

# Public Document Pack

## CHARITY COMMITTEE

21 MARCH 2016

Present: Councillors Fitzgerald, Forward, Cartwright and May, the Protector and Andrew Colquhoun Chair of the Grants Advisory Panel.

The Chair expressed his appreciation for the hard work undertaken by Councillor Hodges former Chair of the Charity Committee.

### 29. APOLOGIES FOR ABSENCE

None.

### 30. DECLARATIONS OF INTEREST

None.

### 31. MINUTES OF THE MEETING HELD 14 DECEMBER 2015

**RESOLVED** – that the minutes of the meeting held on 14 December 2015 be approved and signed by the Chair as a correct record

### 32. NOTIFICATION OF ANY ADDITIONAL URGENT ITEMS

None.

### 33. FORESHORE TRUST - EVENTS GRANTS 2016/17

The Assistant Director Regeneration and Culture presented a report to present the recommendations of the Grant Advisory Panel (GAP) in respect of applications for Events Grants 2016 – 17.

The purpose of the small grants programme is to support organisations delivering a range of activities for local people that address the Charity's objectives and priorities.

The Chair of GAP, Andrew Colquhoun, presented the panel's recommendations to the committee. The small grants programme had been advertised from November 2015 in a variety of web pages and printed publications, and a total of 23 applications for funding had been received. Each grant application had been assessed against the Foreshore Trust's objectives and scored by two members of the GAP, and then jointly reviewed by a meeting of the full panel. The GAP recommended approving eleven grant applications for the 2016/17 programme; totalling £19,786 (two of these were considered for funding at a slightly lower level). A balance of £214 will be carried forward to the next round of Foreshore Small Grants. Each of the successful applications will be subject to monitoring of take up and impact of the project, in line with the Foreshore Trust's equalities policy.

Members of the committee thanked the GAP for their efforts in assessing the applications for funding.

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

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### **RESOLVED** (unanimously) to:

**That the Charity Committee considers for approval the events grants recommendations of the GAP as set out in Appendix 1**

#### The reason for this decision was:

The Grant Advisory Panel has appraised the merits of the applications received for events grant support and has made a number of recommendations for grant awards that can be funded from the 2016 – 17 budgets. These were rigorously assessed with detailed discussion on each application at the GAP meeting on 2<sup>nd</sup> February 2016.

### **34. KIOSK PROPOSAL**

The Assistant Director Regeneration and Culture presented a report to update the Charity Committee on the proposal for a seafront catering kiosk to be built as part of the wider White Rock Area improvements and above the White Rock Baths.

A proposal has been received from The Source to operate the kiosk. The Source operates the Source Park BMX and Skateboard facility within the White Rock Baths under a lease granted by the Foreshore Trust. They wish to provide catering and additional services from the kiosk that will complement and add to the Source Park provision as well as other activities in the area. By operating alongside their operations within the White Rock Baths, the kiosk operations would benefit from an existing purpose built kitchen and a large pool of qualified staff. Additional services proposed include: basic tourist information, free water refilling station, high speed wifi, cycle repair kits and wider products (sunscreen etc), and free compressor pump for use by cyclists.

The Source's proposal included an annual rent, profit sharing arrangement and a capital contribution to the costs of fitting-out the kiosk.

Planning permission for a kiosk in this location is in place and all services are located in a convenient position under the promenade to allow connection to fresh water, waste and electricity supply. The construction of the kiosk has been the subject of a tendering exercise.

Based on the lowest construction tender received and the financial proposal from the Source, the capital investment required by the Foreshore Trust to construct the kiosk would be recouped within eight years.

An independent professional valuer's assessment of the Source's proposal has been carried out which confirms that the proposal is on acceptable terms and at a market rate, and represents good value for the Trust.

At its meeting on 17<sup>th</sup> March 2016, the Coastal Users Group supported the Source proposal. 8 of the 18 members suggested that the scheme should be publically advertised.

