

# Cabinet Agenda

**Monday, 10 October 2016 at 6.00 pm**

Council Chamber, Upper Ground Floor, Aquila House, Breeds Place, Hastings, East Sussex, TN34 3UY

For further information, please contact Michael Courts on 01424 451764 or email [mcourts@hastings.gov.uk](mailto:mcourts@hastings.gov.uk)

		Page No.
1.	Apologies for Absence	
2.	Declarations of Interest	
3.	Notification of any additional items	
4.	Minutes of the meeting held on 5 September 2016	1 - 12
5.	Sustainable Housing in Inclusive Neighbourhoods (SHINE) updated bid (Andrew Palmer, Assistant Director, Housing and Built Environment) (Cabinet Decision)	13 - 18
6.	Land on Churchfields Estate (Peter Grace, Assistant Director, Financial Services and Revenues) (Cabinet Decision)	19 - 22
7.	Minutes of the Charity Committee meeting and the minutes of the Annual Public Meeting of the Foreshore Trust held on 26 September 2016	23 - 32
8.	Additional Urgent Items (if any) Exclusion of the Public  To resolve 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 report.	
<b>Confidential Business</b>		
9.	Land on Churchfields Estate (Peter Grace, Assistant Director, Financial Services and Revenues) (Cabinet Decision)	33 - 36

10. Joint Waste Management  
(Mike Hepworth, Assistant Director Environment and Place)  
(Council Decision)

37 - 60

# Agenda Item 4 Public Document Pack

## CABINET

5 SEPTEMBER 2016

Present: Councillors Chowney (Chair), Forward, Cartwright, Davies, Poole, Fitzgerald and Lee

Councillor Lee announced that, following Councillor Atkins resignation, he had been appointed as Leader of the Conservative group. Councillor Patmore had been appointed as Deputy Leader of the Conservative group.

### 23. DECLARATIONS OF INTEREST

The following Councillors declared their interest in the minutes as follows:

Councillor	Minute Number	Interest
:Lee	35 – minutes of the Museums Committee meeting held on 27 June 2016	Personal – he had been appointed as a substitute member of the committee for that meeting

### 24. MINUTES OF THE MEETING HELD ON 8 AUGUST 2016

**RESOLVED that the minutes of the meeting held on 8 August 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 31 and 33 were agreed without being called for discussion**

### 25. PLANNING SERVICE REVIEW REPORT

This item was moved up the agenda with the agreement of the Chair.

The Assistant Director, Housing and Built Environment, presented a report which outlined the key findings of a review of the council's Planning Service, which had been undertaken by the newly appointed Planning Services Manager.

The review had considered the impact of the new Housing and Planning Act 2016, identifying potential constraints on meeting statutory performance targets and how these could be addressed. The report also assessed the implementation of recommendations from an earlier review of the service. Appended to the report was an existing and proposed staff structure for the department. The proposed structure

## CABINET

5 SEPTEMBER 2016

included the recruitment of additional staff to create the required capacity within the team.

Agreement was also sought in principle for introducing charges for general queries, DCQ's. The report detailed the fee structures operated by other local authorities, further consideration would be given to the charging structure to be applied in Hastings before the fees were introduced.

The Planning Services Manager advised Cabinet of revisions to the recommendations to the report, as set out in the resolution below.

Councillor Forward proposed approval of the amended recommendations to the Assistant Director, Housing and Built Environment's report, which was seconded by Councillor Cartwright.

**RESOLVED (unanimously) that:**

- 1. The improvements in the conclusion of the report are noted;**
- 2. The revised staffing structure outlined in Appendix 1 of the report is implemented, and;**
- 3. The principal of charging for DCQ's is agreed and a charging structure and criteria for charging DCQ's will be included in the scale of fees and charges as part of the budget setting process**

The reason for this decision was:

The proposals outlined will address a staffing deficit identified in the review and create the capacity for staff to effectively manage the council's core primary planning functions whilst maintaining and improving customer focus.

The changes are considered necessary to meet service expectations, including current corporate performance targets for planning and the new national performance indicators set by the government following the implementation of the Housing and Planning Act 2016.

The introduction of the charging structure outlined, along with other supportive measures, should reduce the number of general enquiries received whilst improving the overall availability of planning advice to residents. This will enable the planning team to better balance their workloads, whilst maintain a focus on service improvement.

### **26. ANTI-POVERTY STRATEGY REFRESH**

This item was moved up the agenda with the agreement of the Chair.

The Assistant Director, Housing and Built Environment, presented a report which advised Cabinet of a refresh of the anti-poverty strategy, ahead of its adoption by the Local Strategic Partnership (LSP). The existing strategy had been developed to address the impact of the recession and reforms to the welfare system on vulnerable

## CABINET

5 SEPTEMBER 2016

groups. It was necessary to update the strategy to reflect current economic conditions and changes to the structure of public and voluntary organisations. The proposed strategy identified the three priority areas of education and employment, health and wellbeing and housing. The strategy also included a commitment to produce an annual statement detailing key achievements and challenges faced in the preceding year.

It was noted that partnership working between a range of agencies was essential to effectively addressing poverty. An earlier draft of the strategy had been shared with the LSP and was due to be adopted by the board.

Since the Cabinet agenda had been published, minor amendments had been made to the foreword to the draft strategy.

