

Public Document Pack

CABINET

6 JULY 2015

Present: Councillors Chowney (Chair), Forward, Cartwright, Hodges, Poole, Atkins, Cooke and Davies

1. MINUTES OF THE MEETING HELD ON 30 MARCH 2015

RESOLVED that the minutes of the meeting held on 30 March 2015 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 numbers 3, 4, 8 and 9 were agreed without being called for discussion

MATTERS FOR COUNCIL DECISION

2. BOUNDARY REVIEW COUNCIL SIZE

The Sustainability Policy Officer presented a report on the boundary review of council size. In March 2015, the Local Government Boundary Commission for England (LGBCE) had instigated an electoral review for East Sussex County Council and the boroughs and districts within the county.

The review of council size had considered key aspects of the role of elected members, including governance arrangements, scrutiny and community representation. All members had been invited to respond to a survey to give their views on council size, 70% of respondents believed that council size was about right at 32 members, 30% considered that there were too many members and one respondent stated that there were not enough members.

The findings of the all member survey, together with further background research, were considered by the Working Arrangements Group at its meeting on 17 June 2015. The group was asked to consider options to maintain, increase or reduce the council size in the future. The Sustainability Policy Officer advised Cabinet of a correction to the report; the Working Arrangements Group had recommended by four votes to one that the council maintain the existing number of members at 32 members, rather than unanimously as stated in the report.

The council was required to submit proposals to the LGBCE in respect of council size by 7 August 2015. The commission would then publish its decision on council size by 22 September 2015. Once the decision on council size had been published, the consultation on the second phase of the review, which considered ward numbers, boundaries and names, would begin.

Councillor Cartwright moved approval of the recommendations to the report, which was seconded by Councillor Davies.

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RESOLVED (by 6 votes for, 2 against) that Cabinet recommend to Full Council to maintain the existing number of members at 32 members, across 16 wards in respect of the council size, and that that this recommendation is submitted to the LGBCE

The reason for this decision was:

To enable Cabinet to make recommendations to Full Council on council size as part of the boundary review, taking account of the findings of an all member survey and the recommendations of WAG in relation to the review.

3. AMENDMENTS TO THE COUNCIL'S CONSTITUTION

The Chief Legal Officer submitted a report on amendments to the council's constitution. The constitution formed the basis of the council's corporate governance. Following the recent senior-management restructure, it was necessary to re-draft parts 7 and 8 of the constitution, including the standing instructions to officers. Following a suggestion by the Leader of the Council, the rule on council motions had been reworded.

The proposed amendments to the constitution had been approved by the Working Arrangements Group at its meeting on 17 June 2015, subject to adding "and/or its residents" to the reworded motion.

RESOLVED that Cabinet recommend to Council the approval of the changes to the council's constitution

The reason for this decision was:

The council's constitution is the basis for the council's corporate governance. It is necessary to amend and improve the documents on an ongoing basis.

MATTERS FOR CABINET DECISION

4. CABINET APPOINTMENTS TO COMMITTEES, WORKING GROUPS AND PARTNERSHIPS

The Chief Legal Officer submitted a report to consider nominations received and to make appointments to committees, working groups and partnerships.

A copy of the schedule of Cabinet appointments had been circulated to the group leaders, and nominations had been sought to fill the places available. Cabinet committees were not required to be politically balanced, Members were appointed until the Borough elections in 2016. Prior to the start of the meeting, Councillor Beaver withdrew his nomination to sit on the Local Government Association Coastal Issues Group, Councillor Hodges was therefore appointed to the group.

The remaining nominations were agreed as detailed in Appendix A and B to the minutes.

RESOLVED that:

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- 1) **Members be appointed to committees, working groups, partnerships and representative bodies as set out in Appendix A and B, and;**
- 2) **Chairs and Vice Chairs of Museums Committee be appointed, as listed in Appendix A**

The reason for this decision was:

Members are required to serve on the committees, working groups, partnerships and representative bodies to which Cabinet appoints. Chairs and Vice Chairs are required for the committees that report to Cabinet.

5. **CORPORATE PLAN RETROSPECTIVE REPORT ON PERFORMANCE DURING 2014/15 AND PROPOSED PERFORMANCE INDICATOR TARGETS FOR 2015/16**

The Director of Corporate Services and Governance presented the corporate plan 2015/16 retrospective report back on performance in 2014/15. The report also set out proposed performance targets for 2015/16.