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

### **RESOLVED (unanimously) to:**

- 1. Support is given to proceed with the proposal from The Source to operate the White Rock kiosk on the basis of their financial officer, and subject to final confirmation and evaluation of tender prices and taking into account the views of the Coastal Users Group.**
- 2. The project is added to the business plan for 2016/17 and £53,627 is allocated from reserves in 2016/17 budget, subject to satisfactory heads of terms being agreed.**

### **The reason for this decision was:**

A proposal to operate a kiosk above the White Rock Baths has been received directly from The Source and therefore is not subject to a public invitation or tendering exercise. The proposal has been subject to an independent assessment by a professional valuer and offers both financial value and added advantages. The kiosk will be an addition to the Foreshore Trust's assets and the resulting activities are entirely consistent with the Trust's objectives. The support of the Coastal Users Group for the proposal, and the comments in relation to advertising the kiosk, were taken into account.

### **35. WINCH ROAD IMPROVEMENTS**

The Resort Services Manager presented a report to update members of the Committee on the completion of the Winch Road improvement scheme and localised issues of flooding that have subsequently emerged.

The Winch Road Refurbishments have included the upgrade and resurfacing of Winch Road; Improved lighting on the Winch Road to the east of the Stade Open Space and additional crossing points over the miniature railway for pedestrians; pushchairs and wheelchairs and safer crossing for cyclists.

A number of further works are required to include clearing and re-routing the main drain from in front of the RNLI building. There is also an area at the eastern end of the Winch Road where standing water is 'ponding' after heavy rain fall.

Funding has been provisionally allocated in the Foreshore Trust business plan budget for 2015/16; this requires authority from the Charity Committee before it can be spent.

The Coastal Users Group approved this recommendation.

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

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**RESOLVED (unanimously) that Authority is given by the Charity Committee for officers to spend the £10,000 budget provision for additional works required to the Winch Road.**

The reason for this decision was:

The Winch Road project that provided an enhanced surface and additional lighting has been completed successfully.

The improved concrete surface appears to have resulted in some drainage issues for some of the area and buildings adjacent to the road.

A costed solution has been provided by the main contractors in consultation with the Fishermens Protection Society and it is proposed to proceed with these works.

### **36. CHILDREN'S PLAY AREA**

The Resort Services Manager presented a report to seek support for the removal of a small landscaped area within the play area and for it to be replaced with additional piece of play equipment and new safety surface.

£25,000 has been allocated in the Business Plan budget for 2016/17 for the play area. An estimate has been received for £10460 to provide and install the equipment and undertake the landscaping and safety surface works.

The Resort Services Manager advised that its meeting on 17<sup>th</sup> March 2016, the Coastal Users Group were in support of the play area.

The committee were in support of the proposal and felt that another piece of equipment will add play value.

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

**RESOLVED (unanimously) that support is given for installation of additional equipment in the Pelham Play area within the 2016/17 budget.**

The reason for this decision was:

The play area operates to full capacity at many times and the landscaping is unsightly and difficult to maintain.

We are proposing to replace it with a new piece of climbing equipment.

### **37. STADE FACILITY MANAGEMENT**

The Assistant Director of Regeneration and Culture presented a report to update the Committee on options for the future management of the Stade Facilities.

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Since the ending of FLAG funding, interim management arrangements were set in place to enable the facilities to continue while permanent arrangements were investigated.

Officers have reviewed the past and current use of the Facilities, and external legal advice has been sought. In addition, an independent valuation has been undertaken of the market value and rental value of the Facilities commissioned from GVA Grimley Ltd.

A number of options were proposed in sections 15-18 of the report.

The proposals outlined in the recommendation were supported by The Coastal Users Group at their meeting on 17<sup>th</sup> March 2016.

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

**RESOLVED (unanimously) that the Charity Committee endorse the recommendations set out in sections 15-18 of this report.**

The reason for this decision was:

Following the ending of external funding for the promotion and organisation of a range of activities in the Classroom on the Coast, Stade Hall and the Stade Open Space (Stade Facilities), interim management arrangements were put in place while further investigations were made to determine options for more permanent arrangements. These investigations are now completed.

### **38. FORESHORE TRUST 2016/17 BUDGET AND FINANCIAL REPORT**

The Assistant Director – Financial Services & Revenues presented a report to advise Members of the Committee on the current year's financial position (2015/16) and to determine the budget for 2016/17.

The Charity Committee had two main income streams, namely car parking and property leases/ licences. Financial Monitoring statements were appended to the report which provided detail of the costs being incurred on major projects within the business plan and income.

In March 2015, the Trust had agreed its budget for 2015/16, with a projected surplus of £248,000 (before grant distribution and use of reserves).