Councillor Lee proposed an amendment to the draft strategy:

“Amendments to agenda item 10 – anti poverty strategy

- 1) Page 74 – remove paragraph - *Conversely manufacturing jobs are forecast to drop by 13.4% a loss of 1,700 jobs* – this is an older statistic in relation to economic growth and is no longer accurate. The adjustment of the value of the pound has seen a jump in manufacturing output.
- 2) Page 77 – add objective to education and employment: to encourage major national and international enterprise to relocate to the borough, providing opportunity, wealth creation and aspiration for young people.
- 3) Page 84 – remove welfare reform case study 2: This is very much out of date as ATOS no longer have this contract. More recent examples are required.
- 4) Page 71 – add table to show the year on year drop in child poverty in the Borough with the following paragraph:

This table shows that the increased attainment of children in Hastings is proportional to the drop in child poverty in the borough. Increased employment in town and a drop in claimant count creates a ‘virtuous cycle’ in which education, increased opportunity and greater household economic activity lessen child poverty.

- 5) Page 73 – Underneath the paragraph entitled ‘Employment’ These statistics should also be updated the most recent of them are 18 months old. This Paragraph should be corrected to the latest figures or removed.
- 6) Appendix 2 Children in low –income families  
This table shows year on year changes in the number of families on low income, however it only covers the period form 2009 -13 please update the table so clear picture can be shown.”

The proposed amendment was lost by 1 vote for, 6 against.

## CABINET

5 SEPTEMBER 2016

Councillor Forward suggested the inclusion of a footnote to the strategy explaining that some of the statistics referred to may not be the latest available.

Councillor Forward proposed approval of the recommendations to the Assistant Director, Housing and Built Environment's report, which was seconded by Councillor Davies.

**RESOLVED (unanimously) that:**

- 1. Cabinet recommend the refresh of the Anti-Poverty Strategy ahead of its adoption by the LSP**
- 2. An Annual Statement is produced beginning in April 2017, detailing key actions and challenges faced in the preceding year**

The reason for this decision was:

The existing strategy was adopted prior to the implementation of the welfare reform agenda and government spending reduction plans. The strategy is therefore in need of revision to take account of the new economic framework.

**27. MANAGEMENT RESPONSE TO THE OVERVIEW AND SCRUTINY REVIEW OF COMMUNITY SAFETY**

The Director of Corporate Services and Governance presented the management response to recommendations made by an overview and scrutiny review team.

As part of their 2015/16 work programme, a group of overview and scrutiny members had undertaken a review of community safety. The review had considered performance in respect of supporting improvements to community safety over recent years as well as examining the council's role in terms of existing and future community safety provision in the context of a challenging financial climate.

The review team had made a number of recommendations to continue to support improvements to community safety through a variety of partnership structures, including a pilot project to merge Hastings and Rother's crime reduction partnership. The management response supported the review team's recommendations and noted that any future allocation of funding towards community safety interventions would need to be considered as part of the council's broader budget setting process.

Cabinet thanked all those involved in the overview and scrutiny review for their contribution.

Councillor Davies proposed approval of the recommendations to the Director of Corporate Services and Governance's report, which was seconded by Councillor Forward.

**RESOLVED (unanimously) that:**

- 1. Cabinet thank the scrutiny review team for their report, and;**
- 2. Cabinet approve the recommendations of the scrutiny review team**

## CABINET

5 SEPTEMBER 2016

The reason for this decision was:

To acknowledge and respond to the recommendations of the work undertaken by the scrutiny review team.

### **28. MANAGEMENT RESPONSE TO THE OVERVIEW AND SCRUTINY REVIEW OF DIGITAL INCLUSION**

The Director of Operational Services presented the management response to recommendations made by an overview and scrutiny review team.

As part of their 2015/16 work programme, a group of overview and scrutiny members had undertaken a review of digital inclusion. A key aspect of the council's ongoing organisational transformation programme was to make an increased number of services available online. The review had considered the potential barriers to accessing services online, and good practice for how these could be overcome. The review had found that wide range of activities were already underway by a variety of partners to support digital inclusion and the team had made a number of recommendations to support this.

Cabinet thanked all those involved in the overview and scrutiny review for their contribution.

Councillor Cartwright proposed approval of the recommendations to the Director of Operational Services' report, which was seconded by Councillor Davies.

#### **RESOLVED (unanimously) that:**

- 1. Cabinet thank the scrutiny review team for their report, and;**
- 2. Cabinet approve the recommendations of the scrutiny review team**

The reason for this decision was:

To acknowledge and respond to the recommendations arising from the work undertaken by the scrutiny review team.

### **29. COMMUNITY PARTNERSHIP FUND 2017-19**

The Assistant Director, Regeneration and Culture, presented a report which set out the recommendations for the Community Partnership Funding (CPF) 2017/19 programme.

The current round of CPF, which had covered the period from 2015/16 to 2016/17, came to an end in March 2017. Given the continued financial pressures facing the council, it was necessary to review the programme priorities for 2017-19 to ensure resources were focused on supporting the most vulnerable groups.

The report also proposed a new approach to delivering the programme, by which services would be commissioned from the community and voluntary sectors for

## CABINET

5 SEPTEMBER 2016

specifically identified outcomes. The priorities for this round of funding had also been identified as housing, legal welfare and debt advice, domestic violence support, advice and support to organisations, rough sleepers outreach support and advice and support to migrant and newly settled communities.

The proposed new approach and priorities had been subject to consultation with a number of voluntary and community sector organisations, the feedback received had been broadly supportive.

Councillor Chowney proposed approval of the recommendations to the Assistant Director, Regeneration and Culture's, report which was seconded by Councillor Cartwright.

**RESOLVED that Cabinet adopts a commissioning approach to future community partnership rounds with a focus on the new priorities as set out in the report**

The reason for this decision was:

The current round of CPF comes to an end in March 2017. The proposals set out in the report have been developed following a consultation process with the community and voluntary sector. Many of the organisations responding to the consultation (appendix 1) generally agree with the proposed new priorities and commissioning process.

