

# 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

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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

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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.

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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**

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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

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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;**

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- 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.

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### 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.



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### 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.

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### 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.

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**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)

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