

**CHARITY COMMITTEE  
12 DECEMBER 2011**

Present: Councillors Barlow (in the Chair), Cooke and Kramer.  
Also in attendance Mr Chris May, Protector.

Apologies for lateness were received from Councillor Cooke and the meeting commenced upon his arrival at 6.06 pm.

**18. DECLARATIONS OF INTEREST**

There were no declarations of interest made at this meeting.

**19. MINUTES**

**RESOLVED** – that the minutes of the meeting held on 7 September 2011 be approved and signed by the Chair as a correct record.

**20. 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.
31 (E)	White Rock Baths	3

**21 WHITE ROCK BATHS**

The Corporate Director Regeneration, Homes and Communities presented a report on the history and recent work to progress proposals for White Rock Baths. It set out options to enable the Charity Committee to agree a way forward for the regeneration of the building, as follows: -

- (i) To enter into an agreement with Lifecycle to commission an improvement scheme;
- (ii) To delay any decision while further expressions of interest are sought for alternative investment and uses;
- (iii) Above-ground improvements only: Hastings Pier and White Rock Trust (HPWRT) deck/showroom over western light well, and similar investment on deck over eastern light well;
- (iv) “Do-nothing” option, other than essential maintenance, asbestos survey and removal, and waste clearance.

The report recommended one of these. This was to enter into a Lease Agreement with Lifecycle to allow the use of part of the premises for a café,

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cycle hire and training business, and other complimentary uses, and to invest in improvements to the interior of the premises. It also contained details of essential preliminary works, including estimated costs, the result of consideration by the Coastal Users Group, ownership issues and the Monitoring Officer's comments.

In part 2 of the meeting a further report was submitted containing confidential information regarding the financial status of the proposed Director of Lifecycle.

The Protector questioned the ownership of the site and responsibility for upkeep. He said that it was inadvisable for the trust to spend money on the site until they were sure that it was in their ownership. The Borough Solicitor commented that she could not advise on the lease because of a conflict situation. However, the legal department had given advice on this matter. Solicitors for the Foreshore Trust would have an input to the report to the Committee on 9 January regarding boundary issues. They would be asked to include information about the ownership of the White Rock baths. The Protector commented that he might need to seek his own legal advice.

Councillor Kramer moved approval of the recommendation to the report, which was seconded by Councillor Cooke.

**RESOLVED (unanimously) – that: -**

- (1) progress on regeneration proposals for White Rock Baths (WRB) be noted;**
- (2) option (i) be agreed subject to the resolution of issues of ownership: the decision to proceed to enter into an agreement with Lifecycle to commission an improvement scheme be delegated to the Chair; and subsequently:
  - (a) up to £170,000 be allocated to reimburse Lifecycle for some of the cost of renovations (final sum to be agreed with Lifecycle when final costings are agreed);**
  - (b) a Clerk of Works be employed to assure that quality and value for money is achieved; and**
  - (c) a lease agreement and building agreement be entered into with Lifecycle;****
- (3) in the event that Option (i) proves undeliverable, Option (ii) be progressed, to invite fresh expressions of interest in the redevelopment of White Rock Baths;**
- (4) in the event that the Lifecycle project fails after the signing of a lease, resulting in default and lapse of the lease, to progress to Option (ii), fresh expressions of interest in the redevelopment of White Rock Baths be invited; and**
- (5) the Corporate Director for Regeneration Homes and Communities be authorised, in consultation with the Chair, to agree the detail of any leases and agreements and make such other arrangements necessary to progress the final option.**

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Reason for the decision: -

To take forward proposals for the regeneration of White Rock Baths in order to meet the objectives of promoting the use of Trust assets and improving their physical condition.

**22 PARKING ISSUES ON FORESHORE TRUST LAND**

The Corporate Director Environmental Services presented a report on three particular issues relating to the use of Trust Land for parking on which Members needed to determine the way forward. These were: -

- a. Free overnight parking for Residents' Permit Holders;
- b. The control of access to the Stade areas of Foreshore Trust Land; and
- c. The future management of the Foreshore Trust car parks.

The report contained details about these issues, including the Monitoring Officer's comments.