### **30. FINAL ACCOUNTS 2015/16**

The Assistant Director Financial Services and Revenues presented a report which set out the draft final accounts position for 2015/16. The final accounts were subject to an external audit.

The Accounts and Audit Regulations 2011, required the council's section 151 officer to certify the statement of accounts by 30 June each year and to publish them by 30 September.

The final accounts set out variances in the council's income and expenditure since the budget was set for 2015/16, the report included the outturn results for the general fund and capital programme for this period. The council continuously seeks to improve value for money and any over or underspends identified in the final accounts were being investigated to help inform the budget setting process for future years.

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) that: -**

- 1. Cabinet review the outturn position on the General Fund for 2015/16;**
- 2. Cabinet review the capital outturn position for 2015/16, and;**



## CABINET

5 SEPTEMBER 2016

- 3. The 2015/16 outturn position, along with revised estimates for 2016/17 be taken into account when preparing the revised 2016/17 budget and the 2017/18 budget**

The reason for this decision was:

Compliance with statutory requirements and good practice. The council is accountable for the use of public money and continuously seeks to improve value for money.

The outturn position informs the budget setting process. Where there are under or overspends the reasons behind these are investigated with a view to reallocating resources to meet priorities.

### **31. ANNUAL TREASURY MANAGEMENT REPORT 2016/17**

The Assistant Director, Financial Services and Revenues, submitted a report on the treasury management activities and performance over the 2015/16 financial year.

Treasury management referred to the management of the authority's investments, cash flow, banking, money market and capital market transactions and the potential risks associated with these activities. The report also gave an overview of the wider economic context within which the council operated.

The council complied fully with the Chartered Institute of Public Finance and Accountancy (CIPFA) Code of Practice on Treasury Management 2009, by undertaking an annual review report of its treasury management activities. The report was due to be considered by the Audit Committee at its meeting on 22 September 2016.

#### **RESOLVED that:**

- 1. The report be considered. No recommendations were made to amend the current Treasury Management Strategy as a result of the review, and;**
- 2. Full Council consider the report and any recommendations made by Cabinet**

The reason for this decision was:

To ensure that members are fully aware of the activities undertaken in the last financial year, that the Codes of Practice have been complied with and that the council's strategy has been effective in 2015/16.

Under the code adopted the Full Council is required to consider the report and any recommendations made.

## CABINET

5 SEPTEMBER 2016

### 32. COASTAL MEDIUM TERM PLANS

The Assistant Director, Regeneration and Culture, presented a report to update Cabinet on a major coast protection project which had recently gained approval for grant funding.

Risks from coastal erosion and flooding had been identified through earlier studies, surveys and modelling. The council had previously received a grant to assess the risk of flooding in more detail and to investigate potential solutions to improve flood protection measures.

A range of options were considered. A new rock groyne together with beach recycling at Carlisle Parade was chosen, as this was considered to be most in keeping with the existing environment and location. A second phase of the project would be undertaken in 2017 to include reinforcement works to maintain the structural integrity of the middle and outer section of the harbour arm. Funding for the works has been approved by the Flood Defence Grant in Aid (FDGiA), and the council was required to make an additional contribution of £30,000.

Councillor Poole proposed approval of the recommendations to the Assistant Director, Regeneration and Culture's, report which was seconded by Councillor Lee.

**RESOLVED (unanimously) that delegated authority is given to the Director of Operational Services, in consultation with the Lead Member for Regeneration and Culture for the tender and contract for the works, based on the Environment Agency funding arrangements**

The reason for this decision was:

Hastings Borough Council as a Coastal Protection Authority has permissive powers under the Coastal Protection Act 1949 to carry out capital and revenue works to protect against coastal erosion. The Environment Agency (EA) maintains responsibility for flood risk management.

In 2009 we successfully bid for approximately £300k from DEFRA (Department of Environment Food and Rural Affairs) for a relatively small scale coast protection scheme, to construct a new groyne at Carlisle Parade and to undertake concrete repairs to groyne 1, at Rock a Nore.

The rock groyne was built with the understanding that it would be the initial stage of improvement works in this vulnerable area of our seafront and the hope was that within five years the scheme would be improved, reusing the limestone rocks.

Stage 2 of the scheme will be completed in two phases over 2016 and 2017. It includes the construction of two rock groynes and shingle replenishment at Carlisle Parade and repairs and rock defence construction of the Harbour Arm.

The £4,061,000 is funded almost entirely by FDGiA (Flood Defence Grant in Aid) from DEFRA. HBC will be asked to contribute £30,000 towards the scheme funded from our rolling capital defence works programme.

## CABINET

5 SEPTEMBER 2016

### 33. ENERGY PROCUREMENT

The Assistant Director, Financial Services and Revenues, submitted a report which sought Cabinet approval to re-new the council's membership of the Laser Energy Buying Group and to participate in the flexible procurement framework established by Laser from October 2016 to September 2020.

In 2011, the council agreed to participate in the Laser Buying Group's flexible procurement framework from September 2012 until October 2016. Laser undertook a tendering exercise on behalf of the council to ensure it was achieving the best possible energy prices for its property portfolio.

Laser had requested that the council indicate if it was willing to continue with these arrangements in future, before any further procurement works can be undertaken on behalf of the authorities Laser represents. Consideration had been given to a number of alternative options, but it was considered that Laser continued to provide the best value for money.

