

# Public Document Pack

## FULL COUNCIL

18 OCTOBER 2017

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, Beaver, Lee, Fitzgerald, Beaney, Atkins, Edwards, Clarke, Dowling, Bacon, Patmore and Rankin

Apologies for absence were noted for Councillor Wincott and Charman

**11. TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE COUNCIL MEETING HELD ON 26 JULY 2017**

**RESOLVED** that the minutes of the council meeting held on 26 July 2017 be signed by the Mayor as correct record of the proceedings

**12. DECLARATIONS OF INTEREST**

The following Councillors declared their interest in the minutes indicated:

Councillor	Committee	Minute	Interest
Edwards	Cabinet, 11 September 2017	31 – Income Generation Strategy	Personal – he works in the property industry
Rankin	Cabinet, 11 September 2017	31 – Income Generation Strategy	Personal – he works in the property industry

**13. ANNOUNCEMENTS FROM THE MAYOR AND LEADER**

The Mayor announced the dates of up-coming events; Remembrance Day and Remembrance Sunday on 11 and 12 November, the Herring Fair on 18 and 19 November, and White Ribbon Day on 25 November.

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

A written question had been received from Mr Russell Hall regarding an update on the progress of the council's investigation into adopting a policy of making Section 106 viability assessments public. Councillor Chowney replied to the question. Copies of the question and response were circulated.

A written question had been received from Mr Christopher Hurrell regarding changes to the council's constitution. Councillor Poole replied to the question. Copies of the question and response were circulated.

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### 15. QUESTIONS FROM COUNCILLORS UNDER RULE 12

A written question had been received from Councillor Lee regarding consultancy costs to the council. Councillor Poole replied to the question. Copies of the question and response were circulated.

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

Questioner and Councillor	Subject	Reply Given By Councillor
Lee	<u>Funding by the Department for Communities and Local Government (DCLG)</u> the DCLG recently announced a £300 million fund to help small and medium sized businesses who have been affected by increased business rates, following the recent re-valuation of business premises. Why was Hastings Borough Council not included on a published list of authorities who have taken up this offer? Councillor Poole replied that she believed the council intended to take up this offer, and was in the process of adapting its software in order to administer the grant. She agreed to provide a full response in writing.	Poole
Patmore	<u>Report by Federation of Small Businesses</u> a report was recently published by the Federation of Small Businesses stating that small and medium sized businesses often miss out on the opportunity to bid for contracts from public sector organisations. What is the council doing to address this? Councillor Chowney replied that the council undertook an overview and scrutiny review two years ago which also raised this issue and looked at possible options to encourage local businesses to bid for tenders. The council continues to work proactively with local businesses, including advertising opportunities to tender locally. He added that public sector contracts must comply with strict regulations, which may be off-putting to some small companies.	Chowney
Turner	<u>Homelessness</u> what is being done to address homelessness over the winter period?	Batsford

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	<p>Councillor Batsford acknowledged that winter can be a particularly difficult time for people living on the street. The council had developed protocols to enable it to work effectively with voluntary organisations to provide support to the street community. The Snowflake Centre would open from November to February; the council's housing officers would visit the centre each week to provide advice on options to secure permanent accommodation. The council was also developing a protocol for severe weather conditions, including the use of school premises to provide emergency shelters. Councillor Batsford added that there had been a significant increase in the use of Bed and Breakfast accommodation, and officers were looking at opportunities to address this.</p>	
Lee Clark	<p><u>Parking Charges over Christmas</u> will the council be offering free parking in its car parks in the run up to Christmas, as it has done in previous years?</p> <p>Councillor Fitzgerald replied that there would be no charges in council-owned car parks each Thursday for the 4 weeks before Christmas. This coincided with late night shopping in the town. Council car parks will also be free on Christmas Day and New Years Day.</p>	Fitzgerald
Atkins	<p><u>Hare Way Playground</u> is there an update on progress to improve facilities at Hare Way playground?</p> <p>Councillor Batsford replied that a report had been produced which assessed the repair and upkeep of all play facilities in the borough. He would consider the implications of the report with Councillor Fitzgerald and report back.</p>	Batsford
Webb	<p><u>East Sussex County Council (ESCC) petition</u> the Leader of East Sussex County Council recently started a petition calling on the government to increase funding to local government. Does the Leader of the Council support the petition and has he signed it?</p> <p>Councillor Chowney replied that he had signed the petition and supported its aim. A link to the petition had also been shared on the council's social media sites.</p>	Chowney
Edwards	<p><u>Public Conveniences</u> at a recent Cabinet</p>	Fitzgerald

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	<p>meeting there was a report on the public conveniences cleaning contract. What was this report about?</p> <p>Councillor Fitzgerald noted that matter could be discussed as a part II item later on the agenda.</p>	
Bacon	<p><u>Summer Season</u> in 2016 the town marked the 950<sup>th</sup> anniversary of the Battle of Hastings. What have the highlights of the 2017 summer season been?</p> <p>Councillor Chowney replied that over 30 events had taken place on the Stade open space over the summer. The Stade Saturdays programme had run between June and October. Other successful events included Jack in the Green, Mid-Summer Fish Festival, Seafood and Wine Festival and the bonfire. Events would continue into the autumn and winter, with the Herring Fair due to take place in November. Councillor Chowney added that, whilst the council supported a number of events in the town, many were organised by community groups and volunteers.</p>	Chowney
Martin Clarke	<p><u>Hastings Pier</u> it was sad to read in the local paper about the financial challenges facing Hastings Pier. What can the council do to support the pier and how will this impact projects it supports in the future?</p> <p>Councillor Chowney advised that Hastings Pier was working with administrators and the Heritage Lottery Fund to develop a rescue package and make the attraction more self-sustaining in the future. The council will continue to work with all partners; this includes exploring planning policy considerations which could help the pier operate on a more commercial basis.</p>	Chowney
Sabetian	<p><u>Energy Generation</u> how can the town use its natural resources for sustainable, environmentally friendly, energy generation?</p> <p>Councillor Chowney replied that the council was investigating the potential of solar and wind energy generation as part of its income generation activities. A report on these options would be brought to Cabinet later in the year.</p>	Chowney
Beaver	<p><u>Homelessness</u> it has been reported that some local authorities are buying homeless</p>	Batsford

