



Council Meeting

14 December 2016

HASTINGS BOROUGH COUNCIL

Dear Councillor

You are hereby summoned to attend a meeting of the Hastings Borough Council to be held at the Aquila House, Breeds Place, Hastings, East Sussex, TN34 3UY, on Wednesday, 14th December, 2016 at 6.00 pm at which meeting the business specified below is proposed to be transacted.

Yours sincerely,

Chief Legal Officer

Aquila House
Breeds Place
Hastings

6 December 2016

AGENDA

1. Apologies for Absence
2. To approve as a correct record the minutes of the Special Council and Full Council meetings held on 26 October 2016
3. Declarations of Interest
4. Announcements from the Mayor and Leader
5. Questions (if any) from: -
 - a) Members of the public under Rule 11
 - b) Councillors under Rule 12
6. Motion (Rule 14)
Councillor Wincott to propose, seconded by Councillor Roberts that:

This Council notes:
 1. That the House of Lords has amended the Bus Services Bill passing through Parliament to remove Clause 21 that would effectively

“prohibit a local authority from forming a company for the purposes of providing a local bus service”.

2. That the Localism Act (2011) provides general powers of competence to local authorities.

3. That municipal bus companies like Reading and Nottingham provide some of the best bus services in the country and have a successful track record of increasing bus passenger numbers and providing high quality bus services.

4. That polling by We Own It found that a majority of the public (57%) oppose clause 21, whilst just 22% support it. The opposition to Clause 21 is consistent across voters from all political parties.

This Council believes:

1. If there is a need and a demand from their public, then Councils should be able to provide their own bus services.

2. Should they wish, councils should be legally able to follow the model developed by Reading and Nottingham.

3. Consequently we support Clause 21 being omitted from the Bus Services Bill.

This Council resolves:

1. To write to the Secretary of State Chris Grayling MP at the Department for Transport urging him to support the Lord's amendment and omit Clause 21 from the final legislation.

2. To write to Amber Rudd MP to express our opposition to clause 21 and ask her to write to Chris Grayling MP at the Department of Transport to raise concerns about Clause 21.

3. To work with any organisations such as We Own It to publicise our opposition to clause 21 in local media.

7. Motion (Rule 14)

Councillor Edwards to propose that:

This Council applauds the outcome of the recent Hastings Business Improvement District election when the business community voted to invest up to £1m of their own money over the next five years in the town centre.

This demonstrates yet again the success of the government's long term economic plan.

8. Motion (Rule 14)

Councillor Cooke to propose, seconded by Councillor Patmore that:

Hastings Borough Council recognises that 1 in 4 people will suffer from some form of mental illness in their lifetime and as a caring organisation will do all it can to help them through these difficult periods.

The council also notes the support mechanisms in place within it's organisation to support employees with mental health issues.

The council further resolves to sign up to a mental health charter commitment which many companies and public bodies have already done to publicly show its commitment that in no way does it discriminate in the workplace against people who suffer from mental health issues and further to this demonstrate the same to those seeking employment with Hastings Borough Council.

9. Motion (Rule 14)

Councillor Patmore to propose, seconded by Councillor Rankin that:

On the 21st April 2016 it was the 90th birthday of our Queen, Elizabeth II of the United Kingdom of Great Britain and Northern Ireland.

Given that this is indeed a year to remember for our esteemed and much loved monarch and given the fact that we used to have a portrait of the Queen in the old council chamber, would Hastings Borough Council action and agree to have a portrait of the Queen reinstated in the new Council chamber at Aquila House.

10. Motion (Rule 14)

Councillor Chowney to propose, seconded by Councillor Turner that:

This council expresses its profound concerns about NHS Sustainability and Transformation Plans (STPs), and opposes them as currently formulated. We believe they will lead to cuts and further damaging privatisation of local health services, particularly for trusts that are in deficit, such as the Conquest Hospital Trust.

We strongly support the British Medical Association's 'five asks' that:

- the plans need to be made public as soon as possible;
- all proposals within the plans need to be realistic and evidence based;

- proposals to close hospitals, and to consolidate services across an area, should only be considered where there is clear evidence that such changes maintain or improve the quality of care patients receive;
- there needs to be a commitment to full consultation with clinicians, patients and the public on any proposed changes as early as possible;
- the plans need to be fully and properly funded;
- patient care, and not savings, needs to be the priority of each and every plan.

We also believe that district councils should be fully involved in the development of the plans, and call on the government to include district councils in design and implementation of the plans.

We further believe that the proposed 'footprint' for the Sussex and East Surrey STP is illogical. We believe all plans should be coterminous with county or unitary boundaries, to ensure better integration of health and social care.

We call on East Sussex County Council (ESCC) to reject the STP for Sussex and East Surrey unless the footprint is redesigned to be coterminous with county boundaries, and unless it clearly fulfils the BMA's 'five asks'.