#### **RESOLVED to: -**

- 1. Continue to support and participate in the Laser Energy Buying Group's new flexible procurement framework for the period October 2016 to September 2020, and;**
- 2. Delegate authority to the Director of Corporate Services and Governance or her nominee to finalise the tripartite agreements associated with the framework**

#### The reason for this decision was:

The Laser Energy Buying Group is a government approved public sector buying agency (a trading arm of Kent County Council), providing an energy procurement service to some 210 member authorities in the South East of England, with a successful track record of purchasing performance for the period April 2009 to August 2016.

They have requested that they need an indication of commitment as they are unable to undertake any purchases until the contracts are in place which can take some time in terms of drafting the documentation based on each authority's individual requirements.

The council's constitution, part 9 financial rules section 3, requires Cabinet approval for expenditure exceeding £200,000.

## CABINET

5 SEPTEMBER 2016

### 34. PROCUREMENT OF CLEANING CONTRACTS

The Director of Operational Services presented a report which sought Cabinet approval to procure a portfolio of cleaning contracts covering public conveniences, council premises and bus shelters.

The existing cleaning contract had been procured in 2010, via East Sussex Procurement Hub, in partnership with Rother and Wealden District Councils. The existing contract was coming to an end and it was therefore necessary to consider future arrangements. Investigation into the feasibility of bringing the service in house were underway, but not yet at an advanced enough stage to begin delivering the service by the end of the existing contract. It was proposed to procure the new contract on a basis which gave the council sufficient flexibility in terms of cost and timescales to respond to changes in the market and the council's future requirements.

It was proposed that the new contract is procured via the East Sussex Procurement Hub.

Councillor Chowney proposed approval of the recommendations to the Assistant Director, Environment and Place's, report which was seconded by Councillor Davies.

**RESOLVED (by 6 votes for to 1 against) that the Director of Operational services be delegated, in consultation with the Leader of the Council and Assistant Director Financial Services and Revenues, to undertake a procurement exercise via East Sussex Procurement Hub and award the new cleaning contracts**

The reason for this decision was:

The existing contracts expire on the 31<sup>st</sup> march and they cannot be extended further.

It is essential that the council secures services to clean the public conveniences, council buildings and bus shelters.

Procurement in partnership via the East Sussex Procurement Hub is cost effective means of carrying out the procurement, and should result in good value bids from suitable service providers.

The proposed length of contracts allow for the development of a business case for potential future in house provision.

### 35. MINUTES OF THE MUSEUMS COMMITTEE MEETING HELD ON 27 JUNE 2016

The minutes of the Museums Committee meeting held on 27 June 2016 were submitted.

**CABINET**

**5 SEPTEMBER 2016**

**RESOLVED that the minutes of the Museums Committee meeting held on 27 June 2016 be received**

(The Chair declared the meeting closed at. 8.10 pm)

This page is intentionally left blank

# Agenda Item 5

**Report to:** Cabinet

**Date of Meeting:** 10 October 2016

**Report Title:** EU Funded Projects – Sustainable Houses in Inclusive Neighbourhoods (SHINE) and Climate Active Neighbourhood (CAN)

**Report By:** Andrew Palmer  
Assistant Director, Housing and Built Environment

---

## Purpose of Report

- 1) To seek approval for delegated authority to be given to the Director of Operational Services and the Deputy Leader of the Council and Housing, Communications and Equalities Portfolio Holder, to enter into a Partnership Agreement to support the EU Funded SHINE (Sustainable Houses in Inclusive Neighbourhoods) project and deliver the associated outcomes.
- 2) To note the risks associated with the SHINE and CAN (Climate Active Neighbourhood Project) following the referendum result to leave the European Union.

---

## Recommendation(s)

To give delegated authority to the Director of Operational Services and the Deputy Leader of the Council and Housing, Communications and Equalities Portfolio Holder, to enter into a partnership agreement on the EU funded SHINE cooperation project and deliver the associated outcomes.

To continue to participate in the SHINE and CAN programmes as detailed in the partnership agreements but regularly review the situation, taking into account the negotiations over 'Brexit', and minimise the financial risks to the council.

---

## Reasons for Recommendations

- 1) HBC's involvement in the SHINE project will see a total investment of £1.77m (Euro 2.11m) to the town. The funding application has been revised several times on the advice of assessors and this report confirms the final stage of the scheme and the funding approved.
- 2) The CAN project was approved by Cabinet in November 2015 and will see total investment of £845k in North East Hastings.
- 3) Funding for both projects will help reduce carbon emissions from properties and improve the housing conditions of residents living in the some of the worst properties in the town. The initiatives will also help alleviate fuel poverty.

- 4) With UK planning to leave the EU, the current advice is that the UK remains a full member and entitled to participate in EU funded projects, until such time of a withdrawal date. Once the 'Brexit' negotiations are final and/or become clearer, actions may have to be taken when their impact on the projects has been assessed.