The Council had agreed its corporate plan for 2015/16 to 2017/18, which set out the authority's strategic direction and associated areas of work, at its meeting on 25 February 2015.

Both Overview and Scrutiny Committees had considered the year-end performance for 2014/15 and proposed performance indicator targets for 2015/16 at their quarter four meetings, and their comments had been included in the report. Cabinet had been given delegated authority by the Council to agree this information before it was published on the council's website.

The Director of Corporate Services and Governance highlighted that organisational transformation remained a key focus of the council's activities throughout 2015/16. As part of this process, there was an intention to review and test new ways of reporting performance information over the coming year.

Councillor Cooke proposed an amendment to the proposed performance indicator targets for 2015/16, seconded by Councillor Atkins, as follows:

- "1) Environment Services Directorate target 1.4, % of food establishments broadly complain with food hygiene law, change target from 92% to 93%
2) Amenities, Resorts, Leisure and Tourism target 2.1, number of people attending White Rock Theatre performances, change target from 75,000 to 77,000"

The proposed amendments were lost by two votes for, to six against.

Members thanked staff for their efforts and achievements in 2014/15.

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

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

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- 1) **The comments of the Overview and Scrutiny Committees be considered;**
- 2) **The year-end performance for 2014/15 and proposed performance indicator targets for 2015/16 be approved for publication (the 25 February 2015 Council delegated authority to the Cabinet to approve these), and;**
- 3) **Cabinet support intentions to review corporate performance and planning arrangements in line with the transformation programme approved by Council on 25 February 2015**

The reason for this decision was:

The council's corporate plan is one of the key documents by which the council is held to account for its performance, therefore honest and transparent reporting back of how well we performed against targets in the previous year is essential.

Local people and staff also need to be aware of the targets and standards we have for ourselves, and where any of these targets have changed from previous years we need to be clear about the reasons why.

MATTERS FOR COUNCIL DECISION

6. SEX ESTABLISHMENT POLICY - REVIEW OF NUMBERS AND DEVELOPMENT OF A POLICY

The Assistant Director Environment and Place presented a report which proposed a council policy on licensed sex establishments.

Under schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982, the council was able to license sex establishments. When the 1982 Act was amended under section 27 of the Policing and Crime Act 2009, the council also became responsible for licensing sexual entertainment venues.

The purpose of the sex establishment policy was to make the application process for such establishments more transparent for applicants, objectors and members of the Environment and Safety Committee, who determine these applications on behalf of the council.

The draft policy was developed with reference to similar policies adopted by other licensing authorities, statutory guidance from the Home Office and advice from the council's Chief Legal Officer.

The draft policy had been subject to a full public consultation, which included all statutory consultees, and a range of community, faith and business groups. As a result of the consultation responses, revisions were made to the draft policy.

The proposed policy specified that a maximum of one sex shop and one sexual entertainment venue would be permitted, and no sex cinemas. The policy indicated that the most appropriate location for sex establishments was in places such as industrial estates, away from sensitive premises such as schools, places of worship

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etc. It also provided safeguards for the employees and customers of sex establishments.

Councillor Davies moved approval of the recommendations to the report, which was seconded by Councillor Hodges.

RESOLVED (unanimously) that Cabinet endorse the draft policy attached to the report at appendix A, and recommend that it is adopted by Full Council

The reason for this decision was:

To clarify the council's position on licensed sex establishments, and to provide clear guidance to anyone considering applying for such a licence, or wishing to comment on an application, and to members of the council's Environment and Safety Committee when determining such applications.

MATTERS FOR CABINET DECISION

7. **REDUCING HEALTH INEQUALITIES**

The Assistant Director of Housing and Built Environment presented a report on reducing health inequalities.

The Hastings and Rother Clinical Commissioning Group (CCG) had invested £5 million in a programme of work to improve access to healthcare and provide services and projects that support healthier living. As part of this programme, the CCG had provided funding of £620,000 to the council in the last financial year to address health inequalities, as part of their wider programme. The development of projects had involved input from a wide range of council services and partner organisations which reflected the importance of improving health outcomes in the future.

The CCG had identified significant causes of health inequality as; social, economic and environmental determinants including; housing, employment etc), lifestyle and behaviour and access to healthcare and other support services that benefit health. Workstreams were being developed around six thematic areas, which addressed the causes of health inequality and related to the CCG's strategic priorities. It was anticipated that the projects, once agreed, would be running by September 2015.