Councillor Kramer moved approval of the recommendation to the report, which was seconded by Councillor Cooke.

**RESOLVED (unanimously) – that: -**

- (1) the current arrangements for free overnight parking for Residents' Permit Holders continue until such time as the remaining works to the Stade Enhancement Scheme and the Jerwood Gallery are completed, or on 31 January 2012, whichever is the latter, at which time the concession will cease immediately;**
- (2) the principle of the upgrading the fibre optic link to facilitate more extensive CCTV monitoring and remote access barrier control on The Stade be supported;**
- (3) the Foreshore Trust contribute one third of the cost up to £25,000 toward the one off costs of the upgrade as set out in Appendix A to the report; and**
- (4) the situation regarding the future management of Foreshore Trust Car Parks be noted and officers be requested to investigate options for the future operation of the Trusts off-street car parks and submit a further report in due course.**

Reasons for the decision: -

1. To ensure that the arrangements for the management and operation of the Foreshore Trust Car Parks was consistent with the terms of the Trust and did not discriminate in favour of any particular group.
2. To enable effective control of vehicle access to Foreshore Trust Land, protect potential income from Foreshore Trust Car Parks and reduce the incidence and cost of dealing with fly tipping.

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3. To ensure that Foreshore Trust Car Parks are managed cost effectively and efficiently.

**23 FORESHORE TRUST SMALL GRANTS PROGRAMME 2011/12**

The Head of Regeneration and Community Services submitted a report that introduced the report of Sandra Garner, Chair of the Foreshore Trust Small Grants Advisory Panel.

Sandra Garner presented her report on the application process and the shortlisting of potential recipients of the Foreshore Trust Small Grants funding (Round 1) in 2011 – 2012. The report made recommendations as to which organisations should be funded and the allocations that should be made to each. Appendix A to the report consisted of a list of successful applicants for funding, including the amounts of the recommended funding. Appendix B consisted of a list of unsuccessful applicants.

Councillor Cooke moved approval of the recommendation to the report, which was seconded by Councillor Kramer.

**RESOLVED (unanimously) – that: -**

- (1) the Small Grant allocations to the organisations that had successfully completed the selection process be approved as shown in Appendix A to the report; and**
- (2) the Grants Advisory Panel be thanked for their work.**

**Reason for the decision: -**

To comply with and follow through the recommendations made by the Charity Committee at its meetings on 7 June and 7 September 2011.

**24 SEAFRONT PLAY AND EXERCISE FACILITIES**

The Resort Services Manager presented a report on progress towards delivering play and exercise facilities and equipment on the seafront. He sought authority to tender the works.

The provision of the equipment and a family friendly environment would encourage new user and greater access to Foreshore Trust land, stimulate physical activity and also support existing facilities for residents and visitors and provide economic benefit. The report set out progress to date, the consultation being carried out and the budget provision. The brief for the development of the 4 play sites and site plans were appended to the report.

The Resort Services Manager orally updated the Committee and reported that planning consent would be required for these developments. Therefore a formal planning application would be submitted.

Councillor Kramer moved approval of the recommendation to the report, which was seconded by Councillor Cooke.

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**RESOLVED (unanimously) – that the report be noted and the programme of expenditure of £150k for seafront play and £25k for exercise equipment be approved.**

Reason for the decision: -

The report served to update the committee on the progress of the working group and sought approval for expenditure as outlined in the Foreshore Trust Business Plan.

**25 SEAFRONT DECORATIVE LIGHTING**

The Head of Amenities and Leisure Services presented a report on the Council's intention to install a new 'Sticks of Rock' seafront lighting scheme and sought the Committee's approval to extend the scheme onto Foreshore Trust land. This would involve eight lighting columns from the Pier to Robertson Street at a budgeted cost of £27,000.

The Protector commented that it might not be possible always for the Trust to participate in similar Council schemes. It was open to the Council to seek permission to place items on Foreshore Trust land at the Council's cost.

Councillor Cooke moved approval of the recommendation to the report, which was seconded by Councillor Kramer.