We further instruct the leader of Hastings Council to write to Amber Rudd MP, Cllr Keith Glazier (Leader, ESCC), and the Secretary of State for Health to make them aware of our concerns.

11. Membership of Committees

To give effect to any request received from a political group for a change in their representation on committee(s)

12. Reports of Committees

- To resolve that the public be excluded from the meeting during the discussion of any items considered while the public were excluded by the relevant committee 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 respective paragraphs of Schedule 12A to the Local Government Act 1972 referred to in the minutes of the relevant committee
- To receive and consider the recommendations and any decisions of the following committees: -

Minute No.	Subject	Cabinet Member / Chair
CABINET – 7 NOVEMBER 2016		
44.	EU Funding Application Approval – New Visitor Centre at Hastings Country Park Nature Reserve	Davies
45.(C)	Council Tax Support Scheme	Chowney
46.	Medium Term Financial Strategy	Chowney
47.(C)	Treasury Management – Mid Year Report 2016/17	Chowney
49. (E)	Commercial Property Purchase – Retail Park	Chowney
CABINET – 5 DECEMBER 2016		
52.	Petition in relation to Dog Control Orders and Public Space Protection Orders	Davies
53.	Hastings Local Plan – Statement of Community Involvement (SC) Update	Poole
54.	Financial and Legal Business Case for Local Housing Company	Chowney
55. (E)	Land at Churchwood Drive	Chowney

(C) – Council Decision

(E) – Exempt

Notes:

1. The Mayor will call over the minutes and members will rise and indicate those items which they wish to have discussed
2. No discussion shall take place at this stage upon any part II minute covered by resolution 7a) above. Any such discussion shall be deferred until item 8 on the agenda.

13. To consider the recommendations and decisions of committees (if any) which the Council resolved should be discussed after the exclusion of the public from the meeting

Note: Nothing contained in this agenda or in the attached reports and minutes of committees constitutes an offer or acceptance of an offer or an undertaking or contract by the Borough Council

Agenda Item 2 Public Document Pack

FULL COUNCIL

26 OCTOBER 2016

Present: The Right Worshipful The Mayor (Councillor Judy Rogers) in the Chair, Councillors Sinden, Batsford, Cartwright, Chowney, Clark, Davies, Forward, Howard, Dowling, Poole, Roberts, Sabetian, Scott, Street, Turner, Webb, Westley, Wincott, Charman, Lee, Fitzgerald, Beaney, Atkins, Edwards, Clarke, Dowling, Bacon, Patmore and Rankin

Apologies for absence were noted for Councillor Cooke and Beaver

The Right Worshipful The Mayor proposed a motion, seconded by Councillor Davies, for the exclusion of the public from the meeting.

RESOLVED that the public be excluded from the meeting during the discussion of the under mentioned item, which was considered while the public were excluded by the relevant committee, 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 respective paragraphs of Schedule 12A to the Local Government Act 1972 referred to in the report.

22. REPORTS OF COMMITTEES

Minute 41 of the Cabinet meeting held on 10 October 2016, Joint Waste Management, was a matter for Council decision. Councillor Davies proposed approval of the recommendations set out in the minute, which was seconded by Councillor Lee.

RESOLVED (unanimously) that:

- 1. The Joint Waste Partnership proceed with Option B and the Lead Director of the Partnership (in discussion with the Hastings Borough Council Director of Operational Services) be authorised to conclude without prejudice negotiations and finalise legal terms for agreement, and;**
- 2. Council expresses its thanks to the Lead Director for the Partnership (Dr Anthony Leonard of Rother District Council) and the Partnership Manager, Madeleine Gorman, for the commitment and energy shown in dealing with this crucial and sensitive issue**

The reason for this decision:

On 2nd September 2016 the East Sussex Joint Waste Committee met to consider the developments set out in the appendix to this report. The committee resolved that Option B be recommended to each partner council for approval.

(The Mayor declared the meeting closed at. 5.09 pm)

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FULL COUNCIL

26 OCTOBER 2016

Present: The Right Worshipful The Mayor (Councillor Judy Rogers) in the Chair, Councillors Sinden, Batsford, Cartwright, Chowney, Clark, Cooke, Davies, Forward, Howard, Dowling, Poole, Roberts, Sabetian, Scott, Street, Turner, Webb, Westley, Wincott, Charman, Lee, Fitzgerald, Beaney, Atkins, Edwards, Clarke, Dowling, Bacon, Patmore and Rankin

Apologies for absence were noted for Councillor Beaver

23. **TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE COUNCIL MEETING HELD ON 20 JULY 2016**

RESOLVED that the minutes of the Council meeting held on 20 July 2016 be signed by the Mayor as a correct record of the proceedings

24. **QUESTIONS FROM MEMBERS OF THE PUBLIC UNDER RULE 11**

A written question had been received from Miss H Caglayan regarding compulsory Disclosure and Barring Service (DBS) checks for Councillors. Councillor Cartwright, the Lead Member for Corporate Services, answered the question. Copies of the question and the reply were circulated at the meeting.