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

RESOLVED (unanimously) that:

- 1) The opportunity for the council and CCG to work together to address health inequalities be welcomed;**
- 2) The development and delivery of the projects described in the report be approved, within the financial resources available, and;**

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- 3) The Director of Operational Services be authorised to take the necessary steps to develop and deliver the projects in consultation with the Deputy Leader**

The reason for this decision was:

- 1) The council has long held the position that good health is a key factor in determining the quality of people's lives and that health inequality is a significant outcome and contributor to poverty.
- 2) If members approve the direction outlined in the report it is necessary to provide the authorisations to allow the development and delivery of funded projects.
- 3) As public sector budgets shrink it becomes ever more essential for public sector partners to co-operate in addressing issues of exclusion and inequality. This work may help lay the basis for more integrated work in the future.

8. FINAL ACCOUNTS 2014/15

The Assistant Director Financial Services and Revenues submitted a report which set out the draft final accounts position for 2014/15. 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 2014/15, 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.

RESOLVED that:

- 1) Cabinet reviewed the outturn position on the general fund for 2014/15;**
- 2) Cabinet reviewed the capital outturn position for 2014/15 of £5.719m, and;**
- 3) The 2014/15 outturn position, along with the revised estimates for 2015/16 be taken into account when preparing the 2016/17 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 being investigated with a view to reallocating resources to meet priorities.

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9. **ANNUAL TREASURY MANAGEMENT REPORT 2014/15**

The Assistant Director Financial Services and Revenues submitted a report on the treasury management activities and performance over the 2014-15 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. A similar report had been considered by the Audit Committee at its meeting in June.

RESOLVED that the recommendations of the report are received

The reason for this decision was:

To ensure that members are fully aware of the activities undertaken in the last financial year, the codes of practice have been complied with and that the council's strategy has been effective in 2014/15.

MATTERS FOR CABINET DECISION

10. **EU FUNDING PROJECT APPROVAL (SHINE)**

The Assistant Director Housing and Built Environment presented a report which sought delegated authority for the Director of Operational Services and the Deputy Leader of the Council and Housing, Communications and Equalities Portfolio Holder to sign a letter of support agreeing to enter into a partnership agreement to support the EU funded Sustainable Houses in Inclusive Neighbourhoods (SHINE) project.

Following a first stage application in May 2015, the council had been invited to submit a full application for SHINE funding by 13 July 2015. If approved, the project would run from January 2016 to December 2019, with the aim of improving the environmental sustainability of houses in Hastings. This included 15 completely refurbished homes in the coastal space area to the nearly zero emissions standard, plus a further 140 improved in energy efficient homes in St Leonards. The report noted that project would help to address issues around fuel poverty in these areas and was in keeping with council's broader aims to create a more sustainable, environmentally friendly, town.

The project would involve 13 partners across the UK, Belgium, Netherlands and France. The proposed UK partners included the council, AmicusHorizon, Energise Sussex Coast and Brighton and Hove City Council.

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

RESOLVED (unanimously) that delegated authority be given to the Director of Operational Services and the Deputy Leader of the Council and Housing, Communications and Equalities Portfolio Holder, to sign a letter of support agreeing to enter into a partnership agreement on the EU funded SHINE cooperation project and deliver the associated outcomes

The reason for this decision was:

HBC's involvement in this project will see a total investment of £2.068m (Euro 2.87m) to the town. The funding will be used support various capital and revenue projects in St Leonards. It will help to reduce carbon emissions from properties and improve the housing conditions of residents living in some of the worst properties in the town. The initiative will also help alleviate fuel poverty.

The funding application is in partnership with Amicus Horizon and Energise Sussex Coast with HBC co-ordinating the partner activities in Hastings as well as the UK.

11. **MINUTES OF THE CHARITY COMMITTEE MEETING HELD ON 23 MARCH 2015**

The minutes of the Charity Committee meeting held on 23 March 2015 were submitted.

RESOLVED that the minutes of the Charity Committee meeting held on 23 March 2015 be received

(The Chair declared the meeting closed at. 7.10 pm)

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APPOINTMENTS TO COMMITTEES, WORKING GROUPS, PARTNERSHIPS ETC. JULY 2015**

COMMITTEES, WORKING GROUP / PARTNERSHIPS

COMMITTEES	SEATS TO BE FILLED	ALLOCATION TO POLITICAL GROUPS 2015/16		APPOINTMENTS for 2015/16		NOTES
		LAB	CON	LABOUR GROUP	CONSERVATIVE GROUP	
Museums Committee	Up to 10	6	2	Poole (Chair) Hodges (Vice Chair) Charman Howard Sinden Street	Charlesworth Edwards	A Chair and Vice Chair is required for this committee
Charity Committee	3	3		Hodges (Chair) Forward Cartwright		Chair to be non-portfolio holder member of Cabinet for the majority group
Discretionary Rate Relief Appeal Panel	Up to 7	5	2	Forward Cartwright Davies Hodges Poole	Atkins Cooke	All Members of Cabinet, excluding the Leader, to be appointed to the Panel.