## Background

1. There are currently two approved EU funded projects in Hastings specifically to tackle fuel poverty and reducing the town's carbon emissions. The most recently approved project is SHINE (July 2016) while CAN was approved in February 2016 (previously reported to Cabinet – 2 November 2015).
2. SHINE is an EU Interreg 2 Seas cooperation project that was approved on 13<sup>th</sup> July 2016. There have been two previous reports to Cabinet regarding the project (July 2015 and March 2016) as it has been regularly revised and this report brings the details of the project up to date.
3. SHINE will be a 4 year project from September 2016 to approximately August 2020, involving 15 partners across the Members States of UK, Belgium, Netherlands and France.
4. There are 4 UK partners including: Hastings Borough Council, AmicusHorizon, Energise Sussex Coast ('ESC') and Brighton & Hove City Council.
5. The total approved funding for projects in Hastings total Euro 2,109,606 with a 60% funding rate. Using current exchange rate the total value of the project is the equivalent of £1.77m.
6. The funding breakdown for each partner is as follows: HBC - Euro: 384,820; AmicusHorizon - Euro: 1,041,940; Energise Sussex Coast - Euro: 682,846
7. The project cost for Hastings Borough Council is approximately £287,321 (conversion rate of €1/£0.75), with £172,539 coming from the EU grant (60%) and the remaining 40% (£114,782) from a mix of staff, office and administration and cash match over 4 years.
8. Hastings Borough Council proposes to lead the activity of the UK partners and the budget allows for the employment of a part-time member of staff during the duration of the project.
9. The aim of the project is to build community 'climate resilience' through piloting CO<sub>2</sub> reduction and low carbon technologies in the deprived neighbourhoods of St Leonards. The neighbourhoods will be residential areas where housing quality is poor and less energy efficient, including those in the social housing, home ownership and privately rented sectors.
10. Some of the key activities of Hastings partners activities under SHINE are as follows:
  - Energy efficiency improvement s to 200 homes in St Leonards (AmicusHorizon – advice / engagement and capital improvements to homes)
  - Energy Advice mobile pop up service – (HBC and ESC)
  - Community, business and other partner engagement / campaigns to promote energy efficiency measures (ESC – lead on work)

- For 600 houses, provide energy advice and install 500 energy kits and 100 smart meters, real time monitoring system and other possible technologies (ESC)
  - Purchase and installation of energy saving kits / new technologies and measures (ESC). Volunteers trained to provide energy advice and follow on action (ESC)
  - Analysis of existing stock (baseline) and impact assessment (HBC)
  - Guiding renovations in the social and private rented sector (HBC &ESC)
  - Establishing need-driven local networks (HBC)
  - Exemplary Open House days (ESC and HBC)
  - HBC to facilitate UK partners' work
11. The SHINE project is similar to the EU funded CAN project which was approved in February 2016 and focused on improvements mainly in the Ore, Baird and Tressell wards.
12. The current uncertainty over the implications of Brexit and its impact on EU funded programme means there are risks to both these projects suddenly coming to an end.
13. The current advice from both DCLG and our European Partners is that the programme has secured funding from all Member States, including the UK until 2020, although there is speculation that the UK annual contribution to the budget may cease before 2020 depending on the timing of Article 50 (formally triggering our withdrawal from the EU) and subsequent Brexit negotiations. However, once the project contract is signed there will be a legally binding contract between the EU managing authority and the Lead Partner (IOK) for the full project duration. This agreement will be reflected in the contract between HBC and IOK. It is therefore recommended we proceed on this basis until further notice and the relevant authority provides the agreements as appropriate.

## Policy implications

### 1. Equalities and Community Cohesiveness:

SHINE and CAN directly addresses fuel poverty issues.

### 2. Environmental issues:

SHINE and CAN will directly reduce the CO2 emissions of the area.

### 3. Risk Management

- a. There are risks associated at the moment with all EU funded projects, due to uncertainty over UK withdrawal from the EU. As the grants are claimed six months in arrears it is possible claims may be disturbed due to the Brexit negotiations. The risk will be mitigated by keeping the project under constant review and taking appropriate action to end the project as quickly as possible if funding comes to an earlier than expected.

#### 4. Economic/Financial Implications:

- b. Council spend on this project initiative will leverage in additional funding (60% intervention).
- c. 60% of the cost of permanent staff time assigned to this project will be reclaimable.
- d. Given the grant payment will be in Euros there is an exchange rate risk (project loss or gain) but the exchange used represents the current position.
- e. The permanent staff resource assigned across the project term of 4 years is minimal therefore lessening the risks attached to permanent staff reductions over this period.

#### 5. Organisational Consequences:

- f. Provision has been allowed for an external funded position to coordinate the main activities of both the projects.
- g. Some permanent administration staff time including finance and legal will be needed for this project and these costs including overheads are included in the application budgets.

#### 6. Poverty Implications:

- h. SHINE and CAN will directly help reduce fuel poverty.

#### Wards Affected

SHINE Project: Central St Leonards, Gensing, West St Leonards and surrounding areas

CAN Project: Ore, Baird and Tressell and surrounding areas

#### Policy Implications

**Please identify if this report contains any implications for the following:**

Equalities and Community Cohesiveness	X
Crime and Fear of Crime (Section 17)	
Risk Management	X
Environmental Issues	X
Economic/Financial Implications	X
Human Rights Act	
Organisational Consequences	X
Local People's Views	
Anti-Poverty	X

#### Additional Information

#### Officer to Contact

Pranesh Datta  
Regeneration Manager

01424 451784  
pdatta@hastings.gov.uk



# Agenda Item 6

**Report to:** Cabinet

**Date of Meeting:** 10 October 2016

**Report Title:** Land on Churchfields Estate

**Report By:** Peter Grace  
Assistant Director Financial Services & Revenues

---

## **Purpose of Report**

To seek approval to purchase land on the Churchfields Estate.

---

## **Recommendation(s)**

To purchase the land on terms set out in the Part 2 report.

---

## **Reasons for Recommendations**

The land is allocated for employment use in the Development Management Plan (DMP) and adjoins vacant plots in the Council's ownership so offers opportunities for development.

The Council is seeking income generation opportunities in the future but most importantly looking to ensure economic development opportunities continue within Hastings.

## Background

1. The land is Plot PX & QX off Sidney Little Road which is the largest undeveloped site on Churchfields Industrial Estate as shown in Appendix 1. It is a 1.61 ha (3.95 acres) sloping site that is currently overgrown with scrub.