25. **QUESTIONS FROM COUNCILLORS UNDER RULE 12**

A written question had been received from Councillor Patmore regarding the Let's Start Letting scheme. Councillor Forward, Deputy Leader of the Council and Lead Member for Housing, Communications and Equalities, answered the question. Copies of the question and reply were circulated at the meeting.

Councillor Patmore asked Councillor Forward a supplementary question about the potential impact on the cost of the scheme if the additional £60.00 subsidy paid to Local Authorities as part of the Temporary Accommodation Management Fee (TAMF) was withdrawn. Councillor Forward replied that the government was currently reviewing temporary accommodation funding streams, as a precaution the council was not taking on any further leases until the review is complete. Councillor Forward agreed to keep Councillor Patmore updated on future plans for the scheme.

A written question had been received from Councillor Beaver regarding the Hastings Trust. Councillor Chowney, the Leader of the Council and Lead Member for Finance, answered the question. Copies of the question and reply were circulated at the meeting.

Questions to the Leader, Deputy Leader and other Lead Members were asked and answered in accordance with Rule 12.1 as follows: -

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Questioner and Councillor	Subject	Reply Given By Councillor
Lee	<p><u>Let's Start Letting</u> the Deputy Leader of the Council and Lead Member for Housing, Communications and Equalities leases a property to the Let's Start Letting Scheme. She declared a prejudicial interest in the matter at the Overview and Scrutiny Committee meeting on 13 September 2016, but this is not reflected on her Register of Interest. Given this conflict of interest will she resign from her portfolio?</p> <p>Councillor Forward replied that she would not resign from her portfolio and had taken legal advice with regard to managing any potential conflict of interest.</p>	Forward
Street	<p><u>Committee of Regions</u> earlier this month a Committee of Regions seminar took place at St Mary in the Castle. The seminar included a number of excellent presentations by local speakers about initiatives taking place in the town. Will the Lead Member join with him in thanking Councillor Westley, who is a member of the Committee of Regions, for her efforts?</p> <p>Councillor Poole thanked Councillor Westley for her efforts serving on the Committee of Regions. She added that excellent feedback had been received from the recent seminar, particularly from members of the local fishing community. The seminar attracted around 40 additional visitors to the town, which helped to support the local economy.</p>	Poole
Rankin	<p><u>Supporting Job Creation</u> an article recently appeared in the local newspaper about a new factory unit the council was building for BD Foods. The Leader of the Council has previously stated that the council would pursue opportunities to create jobs locally. Therefore, why has the Leader not responded to an email from a software company, who is considering relocating to the area?</p> <p>Councillor Chowney said that the council remained committed to supporting job creation opportunities in the town; he often met with companies who were considering moving to Hastings. Councillor Chowney added that he had not received the email Councillor Rankin referred to, but he would be happy to arrange a meeting with the company.</p>	Chowney
Charman	<u>Southern Rail</u> workers have the right to withdraw	Chowney

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	<p>their labour if they have been unfairly treated by their employer. Southern Rail is currently consulting on a revised timetable, which could see services reduced by up to 50% in some areas. Would the Leader of the Council comment on the impact of reduced rail services to Ore train station on the regeneration of the Ore Valley area? Councillor Chowney said that the planned reductions would have a detrimental effect on the regeneration of the area, particularly as there were a number of sites in the Ore Valley that would be suitable for development. Currently, 4000 journeys per week take place from Ore train station, any reductions to this service would disproportionately affect residents living in some of the most deprived parts of the town. Councillor Chowney encouraged all members to respond to the consultation opposing the proposed reductions.</p>	
Clarke	<p><u>Seafront Improvements</u> will the Leader of the Council provide an update on the ongoing improvements to the seafront outside the pier and advise when the cycle lane will be reinstated? Councillor Chowney replied that the cycle lane markings would not be reinstated, as part of the seafront improvements, the promenade between the Pier and Rock-a-Nore had become a shared cycle route. This approach had proved successful elsewhere in the town, and was considered to be safer in busy areas.</p>	Chowney
Turner	<p><u>Nye Bevan Programme</u> does the leader of the council agree that the Nye Bevan Programme, which was recently launched by the NHS as part of a strategy to develop leadership skills, covers up the reductions to funding many NHS Trusts are facing? Councillor Chowney expressed concern at the reduction to funding for the NHS, adding that the NHS Trust for Hastings and Rother had recently been placed in special financial measures. He noted that only Trusts who operated without a budget deficit were eligible to participate in the Nye Bevan Programme. These Trusts tended to be based in areas with low levels of deprivation.</p>	Chowney
Cooke	<p><u>Labour Party</u> in his letter of resignation from the Labour Group, Councillor Clark stated that the National Labour Party interfered too much in local matters. Will the Leader of the Council provide an assurance that this will not happen again? Councillor Chowney replied that this was not a</p>	Chowney