APPENDIX A

Licensing Committee (Scrap Metal Dealers)	Up to 7	5	2	Forward Cartwright Davies Hodges Poole	Atkins Cooke	All Members of Cabinet, excluding the Leader, to be appointed to the committee. Functions relating to the licensing of Scrap Metal Dealers as set out in the Scrap Metal Dealers Act 2013 or by virtue of any amending or consolidating legislation and any regulations made under the Act as such amending or consolidating legislation.
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APPENDIX A

WORKING GROUPS ETC	SEATS TO BE FILLED	ALLOCATION TO POLITICAL GROUPS 2015/16		APPOINTMENTS for 2015/16		NOTES
		LAB	CON	LABOUR GROUP	CONSERVATIVE GROUP	
Working Arrangements Group	7	5	2	Street (Chair) Cartwright Davies Rogers Scott	Charlesworth Lee (Vice-Chair)	
Member Training and Development Group	4	3	1	Cartwright (Chair) Rogers (Vice-Chair) Roberts	Cooke	
Hastings Country Park Management Forum	5	4	1	Hodges (Chair) Street Poole Davies	Beaver	
Order of 1066	4	3	1	Dowling Rogers Roberts	Charlesworth	To comprise Mayor, Deputy Mayor & 1 member from each Political Group
Joint Waste Committee	2	2		Chowney Davies		Leader of the Council and Lead Member for Env & Highways
Personnel Consultative Group	4	3	1	Forward Cartwright Sinden	Cooke	

PARTNERSHIPS	SEATS TO BE FILLED	ALLOCATION TO POLITICAL GROUPS 2015/16		APPOINTMENTS for 2015/16		NOTES
		LAB	CON	LABOUR GROUP	CONSERVATIVE GROUP	
Stade Partnership	2	2		Poole Hodges		
Hastings Overseas Student Advisory Council	3	2	1	Roberts Sinden	Charlesworth	Known as HOSAC
Hastings Local Strategic Partnership	2	1	1	Chowney	Atkins	
Safer Hastings Partnership	1	1		Davies		Relevant Lead Member
Jt. Advisory Cttee. the High Weald AONB	1	1		Street		
Combe Valley (formerly Pebsham) Countryside Park Management Forum	2	2		Davies Howard		Appropriate Lead Member, plus one further Councillor.
Hastings and Rother Task Force Steering Group	1	1		Chowney		Leader of the Council
Hastings Athletics Track Committee	2	1	1	Batsford	Atkins	

APPENDIX A

AmicusHorizon Hastings Area Panel	1	1		Forward		Relevant Lead Member
Joint Governing Body for the Hastings Academy and the St Leonards Academy	1	1		Forward		
Sussex Police & Crime Panel	1	1		Davies		
East Sussex Health Overview & Scrutiny Committee	1	1		Beaney		Needs to be a non-executive Member.
East Sussex Community Safety Partnership	1	1		Poole		Needs to be either the Chair of the Safer Hastings Partnership or a member of the Sussex Police and Crime Panel.
Big Local North East Hastings	1	1		Charman		

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CABINET – JULY 2015**APPOINTMENT OF MEMBERS TO REPRESENTATIVE BODIES**

ORGANISATION	SEATS TO BE FILLED	APPOINTMENTS FOR 2015/16
Dungeness Site Stakeholder Group	1	
East Sussex Energy Infrastructure and Development Ltd (Sea Change) (This is a directorship)	1	Poole
Hastings & St Leonards Town Centre Management Group	1	Chowney
Hastings Health Improvement Network	1	Rogers
Health & Wellbeing Board	1 (not Health O & S Cttee member)	Turner
Local Gov. Assoc. – National Body	1	Chowney
Local Gov. Assoc. – Urban Commission	1	Poole
Local Gov. Assoc. – Coastal Issues Group	1	Hodges
South East England Councils	1 (The Leader of the Council)	Chowney

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