettings scheme.

Under Section 226(1) (a) of the Town and Country Planning Act 1990, the council had powers to acquire land and buildings to facilitate their improvement, development or redevelopment, if this would bring social, environmental or economic benefits to the area. The council's Empty Homes Strategy and Action Plan prioritises returning long term empty properties to use, utilising the council's CPO powers where appropriate.

The report set out a time scale for the proposed compulsory purchase action.

RESOLVED that:

- 1) Cabinet agrees to commence the process for the compulsory purchase of the property identified in the report in Part 2 of the agenda, pursuant to Section 226(1) (a) of the Town and Country Planning Act 1990, and;**
- 2) Cabinet agrees the onward transfer of ownership of the property to AmicusHorizon**

The reason for this decision was:

The property identified, which occupies a prominent site within St Leonards, has been empty for over 6 years and is considered a significant blight to the area.

A Compulsory Purchase Order will enable the council to take the necessary steps towards securing the redevelopment of the property. This will remove the blighting effect of the site in its current condition and will secure the provision of new residential accommodation.

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AmicusHorizon Housing Association propose to purchase the property from the council, then following necessary development let the property for residential purposes to those in housing need nominated by the council.

65. AQUILA HOUSE - PURCHASE

The Assistant Director – Financial Services and Revenues submitted a report which sought approval to purchase Aquila House.

The council was committed to a 15 year lease of the building, with a break clause after 10 years. The current owners of the property had indicated that they were willing to sell the freehold to the building, and there was a very short window of opportunity for the council to consider the potential purchase.

The building comprised a substantial office block plus four ground floor lock-up retail units occupied on individual leases. The building had been subject to refurbishment over recent months. An external valuation had been carried out by Dyer and Hobbis. The valuation was lower than the agreed sale price because, as a sitting tenant, the council would not benefit from rental income from the office space.

By purchasing the freehold of the building the council would achieve annual revenue savings against the existing rental payments and an additional income stream from the shops. The council would also avoid the costs associated with the 5 yearly rent reviews and dilapidation costs of returning the building to its original condition at the end of the current lease.

RESOLVED to purchase Aquila House

The reason for this decision was:

The council is already committed to taking a lease of 15 years (with a break clause at 10 years). The purchase of the freehold provides the council with the opportunity to make annual revenue savings given the low borrowing rates currently available. The council would avoid any uplift in rent at each 5 year rent review period and would avoid many of the dilapidation costs that would be applicable at the end of the lease – given that the council will be required to reinstate the building to original condition and floorplans. The addition of the shops to the council's property portfolio provides the opportunity of enhancing the revenue income stream in line with council objectives for income generation.

Councillor Chowney proposed a motion, seconded by Councillor Cartwright for the exclusion of the public from the meeting, in order to consider confidential business.

RESOLVED (unanimously) that the public be excluded from the meeting during the consideration of the items of business listed below because it is likely that if members of the public were present there would be disclosure to them of "exempt information" as defined in the paragraphs of Schedule 12A to the Local Government Act 1972 referred to in the relevant reports

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66. SELEP HOUSING BID - COASTAL SPACE PHASE 3

The Assistant Director for Housing and Built Environment submitted a report which advised of a proposed third phase of the Coastal Space project, to be taken forward with the support of the South East Local Enterprise Partnership (SE LEP).

The council would make a capital contribution towards the project, on similar lines agreed under phases 1 and 2.

Agreement was also sought for the council to work in partnership with AmicusHorizon in pursuit of the compulsory purchase (CPO) and redevelopment of a long term empty property.

RESOLVED that the council approves a grant of £709,000 to AmicusHorizon in respect of a further Coastal Space project

The reason for this decision was:

Phase 1 and 2 of the Coastal Space project have been funded in part by the Homes and Community Agency, AmicusHorizon and Hastings Borough Council. The intention had been that phase 3 would also be mixed funded but with the South East LEP compensating for any further significant level of investment required of the council. However, recent policy changes introduced by central government have reduced the ability of AmicusHorizon to fund development at the levels previously envisaged for the coastal space project. Even with the addition of £600,000 SELEP funding, the association now require a substantial financial contribution from the council in order to proceed. The association would commit to matching the level of investment made by the council. The property is a long term derelict property that blights the area and has been a focus for anti-social behaviour.

67. COMPULSORY PURCHASE OF LONG TERM EMPTY PROPERTY

The Assistant Director for Housing and Built Environment submitted a report which provided further detail on the part 1 report titled compulsory purchase of long term empty property. The report provided additional information relating to the future proposal, financial implications, site history and action relating to this property.

RESOLVED that:

- 1) **Cabinet agrees to comment the process for the compulsory purchase of the property listed in the Assistant Director for Housing and Built Environment's report pursuant to Section 226(1) (a) of the Town and Country Planning Act 1990, and;**
- 2) **Cabinet agrees the onward transfer of ownership of the property to AmicusHorizon**

The reason for this decision was:

The property occupies a prominent raised site, the 17 flats became empty between 1999 and 2010 when the last occupant was rehoused by the council. The entire

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building has remained empty since that time and is now derelict and is a significant blight to the area.

AmicusHorizon Housing Association propose to purchase the property from the council and will undertake to redevelop the site for residential purposes. They will let the property to those in housing need nominated by the council. the only realistic option may be to demolish and redevelop the site. A planning decision has not been made yet.

68. AQUILA HOUSE - PURCHASE

The Assistant Director – Financial Services and Revenues presented a report which sought approval to purchase Aquila House.

At the meeting, the Assistant Director for Financial Services and Revenues provided an update on the position in respect of VAT, Stamp Duty, Land Tax and registration fees associated with the proposed purchase.

Councillor Chowney proposed approval of the recommendations to the Assistant Director – Financial Services and Revenue’s report, which was seconded by Councillor Poole.

RESOLVED (unanimously) to purchase Aquila House for the amount set out in the Assistant Director – Financial Services and Revenue’s report plus any potential liability in respect of additional VAT, Stamp Duty, Land Tax and registration fees

The reason for this decision was:

The council is already committed to taking a lease of 15 years (with a break clause at 10 years). The purchase of the freehold provides the council with the opportunity to make annual revenue savings given the low borrowing rates currently available. The council would avoid any uplift in rent at each 5 year rent review period and would avoid many of the dilapidation costs that would be applicable at the end of the lease – given that the council will be required to reinstate the building to original condition and floorplans. The addition of the shops to the council’s property portfolio provides the opportunity of enhancing the revenue income stream in line with council objectives for income generation.

(The Chair declared the meeting closed at. 6.25 pm)