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	matter for Full Council to consider.	
Clark	<p><u>Free Parking in Council Car Parks over Christmas</u> will the Leader of the Council offer free parking in council-run car parks over the festive period, as in previous years? Councillor Chowney agreed to look into this further and respond to Councillor Clark directly.</p>	Chowney
Atkins	<p><u>Footpath between Sandrock Park and St Helens Church</u> a recent competition organised by the council and a local school to design new signage for the footpath between Sandrock Park and St Helens Church is to be welcomed. However, some residents have expressed concern at the wording included on the new signs, was legal advice sought before the project was completed? Councillor Davies explained that the project had originally come about to help promote the safety of young people, who regularly use the footpath to travel to and from school. Legal advice had been taken on the wording to be included on the signs and no issues were raised. Further consideration would be given to the wording included on any new signage when the competition is re-run in the new year.</p>	Davies
Sabetian	<p><u>ROOT1066 Festival</u> does the Leader of the Council agree that the ROOT1066 Festival was an exciting and imaginative celebration of the town's history and pass the council's thanks to all those involved? Councillor Chowney noted that the festival had originally been the idea of the late Councillor Birch. Over 40 projects had taken place as part of the festival, ranging from a spectacular lazer light show on the seafront to a number of smaller community events around the town. The festival had been very successful and Councillor Chowney thanked all those involved in organising the events. Further analysis of visitor numbers and feedback would be undertaken over the coming months and reported back in due course.</p>	Chowney

26. MOTION (RULE 14)

Councillor Bacon proposed a motion, set out in the resolution below, seconded by Councillor Batsford.

RESOLVED (unanimously) that Hastings Borough Council notes that:

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- corporate tax evasion and avoidance are having a damaging impact on the world's poorest countries to such a level that it is costing them far more than they receive in aid
- this is costing the UK as much as £30bn a year
- this practice also has a negative effect on small and medium-sized companies who pay more tax proportionately.

Hastings Borough Council further notes that the UK Government has taken steps to tackle the issue of tax avoidance and evasion by issuing Procurement Policy Note 03/14 (PPN 03/14). This applies to all central government contracts worth more than £5m.

Hastings Borough Council also notes the existence of voluntary schemes promoting tax compliance such as the Fair Tax Mark, which can serve as an independent means of verification.

Hastings Borough Council notes the 2015 Public Contract Regulations which state (in section 4) that local government can choose to adopt Procurement Policy Note 03/14. This council believes that bidders for council contracts should be asked to account for their past tax record, using the higher standards in PPN 03/14.

Hastings Borough Council therefore calls for procurement procedures to be amended to require all companies bidding for service contracts worth more than £25,000 and for works contracts worth more than £25,000 to self-certify that they are fully tax-compliant in line with central government practice using the standards in PPN 03/14, applying to contracts of the size specified above.

This Full Council asks the Cabinet to publicise this policy and to report on its implementation annually

27. MOTION (RULE 14)

Councillor T Dowling proposed a motion, as set out in the resolution below, which was seconded by Councillor Fitzgerald.

RESOLVED (by 30 votes for, 1 against with 0 abstentions) that this Council notes that hundreds of thousands of women including many residents in Hastings had significant pension changes imposed on them by the Pensions Acts of 1995 and 2011 with little or no personal notification of the changes. Some women had only two years notice of a six-year increase to their state pension age.

This Council:

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- gives its full support to the campaign by Women Against State Pension Inequality (WASPI) to address this problem;
- calls upon the Government to reconsider transitional arrangements for women born between 6th April 1951 and 5th April 1953 who have unfairly borne the burden of the increase to the State Pension Age (SPA) with lack of appropriate notification;
- instructs the Leader of the Council to write to the Secretary of State for Work and Pensions and the Member of Parliament for Hastings and Rye to express this view and ask them to support WASPI's campaign and meet with their Hastings representatives.

28. MOTION (RULE 14)

Councillor Atkins proposed a motion, as set out in the resolution below, which was seconded by Councillor Wincott.

RESOLVED (unanimously) that Hastings Borough Council believes the safety of our children is of paramount importance as they travel to and from school within our Borough. Parents parking irresponsibly and illegally at school time is a real danger to children's safety across Hastings and it is our duty to ensure our children are safe.

We therefore urge every school to include reminders to parents in their weekly newsletters to parents about parking safely around the school, alongside calling the County Council to deploy more enforcement officers at school peak times to help prevent illegal and irresponsible parking and to explore every other enforcement option and safety policy at their disposal to maintain the safety of our children.

29. MOTION (RULE 14)

Councillor Patmore proposed a motion, set out in the resolution below, which was seconded by Councillor Lee.