**RESOLVED (unanimously) – that £27,000 be allocated towards extending the 'Sticks of Rock' scheme from the Pier eastwards to Robertson Street.**

Reason for the decision: -

The Council would be installing decorative lighting on seafront light columns from the Pier to London Road. The scheme could be extended to encompass 8 additional light columns on Foreshore Trust land if wished. Although the scheme could be extended at a later date, current prices would not hold and therefore the Trust wished to be included in the immediate Council scheme.

**26 GROUNDS MAINTENANCE CONTRACT PROCUREMENT**

The Head of Amenities and Leisure Services presented a report on the planned joint procurement of grounds maintenance services in 2012 by partners Hastings Borough Council, Rother District Council and Amicus Horizon. She sought the Committee's agreement to participate in the tendering process.

The Protector asked about a possible situation where the best value contract for the Council might not be the best value for the Trust. The Head of Amenities and Leisure Services commented that it was unlikely that a large contractor would be willing to take on maintenance of the Trust land alone.

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Councillor Cooke moved approval of the recommendation to the report, which was seconded by Councillor Kramer.

**RESOLVED (unanimously) – that: -**

- (1) Foreshore Trust grounds maintenance requirements be included in the Hastings/Rother/Amicus Horizon joint tendering arrangements;**
- (2) the Foreshore Trust's grounds maintenance requirements be marketed separately for purposed of comparison with the larger joint tender; and**
- (3) the results be reported to the Committee at its Summer 2012 meeting (date to be agreed).**

**Reasons for the decision: -**

The current Grounds Maintenance contract with Quadron Services Ltd, annual value £1.2 million, had a 5 year term ending in November 2012. Hastings Borough Council's Cabinet (7th. February 2011) and Rother District Council's Cabinet (17th. January 2011) agreed that both Authorities align their Grounds Maintenance contract specifications in order to co-procure.

Amicus Horizon had also indicated that they wished to participate in the procurement for their Hastings and Rother operations.

Areas of Foreshore Trust land from Pelham car park eastwards to the Stade were included in the current HBC contract.

## **27 FORESHORE TRUST – FINANCIAL REPORT**

The Head of Financial Services presented a report on the current year's financial position (2011/12). The report also provided an update to members on the progress of seeking quotes for external accounting and audit services, reserves and insurance.

The estimated surplus for 2011/12 when determining the budget was £186,000 (excluding grants being made). The latest estimate, as at 31 October 2011, was a surplus of some £132,000 (before grant distribution and use of surpluses). A summarised financial position for 2011/12 was appended to the report and it provided a comparison with last year and the budget.

Councillor Kramer moved approval of the recommendation to the report, which was seconded by Councillor Cooke.

**RESOLVED (unanimously) – that the financial position for 2011/12 be noted and that the level of expenditure be reviewed as part of the budget process.**

**Reasons for the decision: -**

The Council had the responsibility for the proper management of the financial affairs of the Trust. It was predicted that there would be a

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shortfall in the estimated level of income at the year end. In addition expenditure was currently above the profiled level of spend and as such would need to be reviewed as part of the budget process (revised budget) if this was to be within budget at year end.

**28. COASTAL USERS GROUP**

An extract from the minutes of the meeting of the Coastal Users Group held on 29 November 2011 were submitted.

**RESOLVED – that the extract from the minutes of the meeting of the Coastal Users Group held on 29 November be received.**

**29. GRANT ADVISORY PANEL**

The minutes of the meeting of the Grant Advisory Panel held on 22 November 2011 were submitted.

**RESOLVED – that the minutes of the meeting of the Grant Advisory Panel held on 22 November 2011 be received.**

**30. GRANT ADVISORY PANEL**

The minutes of the meeting of the Grant Advisory Panel held on 30 November 2011 were submitted.

**RESOLVED – that the minutes of the meeting of the Grant Advisory Panel held on 30 November 2011 be received.**

**31(E) WHITE ROCK BATHS**

The Corporate Director Regeneration, Homes and Communities submitted a report containing confidential information regarding the financial status of the proposed Director of Lifecycle. The report also contained commercially sensitive information which supplemented the appendix to the report considered in Part 1 of the meeting. The report was for information only.

(The Chair declared the meeting closed at 7.12 pm)