## Opportunity

2. The owners, C & C Marshall Ltd wish to dispose of the land and in principle terms have been agreed for the Council to purchase as set out in the Part 2 report. These are considered to be the best available to the Council and are in accordance with the independent valuation obtained from DVS – the Property Services arm of the Valuation Office Agency.
3. The DMP indicates that the site could provide a development with a potential gross floor area of 6,900m<sup>2</sup> and is capable of accommodating a single large unit or, more easily given the topography, several medium sizes units.
4. The site adjoins Plots NX2 & NX3 which are in the Council's ownership. We are also in the process of acquiring the long leasehold interest of Plot NX1. Assembling these areas together will offer more scope and flexibility for potential development.
5. We currently own 62 factory units, with a further one under construction, and only one of these is shortly to become available to let. Both of our Business Centres are fully let and after many years we have had some interest in developing Plots NX2 & 3.
6. Once the site is acquired the Council will consider all options for bringing the site and adjoining areas forward for development to maximise investment returns and employment opportunities.
7. The Council has the opportunity to acquire the site at a time of historically very low interest rates and would also benefit in terms of the retention of an element of Non Domestic Rates.
8. With limited land availability within Hastings this is an opportunity to acquire one of the few remaining undeveloped sites within the borough. It is however not without risk given the competition that will be forthcoming for tenants given the developments along the link road within Rother.

## Conclusion

9. The acquisition of this land provides options for future development which would provide, once developed, opportunities for employment and economic development within the town. There is also the opportunity for the Council to enhance its income stream in the longer term.

---

### Wards Affected

Hollington.

---

### Policy Implications

Please identify if this report contains any implications for the following:

Equalities and Community Cohesiveness	No
Crime and Fear of Crime (Section 17)	No
Risk Management	No
Environmental Issues	No
Economic/Financial Implications	Yes
Human Rights Act	No
Organisational Consequences	No
Local People's Views	No
Anti-Poverty	No

---

### Additional Information

Appendix 1 – Plan of the land.

---

### Officer to Contact

Amy Terry  
aterry@hastings.gov.uk  
01424 451640

This page is intentionally left blank



# Agenda Item 7 Public Document Pack

## CHARITY COMMITTEE

26 SEPTEMBER 2016

Present: Councillors Fitzgerald (Chair), Forward, Cartwright, Poole (as the duly appointed substitute for Councillor Fitzgerald) and Davies (as the duly appointed substitute for Councillor Forward for item 55 only) and Mr Chris May, the Protector

### 52. DECLARATIONS OF INTEREST

The following Councillors declared an interest in the minutes:

Councillor	Minute Number	Interest
Forward	55 – Postcode Lottery Dream Fund bid proposal	Prejudicial
Fitzgerald	55 – Postcode Lottery Dream Fund bid proposal	Prejudicial
Poole	55 – Postcode Lottery Dream Fund bid proposal	Personal – she is Chair of the Coastal Users Group and Vice Chair of the Fisheries Local Action Group (FLAG)

### 53. MINUTES OF THE MEETING HELD 27 JUNE 2016

**RESOLVED that the minutes of the meeting held on 27 June 2016 be approved and signed by the Chair as a correct record of the meeting**

### 54. FORESHORE TRUST SMALL GRANTS PROGRAMME

This item was moved up the agenda with the agreement of the Chair.

The Chair of the Grant Advisory Panel gave the committee an overview of the application process for round 6 of the Foreshore Trust Small Grants Programme and answered questions from members of the committee. He commented that this had been a particularly competitive round of grant allocations, with a total of 39 applications for funding received. Following a full assessment process, the panel had recommended that 15 of the applications for funding be approved at various levels and subject to certain conditions.

Following comments made by the Grant Advisory Panel during this round of grant allocations, the Assistant Director, Regeneration and Culture, had recommended that a review of the grant guidelines be undertaken prior to next round of small grants in 2017.

## CHARITY COMMITTEE

26 SEPTEMBER 2016

The committee thanked the Grant Advisory Panel for their efforts appraising the applications.

Councillor Cartwright proposed approval of the recommendations to the Assistant Director, Regeneration and Culture's report, which was seconded by Councillor Forward.

**RESOLVED (unanimously) that –**

- 1. Charity Committee accept the small grants recommendations of the Grant Advisory Panel, as set out in Appendix 1 of the Assistant Director, Regeneration and Culture's report, and;**
- 2. Charity Committee agree to review the small grants guidelines to address the issues as set out in the report**

The reason for this decision was:

The Grant Advisory Panel has appraised the merits of the applications for funding received for small grant support and has made a number of recommendations for grant awards that can be funded for the 2016-17 budgets. These were assessed with detailed discussion on each application at two Grant Advisory panel meetings held during July 2016.

### **55. POSTCODE LOTTERY DREAM FUND BID PROPOSAL**

Councillors Fitzgerald and Forward, having declared a prejudicial interest in this item, left the chamber during the debate. Councillor Cartwright took the Chair for this item and Councillors Davies and Poole joined the committee.

The Assistant Director, Regeneration and Culture, presented a report which advised the committee that a first stage bid had been submitted for the Postcode Lottery Dream Fund proposal. Confirmation was also sought that the Foreshore Trust would be prepared to act as the lead organisation for the project, if the final bid was successful.

The stage 1 bid detailed a proposal for a project focusing on the key theme of conserving the marine environment. The project would seek to engage with a broad cross section of the community, including local school children, residents and visitors. The successful projects would begin in the new financial year and last for a period of 2 years. The committee acknowledged that this was likely to be a very competitive round of grant allocations.

If the first stage bid was successful, a meeting of partners would be arranged to develop proposals for the project further, prior to the submission of a second stage application. A special meeting of the Coastal Users Group would be convened to consider the proposals.