The Assistant Director – Financial Services & Revenues advised that the main variation in the report was the increased income from car parks, providing an estimated surplus of £292,000. New borrowing costs had occurred as a result of the White Rock Baths and a further loan had been made to the Trust at £127,000, this is in place until the land sale/swap is agreed in respect of land at West Marina.

The advice given by the Assistant Director – Financial Services & Revenues was to plan ahead for the future.

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The 2016/17 budget identifies a projected surplus of £232,000 for the year (before distribution of grants, capital charges and use of reserves).

The Protector queried the risk of the sea defences falling on Foreshore Trust land. The Assistant Director – Financial Services & Revenues advised him that funding had changed and the Government will now cover 100% of approved Sea Defence works.

In agreeing the business plan for 2016/17 to 2018/19 it was agreed that of the total sum of £25,000 for play areas, £10,460 would be used for Pelham Play Area, with the balance being available for other schemes.

Councillor Forward proposed approval of the recommendations, as set out in the resolution below, seconded by Councillor Cartwright.

### **RESOLVED (unanimously) that the Charity Committee:**

- 1. Agree the current financial position for 2015/16**
- 2. The allocation of general grants for 2016/17 be set at £50,000 and event grants at £20,000**
- 3. Approve the proposed expenditure funded from Reserves – albeit further Committee approval to proceed is required for one scheme.**
- 4. Approve the budget for 2016/17**
- 5. Financial monitoring reports continue to be presented at each meeting of the Charity Committee.**

### **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 Accounting Codes of Practice and the high standards required for the accounting of Public money.

A surplus slightly above budget expectations is anticipated for 2015/16 in respect of ongoing operations. This enables the Committee to establish a prudent level of grant allocations that can be distributed as part of the 2016/17 budget process.

The programmed use of reserves has been determined in accordance with the business plan.

### **39. STADE AMUSEMENTS SITE**

The Assistant Director – Financial Services & Revenues presented a report to seek approval to grant a new lease.

The lease for the Stade Amusements site is due to expire on 31<sup>st</sup> January 2017. The tenant 'Stade Developments (Hastings) Ltd', had requested to renew the lease for 50 years, but is now seeking to renew the lease for a shorter term of 15 years. During this term they will carry out some improvements on the site. An external surveyor, (Director of Retail, Hotels and Leisure at Bilfinger GVA) has been appointed to

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negotiate the terms for a new lease on behalf of the Trust. The draft Heads of Terms were appended to Part II of the report. The external surveyor has advised that it is in the Charity's interest to enter into a new lease on these terms.

Councillor Forward proposed approval of the recommendations, as set out in the resolution below, seconded by Councillor Cartwright.

**RESOLVED (unanimously) that the Charity Committee agrees to grant a new lease of the site in accordance with the Heads of Terms contained in the report Part 2.**

The reason for this decision was:

An external Surveyor has advised that the proposed lease terms are considered to be the best that can reasonably be obtained for the Trust.

40. **MINUTES OF THE MEETING OF THE COASTAL USERS GROUP HELD ON 17 MARCH 2016**

The notes of the meeting of the Hastings and St. Leonards Coastal Users' Group held on 17 March 2016 were submitted.

Councillor Cartwright proposed approval of the recommendations, as set out in the resolution below, seconded by Councillor Forward.

**RESOLVED (unanimously) that the minutes of the meeting of the Hastings and St. Leonards Coastal Users' Group held on 17 March 2016 be received and noted.**

41. **ADDITIONAL URGENT ITEMS (IF ANY)**

None.

42. **EXCLUSION OF THE PUBLIC**

**RESOLVED – 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.**

Minute No.	Subject Matter	Paragraph No.
43 (E)	Stade Amusements Site	3

43(E) **STADE AMUSEMENTS SITE**

The Assistant Director – Financial Services & Revenues presented a report to seek approval to grant a new lease.

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Councillor Cartwright proposed approval of the recommendations, as set out in the resolution below, seconded by Councillor Forward.

**RESOLVED (unanimously) to grant a new lease in accordance with the Heads of Terms at Appendix 1.**

The reason for this decision was:

An external Surveyor has advised that the proposed lease terms are considered to be the best that can reasonably be obtained for the Trust.

(The Chair declared the meeting closed at 6.30 pm)