During the debate it was noted that funds were already in place to complete the project, and the Blue Plaque would be installed at no cost to Hastings Borough Council.

RESOLVED (unanimously) that Hastings Borough Council will support the placing of a new Blue Plaque on 447 Bexhill Road, St. Leonards on Sea to commemorate Claude Nunney, the most decorated ordinary private soldier in the Canadian Army in World War 1 and the only Great War soldier who was born in this town to be awarded the Victoria Cross

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30. MEMBERSHIP OF COMMITTEES

Councillor Chowney proposed a motion regarding the membership of committees, as set out in the resolution below.

RESOLVED that the council adopt the following arrangements for the membership of committees: -

- 1. Councillor Webb to be appointed as Vice-Chair of the Audit Committee, in place of Councillor Clark**

Councillor Lee proposed a motion regarding the membership of committees, as set out in the resolution below.

RESOLVED that the council adopt the following arrangements for the membership of committees: -

- 1. Councillor Atkins to be appointed to Overview and Scrutiny Committee, in place of Councillor Patmore**
- 2. Councillor M Clarke to be appointed to Standards Committee, in place of Councillor Lee**
- 3. Councillor Rankin to be appointed as Chair of the Audit Committee in place of Councillor Beaver**

31. APPOINTMENT OF INDEPENDENT PERSONS

The report of the Chief Legal Officer on the appointment of Independent Persons was submitted. In accordance with the requirements of the Localism Act 2011, the council had appointed two Independent Persons to assist with the Standards process. The term of office of the current Independent Persons expired on 31st October 2016. The report sought approval to re-appoint the Independent Persons for a further year, until 31st October 2017.

Under rule 13.3 the report was approved without being called for discussion.

RESOLVED to appoint Margaret Sandra and Andrew Colquhoun as Independent Persons to assist with the Standards process from 1st November 2016 to 31st October 2017

The reason for this decision was:

The Localism Act 2011 requires the council to appoint at least one Independent Person to assist with the Standards process. Further, changes in employment legislation requires and Independent Person to be involved in any disciplinary action against any of the three statutory officers, those being the Head of Paid Service, the Chief Finance Officer and the Monitoring Officer.

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32. REPORTS OF COMMITTEES

The Mayor having called over the minutes set out in the agenda, the under mentioned minutes were reserved for discussion.

RESOLVED under rule 13.3 that the reports and minutes of committees set out in the agenda be received, including minute number 31 of Cabinet on 5 September 2016, which was a matter for Council decision. Only those items which were reserved were discussed, as follows: -

Meeting	Minute	Councillor
Cabinet, 8 August 2016	20 – European Maritime Fisheries Fund Community Led Local Development (Hastings FLAG 2)	Lee
Cabinet, 5 September 2016	25 – Planning Service Review Report	Lee
Cabinet, 5 September 2016	26 – Anti-Poverty Strategy Refresh	Lee
Cabinet, 5 September 2016	30 – Final Accounts 2015/16	Lee
Cabinet, 5 September 2016	32 – Coastal Medium Term Plans	Lee
Cabinet, 5 September 2016	34 – Procurement of Cleaning Contracts	Lee
Cabinet, 10 October 2016	38 – Land on Churchfields Estate	Scott

No motions for reference to Overview and Scrutiny Committee or reference back to cabinet were approved in respect of the items reserved for discussion and they were, therefore, received.

(The Mayor declared the meeting closed at. 9.09 pm)

7 NOVEMBER 2016

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

42. NOTIFICATION OF ANY ADDITIONAL ITEMS

An additional urgent item had been added to the agenda, Commercial Property Purchase – Retail Park (minute number 50), which was to be considered under confidential business.

43. MINUTES OF THE MEETING HELD ON 10 OCTOBER 2016

RESOLVED that the minutes of the meeting held on 10 October 2016 be approved and signed by the chair as a correct record

RESOLVED the Chair called over the items on the agenda, under rule 13.3 the recommendations set out in minute number 47 were agreed without being called for discussion

44. EU FUNDING APPLICATION APPROVAL - NEW VISITOR CENTRE AT HASTINGS COUNTRY PARK NATURE RESERVE

The Environment and Natural Resources Manager presented a report which sought delegated approval for the Director of Operational Services, in consultation with the Lead Member for Environment and Place, to enter into a partnership agreement with the Lead Partner for the EU project (UPSTRAW), should a second stage submission for funding to support the development of a new visitor centre at Hastings Country Park be approved. A sub-partnership agreement with Groundwork Trust to support the delivery of the project would also be required.

The council held a longstanding ambition to provide a new visitor centre at Hastings Country Park Nature Reserve, which is set out in the Corporate Plan 2016/17 – 2018/19. It was important that any new construction was sensitive to the landscape and environment of the country park. Extensive public consultation had been undertaken regarding the design and layout of the new visitor centre. In March 2015, planning permission was granted for a new building of straw bale construction.