Councillor Poole proposed approval of the recommendations to the Assistant Director, Regeneration and Culture's report, which was seconded by Councillor Davies.

## CHARITY COMMITTEE

26 SEPTEMBER 2016

**RESOLVED (unanimously) that –**

- 1. Charity Committee agree to support the first stage submission of this proposal, and;**
- 2. Agree to act as the lead organisation on behalf of the partnership**

The reason for this decision was:

The People's Postcode Lottery Dream Fund Trust offers an opportunity for a partnership of charities, voluntary groups, community interest companies, universities or other not-for-profit organisations to deliver ambitious dream projects. Funding from £500k to £1m is available for a 2 year project and no additional investment (match) is necessary.

The proposed bid theme around conserving our marine environment has alignment with the Foreshore Trust priorities and links with other projects, such as FLAG.

The lead organisation needs to have an annual income twice the bid size (minimum income £1m). No other partner can fulfil this criteria, so it is suggested that the Foreshore Trust is the lead partner, having associated management and administration function, but with the other partners delivering the actions.

### **56. PROCUREMENT OF CLEANING CONTRACTS**

The Director of Operational Services presented the report of the Assistant Director, Environment and Place, on the procurement of cleaning contracts.

Historically, the Foreshore Trust had agreed that the cleaning and maintenance of its properties, including public conveniences, should be carried out by the council's contractor. The existing contract was due to come to an end in March 2017, and it is not possible to extend the current contract further. It was therefore necessary to seek approval from the Foreshore Trust to proceed with a new procurement exercise with the council through the East Sussex Procurement Hub. This approach was intended to enable the Trust to benefit from economies of scale and a range of procurement expertise. The costs to the Foreshore Trust would be identified separately within the contact, to ensure it was achieving the best value for money.

The Chief Legal Officer proposed an additional recommendation to delegate authority to the Assistant Director, Financial Services and Revenues, in consultation with the Chair of the Charity Committee, to agree the appointment of a contractor.

Councillor Forward proposed approval of the amended recommendations to the Assistant Director, Environment and Place's report, which was seconded by Councillor Cartwright.

**RESOLVED (unanimously) that –**

- 1. The Trustees agree to procure cleaning services via the East Sussex Procurement Hub together with Hastings Borough Council, and;**

## CHARITY COMMITTEE

26 SEPTEMBER 2016

- 2. Delegated authority be given to the Assistant Director, Financial Services and Revenues, in consultation with the Chair of the Charity Committee to agree the appointment of a contractor**

The reason for this decision was:

The existing contracts expire on the 31<sup>st</sup> March 2017 and they cannot be extended further.

It is essential that the Foreshore Trust secures services to clean the public conveniences and other property owned by them.

Procurement in partnership via the East Sussex Procurement Hub is cost effective means of carrying out the procurement, and should result in good value bids from suitable service providers.

The proposed length of contracts allow for the development of a business case for potential future in house provision.

### **57. ADVERTISING FOR GRANT ADVISORY PANEL MEMBERS**

The Chief Legal Officer presented a report which advised that two vacancies were likely to arise on the Grant Advisory Panel. The report sought permission to begin recruiting for two new members to join the Panel.

The Grant Advisory Panel made recommendations to the Charity Committee on the criteria, application process and allocation of the Foreshore Trust's grants programmes. The Panel may have up to 8 members, chosen from the local community for their knowledge and experience of the voluntary and charitable sector.

The report set out a timescale for the appointment of new members of the Panel, including advertising the vacancies and interviews with applicants before the appointment of the successful candidates in December.

Councillor Cartwright proposed approval of the recommendations of the Chief Legal Officer's report, which was seconded by Councillor Forward.

**RESOLVED (unanimously) that the Chief Legal Officer be given delegated authority to advertise the vacancies in the Hastings and St Leonards Observer**

The reason for this decision was:

The Chief Legal Officer has received notice from an existing member of the Grant Advisory Panel who has subsequently left and an e-mail stating that another member will give in their notice at the Grant Advisory Panel Annual General Meeting in November.

### **58. FORESHORE TRUST - ANNUAL REPORT AND FINAL ACCOUNTS 2015-16**

## CHARITY COMMITTEE

26 SEPTEMBER 2016

The Assistant Director, Financial Services and Revenues, presented a report for the committee to consider the 2015/16 annual report and financial accounts.

The report detailed key activities undertaken by the Trust throughout the previous year, including investment in the refurbishment of the White Rock Baths to form the Source BMX and Skate Park. The Trust had also allocated significant funding to a range of local organisations in the charitable and voluntary sector through its small grants and events grants programmes.

The balance at the end of March 2016 was £1,236,463, the report noted that the trading surplus achieved in the 2015/16 was higher than projected in the budget. The report also set out expenditure the Trust had committed to in its business plan and its approach to maintain prudent levels of reserves

The Trust's final accounts 2015/16 had been subject to an external audit, which found that they gave a true and fair view of the charity's affairs as at 31 March 2016.

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

**RESOLVED (unanimously) that the annual report and financial accounts for 2015/16 are approved**

The reason for this decision was:

The council has the responsibility for the proper management of the financial affairs of the Trust. In doing so it complies with the Accounting Codes of Practice and the high standards required for the accounting of public money.

The council as Trustee, through the Charity Committee is approved to approve the annual report and accounts by the 30<sup>th</sup> September each year.

### **59. FORESHORE TRUST - FINANCIAL REPORT**

The Assistant Director, Financial Services and Revenues presented a report which updated the committee on the current year's financial position since the budget was set in March 2016.