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	people one-way train tickets to other areas to avoid having to fulfil their duties in respect of homelessness. Will the Lead Member give an assurance that this council has never and will never engage in this practice? Councillor Batsford gave this assurance, he added that council officers worked in partnership with a variety of agencies to support the street community.	
Scott	<u>Road works in St Helens Road</u> while the road works are ongoing in St Helens Road, some motorists are using Alexandra Park as a thoroughfare. Will the lead member give an assurance that this will be stopped? Councillor Fitzgerald agreed to raise this matter with the Police and the Safer Hastings and Rother Partnership.	Fitzgerald
Cooke	<u>Openwide Limited</u> would the Leader respond to an earlier question as to whether the council has received an contact from Openwide Limited about their reported plans to re-locate to the area? Councillor Chowney confirmed that the council had not received any contact from Openwide Limited. He agreed to re-circulate his earlier written response to all members.	Chowney

### 16. **MOTION (RULE 14)**

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

It was unanimously agreed to correct the title of the Lead Member referred to in the original motion, from Lead Member for Communities, Economy and Transport to Lead Member for Communities and Safety.

#### **RESOLVED (by 28 votes for, to 1 against) that:**

**This council acknowledges and welcomes the fact that East Sussex County Council (ESCC) has maintained its library service throughout the years of central government imposed austerity unlike many other authorities across the country.**

**We further acknowledge that ESCC is required to make substantial savings as a result of central government imposed cuts in funding.**

**However, we do not accept that the closure of Ore Library should be one of those cuts.**

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**Ore Library serves residents of some of the most deprived neighbourhoods in East Sussex notably Down Farm in Ore ward and Broomgrove in Baird ward, many of whose residents do not own cars and cannot afford the bus fare to make the journey to Hollington or Hastings Central libraries as suggested in the report to ESCC Cabinet. Further, with the library closed, they will not have access to computers in order to access the “enhanced eLibrary service” proposed.**

**We, therefore, call upon the Leader of the Council to write to the Lead Member for Communities and Safety at East Sussex County Council expressing our total opposition to the closure of Ore Library. We further encourage all members of this council and residents to respond to the official consultation in similar terms”.**

### **17. MEMBERSHIP OF COMMITTEES**

No motions for a change in representation on committees were received from the group leaders.

### **18. AMENDMENTS TO THE COUNCIL'S CONSTITUTION**

The Chief Legal Officer submitted a report which sought approval from Council for amendments to the council's constitution.

Under rule 13.3 of the council's constitution, the recommendations of the report were agreed without being called for debate.

**RESOLVED that the recommended amendments to the council's constitution be adopted by Council**

The reason for this decision was:

The council's constitution is the basis for the council's corporate governance.

### **19. APPOINTMENT OF INDEPENDENT PERSONS**

The Chief Legal Officer submitted a report to appoint two Independent Persons to assist the standards process and any disciplinary hearing against any of the statutory officers.

Under rule 13.3 of the council's constitution, the recommendations of the report were agreed without being called for debate.

**RESOLVED that John Baker and Amanda McIntyre be appointed as Independent Persons to assist with duties of Independent Persons from 1 November 2017 to 31 October 2022**

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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 an 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.

### 20. 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. Only those items which were reserved were discussed, as follows:**

Meeting	Minute	Councillor
Cabinet, 11 September 2017	28 – Potential New Development	Beaver
Cabinet, 11 September 2017	31 (C) – Income Generation Strategy	Sabetian
Cabinet, 11 September 2017	32 (C) – Land and Property: Commercial Property Investment Strategy	Lee
Cabinet, 11 September 2017	33 (C) – Hastings Borough Council Housing Company	Cooke
Cabinet, 11 September 2017	34 (E) – Public Conveniences Cleaning Contract	Edwards

Minute number 31 of Cabinet on 11 September 2017, Income Generation Strategy, was a matter on which the Council was required to make a decision. Councillor Chowney moved approval of the minute, seconded by Councillor Sabetian and agreed by 21 votes for, to 8 against.

Minute number 32 of Cabinet on 11 September 2017, Land and Property: Commercial Property Investment Strategy, was a matter on which the Council was required to make a decision. Councillor Chowney moved approval of the minute, seconded by Councillor Fitzgerald and agreed by 21 votes for, to 8 against.

Minute number 33 of Cabinet on 11 September 2017, Hastings Borough Council Housing Company, was a matter on which the Council was required to make a decision. Councillor Chowney moved approval of the minute, seconded by Councillor Batsford and agreed unanimously.

Minute number 34 of Cabinet on 11 September 2017 was an exempt item. When this minute was reached, Councillor Street proposed a motion for the exclusion of the public from the meeting.

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**RESOLVED that the public be excluded from the meeting during the consideration of minute number 34 of the Cabinet meeting held on 11 September 2017, Public Conveniences Cleaning Contract, 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**

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. 9.00 pm)