The council had partnered with Groundwork South to project manage and deliver the new centre. A project board had been established to oversee these activities. The council had allocated £250,000 from a capital receipt to the project, and Groundwork South had been exploring a range of other funding opportunities.

CABINET

7 NOVEMBER 2016

Groundwork South and the council, along with the School of Natural Building, had pursued an opportunity to join European partners under the Interreg North-West Europe Programme to build public buildings from straw. A successful expression of interest had been submitted in February 2016. The partners were now required to submit a full application by 23 December 2016, with a decision expected in January or February 2017. Groundwork South are also exploring separate grant applications to support heritage and nature conservation themed interpretation throughout the nature reserve and new visitor centre.

The report acknowledged ongoing uncertainty regarding the future of European Union (EU) funding streams, following the outcome of the referendum on the UK's membership of the EU earlier in the year. However, the Treasury had indicated that projects which have secured funding while the UK is still a member of the EU will be honoured by the government, provided they are good value for money and are in line with domestic strategic priorities.

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

RESOLVED (unanimously) to give delegated authority to the Director of Operational Services in consultation with the Lead Member for Environment and Place to:

- **Sign a sub-partnership agreement with Groundwork trust to deliver the Hastings Borough Council associated activities and outcomes for the Interreg North-West Europe Programme – Public Building in Straw;**
- **Sign a full partnership agreement with the Lead Partner for the Interreg North-West Europe Programme – Public Building in Straw (UPSTRAW)**

The reason for this decision was:

Hastings Borough Council is committed to delivering a new visitor centre at Hastings Country Park Nature Reserve. In 2014 we partnered up with Groundwork South to help deliver this ambition. Groundwork project managed the preparatory work from architects through to planning permission in 2015. Groundwork South has been working with European partners to prepare a submission for Interreg funding to build the visitor centre from straw bales. The submission deadline is 23 December 2016 with an expected award date early in 2017.

45. COUNCIL TAX SUPPORT SCHEME

The Revenue and Benefits Service Manager presented a report which updated members in the results of a recent consultation regarding the council tax support scheme and the options available to set the scheme for 2017/18 in respect of working age customers.

CABINET

7 NOVEMBER 2016

The council is required to review its council tax support scheme each year. The existing scheme, which has been in place since April 2013, provides for a set minimum weekly award of £5, removes second adult rebate and increases non dependant deductions. The purpose of the review was to ensure that the scheme continued to protect those on low incomes, whilst ensuring that the council retained sufficient capacity to provide essential services.

Three potential options for the 2017/18 scheme were subject to public consultation; the introduction of a minimum council tax payment for all working age customers, a reduction to the capital savings limit from £16,000 to £6,000 and the introduction of a weekly minimum income, in line with the national living wage, for self-employed customers. The consultation concluded on 16 September 2016.

The report noted significant welfare reforms which were due to be implemented over the coming year including a revised benefit cap and the roll-out of Universal Credit. Given the potential impact of these changes on the poorest sections of the community in particular, the report recommended that the existing council tax reduction scheme remain unaltered for 2017/18. All East Sussex authorities may wish to review their schemes in 2018/19.

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

RESOLVED (unanimously):

- 1. To recommend to Full Council that there be no change to the existing Council Tax Support Scheme in respect of working age customers for 2017/18, and;**
- 2. To authorise the Assistant Director, Financial Services and Revenues, to update allowances and premiums, as required, when announced by the Government and for any relevant changes to the prescribed regulations**

The reason for this decision was:

The local authority is required to approve a scheme for the provision of council tax support in respect of 2017/18 by 31 January 2017.

46. MEDIUM TERM FINANCIAL STRATEGY

The Assistant Director, Financial Services and Revenues, presented a report on the medium term financial strategy. The council forecasted its financial position over the medium term to ensure its resources were aligned with its priorities and objectives and to assist with the budget setting process for future years.

CABINET

7 NOVEMBER 2016

The report gave an overview of the council's income and expenditure, since the budget for 2016/17 was set in February. The Assistant Director, Financial Services and Revenues, commented that further significant budget reductions were expected in the years ahead. He also acknowledged further uncertainty regarding business rate appeals and an outstanding claim in respect of the pier closure. Consequently, it was essential that the council continued to optimise the efficiency of its services. Potential re-occurring savings identified in the medium term financial strategy would be investigated as part of the budget setting process for 2017/18.

The council had submitted an efficiency plan to the Government, with the intention of securing a four year grant settlement. If successful, this would provide a higher degree of stability and enable the council to more accurately predict its financial position over the coming years.

The council continued to explore a range of income generation opportunities. The Assistant Director, Financial Services and Revenues, commented that the council needed to retain sufficient reserves to offset the risks associated with these activities.

Councillor Chowney moved approval of the recommendations to the Assistant Director, Financial Services and Revenues, report which was seconded by Councillor Davies.

RESOLVED (unanimously) that the Medium Term Financial Strategy be approved

The reason for this decision was:

The council matches its available resources to its priorities across the medium term.

The report provides the opportunity to assess the council's resources to assist the review of corporate priorities given the continued reductions in funding and the need to continually ensure limited resources are properly aligned to targets.

47. TREASURY MANAGEMENT - MID YEAR REPORT 2016-17

The Assistant Director, Financial Services and Revenues, submitted a report to advise Cabinet of the treasury management activities and performance during the current year.

Treasury management relates to the authority's investments, cash flow, banking, money market and capital transactions. The report provided an update on the economic climate during the first nine months of 2016/17 as well as the council's current treasury position and strategies for borrowing and investment.

The council complied with the requirements of the Chartered Institute for Public Finance and Accountancy's Code of Practice for Treasury Management and carried out a mid-year review each year, to provide members with an opportunity to make recommendations to Full Council to address any issues which may have arisen since the original strategy was approved in February 2016.

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Market conditions and continued low interest rates created challenges in achieving the 0.70% return on investments, estimated in the budget. However, savings from the timing of new borrowing meant that the overall budget predictions for 2016/17 were still achievable.

The Audit Committee would be required to review the Treasury Management Strategy as the council continued to pursue new income generation opportunities, which may result in increased borrowing and risk to the authority.

RESOLVED that:

- 1. Cabinet ask the Audit Committee to explore investment opportunities in property funds and the treasury management implications for the council of making larger investments in, for example, commercial property, housing, and energy as part of the council's income generation strategy, and;**
- 2. The Audit Committee to consider the substantial implications and risks to the council at its meeting in January 2017 when considering the proposed Treasury Management Strategy for 2017/18, with a view to making recommendations to the meetings of Cabinet and Council in February 2017**

The reason for this decision was:

The Code of Practice on Treasury Management requires, as a minimum, a mid-year review of Treasury Management Strategy and performance. This is intended to highlight any areas of concern that have arisen since the original strategy was approved (February 2016). It is a requirement of the Code of Practice that the mid-year review is considered by Cabinet and Full Council.

The council is seeking to increase its levels of income generation and this will entail new borrowing over potentially long periods, with consequent risks in terms of asset valuations, credit worthiness, cash and reserve fund availability. Such risks cannot be considered in isolation of all the issues facing the council now and potentially in the future.

48. MINUTES OF THE MUSEUMS COMMITTEE HELD ON 12 SEPTEMBER 2016

The minutes of the Museums Committee meeting held on 12 September 2016 were submitted.

RESOLVED that the minutes of the Museums Committee held on 12 September 2016 be received

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EXCLUSION OF THE PUBLIC

Councillor Lee proposed a motion for the exclusion of the public from the meeting, which was seconded by Councillor Cartwright.

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 report

49. COMMERCIAL PROPERTY PURCHASE - RETAIL PARK

The Assistant Director, Financial Services and Revenues, presented a report which considered the potential purchase of a commercial property within Hastings.

RESOLVED (by 6 votes for, 2 against with 0 abstentions):

- 1. To recommend that the council purchases the property at the best possible price up to the maximum figure set out in the report (plus stamp duty land tax, registration fees, and agents fees), and;**
- 2. Delegated authority is given to the Chief Finance Officer to purchase the property and finalise arrangements**

The reason for this decision was:

The property is in a prime location and will become more prominent following changes to the highway in the area. The council needs to ensure that the area remains attractive for the future to ensure businesses are attracted to, and remain in, Hastings – particularly so as the council will need to ensure business rate growth in the future. The acquisition provides the council with the opportunity to diversify its property holdings and change the overall risk exposure within the portfolio. The council would also secure an additional income stream.

(The Chair declared the meeting closed at. 7.24 pm)

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

50. **MINUTES OF THE MEETING HELD ON 7 NOVEMBER 2016**

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

RESOLVED the Chair called over the items on the agenda, under rule 13.3 the recommendations set out in minute number 54 were agreed without being called for discussion

51. **PETITION IN RELATION TO DOG CONTROL ORDERS AND PUBLIC SPACE PROTECTION ORDERS**

The Environment and Natural Resources Manager presented a report in response to a petition the council had received calling for a change in the times that dogs can be exercised off leads in St Leonards Gardens.

The petition was supported by 56 signatures. The lead petitioner, Mr Andy Cullis, presented the petition to Cabinet. He explained that the petitioners were seeking for the council to allow dogs to be exercised off leads in St Leonards Gardens throughout the day from 1 October to 1 May. Under the current framework, the Dogs on Leads (Borough of Hastings) Order 2008, dogs must be kept on leads in St Leonards Gardens between 9.00am and 6.00pm every day.

The Environment and Natural Resources Manager explained that the council was currently reviewing the way it deals with dog related offences. The council intended to replace all Dog Control Orders with Public Space Protection Orders by October 2017. This proposal would be subject to a full public consultation, and the report recommended that the council did not take any immediate action to change the times for dogs exercising off leads in any parks and open spaces before the consultation had been undertaken.

Cabinet thanked the petitioners for raising this matter.

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

RESOLVED (unanimously) that Cabinet:

1. Acknowledge the petition;

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2. **Recognise the council is currently working to replace Dog Control Orders with Public Space Protection Orders, and;**
3. **Inform the petitioner that no immediate action will be taken before full public consultation on Public Space Protection Orders has taken place at the appropriate time in the review**

The reason for this decision was:

The petition has been received whilst the council are in the process of changing from its current system of Dog Control Orders to Public Space Protection Orders.

Due process of review, including public consultation should be completed before action is taken on the request in the petition.

52. HASTINGS LOCAL PLAN – STATEMENT OF COMMUNITY INVOLVEMENT (SCI) UPDATE

The Assistant Director, Regeneration and Culture, presented a report to advise of updates to the Hastings Local Plan Statement of Community Involvement (SCI).

The SCI, which sets out the council's approach to community involvement and describes how and when people can get involved in both the plan making and development management process, forms part of a wider suite of documents which make up the Local Plan.

It was necessary to amend the SCI to reflect a decision made as part of the 2016/17 budget setting process, in respect of the methods the council will use to publicise planning applications. It had been agreed to replace the existing process of sending out neighbourhood notification letters with site notices, once an effective alerts and online system had been developed. The council recently launched an online self-service system, My Hastings Online, which enables interested parties to search for information about planning applications in their area and register for email updates.

Councillor Lee proposed an amendment to the SCI, seconded by Councillor Patmore, as follows:

"Amendment to statement of community involvement bullet point 1 paragraph 5.42 delete the words "and where necessary advertisements in the locally media" and add after the word " and adverts in the local media, we will also send letters of notification to owners and occupiers of neighbouring properties and have internal standards setting out how this is determined."

For ease 5.42 will now read as follows

In accordance with statutory requirements, notification of applications made to Hastings Borough Council will be done via sites notices and adverts in the local media, we will also send letters of notification to owners and occupiers of neighbouring properties and have internal standards setting out how this is determined"

The proposed amendment was lost by 2 votes for to 6 against.

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The Director of Corporate Services and Governance commented that monitoring would be undertaken on the take-up of the new online offer.

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

RESOLVED (by 6 votes for, 1 against with 1 abstention) that Cabinet adopts the updated SCI incorporating the changes as set out in appendix A to the Assistant Director, Regeneration and Culture's report

The reason for this decision was:

To ensure that the adopted SCI is fully up-to-date and reflects the council's current procedures relating to the publicity for applications for planning permission.

53. FINANCIAL & LEGAL BUSINESS CASE FOR LOCAL HOUSING COMPANY

The Assistant Director, Housing and Built Environment, presented a report which sought an in principle agreement to create a Housing Company, which will be wholly owned by the council.

The purpose of the Housing Company will be to generate additional income for the council. The report noted that a number of other local authorities had adopted similar models as a vehicle for property investment. The council had appointed consultants to carry out initial investigations of the legal and financial considerations involved in setting up the Housing Company. Once an in principle agreement to establish the company had been given, a detailed business case would be developed.

The Housing Company would be designed initially to acquire and provide housing for both sub-market and market rent in the Borough, but with the potential to undertake development activities (and provide housing for sale or rent) either inside or outside the Borough.

The Assistant Director, Financial Services and Revenues, said that the Audit Committee and ultimately Full Council would need to consider the appropriate level of investment in the company and the risks to the council, based on the business plan, as part of the budget setting process.

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

RESOLVED (by 6 votes for, 0 against, with 2 abstentions) that:

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1. The principle of establishing a local housing company is supported on the basis of the governance and constitutional arrangements set out in the Assistant Director, Housing and Built Environment's report;
2. A detailed company business plan and governance arrangements are developed for a wholly owned Housing Company and implemented subject to final approval by Full Council, and;
3. Funding from the council be determined following production of a viable and long term sustainable business plan

The reason for this decision was:

By agreeing to the recommendations, the council would be improving access to existing housing and delivering additional homes. This is key to the council's regeneration plans and there are established corporate commitments covering the council's housing and regeneration ambitions for the town.

There is also a necessity to generate new income streams to safeguard future service provision for residents, which has also been identified as a key corporate aim.

54. LAND AT CHURCHWOOD DRIVE

The Assistant Director, Financial Services and Revenues, submitted a report which sought approval to settle a rent review.

RESOLVED that the rent review be settled for the amount set out in the Assistant Director, Financial Services and Revenues, report

The reason for this decision was:

There is no evidence for increasing the rent.

(The Chair declared the meeting closed at. 6.58 pm)