The report stated that income was currently above budget due to parking income being higher than anticipated, while expenditure remained in line with the projections in the budget. The report also set out the current programme of works approved by the Trust. Although the levels of programme spend continued to reduce the cash balances held by the Trust for this financial year, the levels of reserves remained above the suitable level identified in the Trust's policy.

## CHARITY COMMITTEE

26 SEPTEMBER 2016

The Assistant Director, Financial Services and Revenues, added that further work would be undertaken in advance of the next budget setting process to examine the costs of key items set out in the business plan over the next 2 to 3 years.

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

**RESOLVED (unanimously) to agree the current financial position for 2016/17**

The reason for this decision was:

The council has the responsibility for the proper management of the financial affairs of the Trust. In doing so it complies with the Accounting Codes of Practice and the high standards required for the accounting of public money.

A surplus slightly above budget expectations is anticipated for 2016/17 in respect of ongoing operations.

**60. LAND ON THE FORESHORE - EAST HASTINGS SEA ANGLING ASSOCIATION**

The Assistant Director, Financial Services and Revenues, presented a report which sought approval to grant a lease of land on the Foreshore.

The existing lease to East Hastings Sea Angling Association for use of the land as a boat compound and workshop came to an end in January 2017.

There was no reason not to renew the lease. It was therefore proposed to negotiate a new lease of 15 years; the rent will be calculated based on an independent valuation.

Councillor Forward proposed approval of the recommendations to the report, which was seconded by Councillor Cartwright.

**RESOLVED (unanimously) that: -**

- 1. Charity Committee agrees to renew East Hastings Sea Angling Associations lease, and;**
- 2. Charity Committee delegates to the Estates Manager the authority to agree the final terms of the lease**

The reason for this decision was:

The lease is within the Landlord and Tenant Act and there is no reason not to grant a new agreement thereby securing rental income to the Trust.

**61. MINUTES OF THE COASTAL USERS GROUP HELD ON 6 SEPTEMBER 2016**

**CHARITY COMMITTEE**

**26 SEPTEMBER 2016**

The notes of the Coastal Users Group meeting held on 6 September 2016 were submitted.

**RESOLVED that the minutes of the Coastal Users Group meeting held on 6 September 2016 be received and noted**

(The Chair declared the meeting closed at. 6.53 pm)

This page is intentionally left blank



**Public Document Pack**  
**ANNUAL PUBLIC MEETING OF THE CHARITY COMMITTEE**

**26 SEPTEMBER 2016**

Present: Councillors Fitzgerald (Chair), Forward, Cartwright and Mr May, the Protector

**62. WELCOME FROM THE CHAIR OF THE CHARITY COMMITTEE, COUNCILLOR COLIN FITZGERALD**

The Chair welcomed those present to the meeting.

The Chair paid tribute to the work of Councillor John Hodges, who had served as Chair of the Charity Committee until his death earlier in the year, and for his commitment to improving the Foreshore.

**63. TRUSTEE ANNUAL REPORT AND ACCOUNTS FOR THE YEAR 2015/16**

The Assistant Director, Financial Services and Revenues, presented a report for the committee to consider the 2015/16 annual report and financial accounts.

The report detailed key activities undertaken by the Trust throughout the previous year. The balance at the end of March 2016 was £1,236,463, the report noted that the trading surplus achieved in the 2015/16 was higher than projected in the budget. The report also set out expenditure the Trust had committed to in its business plan and its approach to maintain prudent levels of reserves

The Trust's final accounts 2015/16 had been subject to an external audit, which found that they gave a true and fair view of the charity's affairs as at 31 March 2016.

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

**RESOLVED (unanimously) that the annual report and financial accounts for 2015/16 are approved**

The reason for this decision was:

The council has the responsibility for the proper management of the financial affairs of the Trust. In doing so it complies with the Accounting Codes of Practice and the high standards required for the accounting of public money.

The council as Trustee, through the Charity Committee is approved to approve the annual report and accounts by the 30<sup>th</sup> September each year.

**64. PUBLIC QUESTION TIME**

## CHARITY COMMITTEE

26 SEPTEMBER 2016

A notice had been placed in the local newspaper inviting written questions, however, none had been received. The Chair invited questions from the public gallery on matters relating to the Trust.

Mr Dick Edwards asked 3 questions of the committee, as follows. Mr Edwards also echoed the comments made in the Chair's earlier tribute to Councillor Hodges.

1. The refurbishment of the White Rock Baths to form a new BMX and Skatepark is very welcome. However, the £6 entrance fee charge may be too expensive for many local families. Please could consideration be given to introducing a concession for local people?

The Resort Services Manager replied that the operators of the Source were very keen to support the local BMX and Skate community and were looking at a number of options to engage with local people. He added that the council and Foreshore Trust would support the Source in exploring funding opportunities to continue this work.

2. Before the Stade Amusements lease was renewed a public consultation was undertaken about potential improvements to the site. However, the planned improvements included in the final lease were more modest. Could more mechanisms for public engagement be included in the future?

The Assistant Director, Financial Services and Revenues, commented that it was unfortunate that not all of the works which had been subject to public consultation could be delivered under the new lease. An external contractor had carried out an assessment of the site and proposed the list of works to be included in the new lease. The new lease was also for a shorter length of time than originally planned. The committee acknowledged the challenges in gaining the opinion of all users of the Foreshore through public consultation exercises.

3. Given the significant demand for grants from the Foreshore Trust, could the level of funds made available be increased?

The Chair replied that a review of the small grants programme would be undertaken before the next round of grant allocations, and the level of funding made available would be considered as part of this process.

The Chair thanked Mr Edwards for his questions.

(The Chair declared the meeting closed at. 7.19 pm)

# Agenda Item 9

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

# Agenda Item 10

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank