

**CHARITY COMMITTEE  
9 DECEMBER 2013**

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

Apologies for absence were received from Nick Sangster, Resort Services Manager.

**16. DECLARATIONS OF INTEREST**

There were no declarations of interest made at this meeting.

**17. MINUTES**

**RESOLVED** – that the minutes of the meeting held on 30 September 2013 be approved and signed by the Chair as a correct record subject to the addition of a Declaration of Interest by Councillor Kramer as Chair of the Bridge Community Centre and the amendment of Minute 10, Foreshore Trust to Small Grounds (Round 3) amend the words to read “The Protector commented that there remained a balance of grant money set aside for Round 3 in 2013/14 amounting to £11,956 which was unlikely under present arrangements to be used as originally intended by the Charity Committee. He asked whether it could be made possible for the unspent portion to be carried forward to the following year and added to the amount available in Round 4.” And Minute 13, Annual Report & Financial Accounts 2012/13 amend the words to read: “The Head of Financial Services referred to the presentation of the balance sheet, which now identifies the cash reserves as the contingency reserve and the main programme reserve. He thanked Mr May for his input with this, and Mr May confirmed his agreement with and approval of the new revised presentation.”

**18. CRITERIA FOR EVENTS GRANTS**

The Head of Regeneration and Planning Policy submitted a report to seek approval for a budget to be allocated for events grants and the adoption of a revised events grant application process and associated forms.

The report recommended a grants budget of up to £20,000 to support the events on the Foreshore. The Head of Regeneration and Planning Policy gave an overview of the process for grant applications. It was anticipated that the recommendations for funding allocations would be forwarded to the Charity Committee for consideration at their meeting in March 2014.

Discussion took place regarding a draft application guidance and application and assessment form which had been appended to the report. Efforts had been made to simplify and streamline the grant application process. Consideration was given to monitoring the outcomes and equalities impact of the projects that had been funded.

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Members thanked the Grant Advisory Panel for their efforts in considering grant applications.

The Chair thanked Kevin Stower, External Funding Manager, for his help and support given to the Grants Advisory Panel.

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

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

- 1. To agree a grants budget of up to £20,000 to support events on the Foreshore in financial year 2014 -15.**
- 2. To adopt the events grants timeframe, processes and associated forms as set out in this report and its appendices.**

**Reason for the decision: -**

Most events on the Foreshore occur in the spring/summer. The advertising, application, appraisal and determination processes for the grants scheme take approximately three months. Therefore, a decision on a budget to support events in 2014-15 is required ahead of the normal annual budget timeframe.

Improvements to the forms and associated documentation are required to make the process simpler and less confusing for applicants, while maintaining an efficient, transparent and auditable process.

**19. UPDATES TO THE CONSTITUTION OF GRANT ADVISORY PANEL**

The Chief Legal Officer submitted a report to inform the Charity Committee of the Grants Advisory Panel's reconvened AGM. To seek Charity Committee's approval of the suggested changes to the GAP Constitution and for them to confirm the appointment of Sandra Garner and Dick Edwards.

The Grant Advisory Panels Constitution required two members of the panel to retire after two years in office. The report recommended the re-appointment of Sandra Garner and Dick Edwards to the panel for a further term of office.

The Chief Legal Officer proposed amendments to the Constitution and Terms of Reference of the Panel. The Panel had discussed the amendments at their reconvened AGM and agreed that the term of appointment would be for a period of three years. A retiring member may be appointed for one further term of office up to a maximum of six years.

The Panel had requested that the Chair of the Charity Committee thank Kevin Stower for all his advice and support given to the Grants Advisory Panel.

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Councillor Forward queried the four year term of the three remaining first appointed members who retire in 2015.

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

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

- 1. Charity Committee note and approve the re-appointment of Sandra Garner to the Grants Advisory Panel.**
- 2. Charity Committee note and approve the re-appointment of Dick Edwards to the Grants Advisory Panel.**
- 3. That the Committee adopt the amended Constitution as detailed in the report.**
- 4. Charity Committee note the suggestions made by the Grants Advisory Panel in relation to training and assistance to members.**

**Reason for the decision: -**

Members of the Grants Advisory Panel re-convened their AGM on 19 November to undertake necessary functions in line with their Constitution.

**20 INSURANCE RENEWAL**

The Head of Finance submitted a report to inform Charity Committee of the arrangements for procurement of insurance that meet the most economic advantageous tender.

The existing insurance agreement with Zurich Municipal will cease on 31 March 2014. A number of tenders have been received via the East Sussex Procurement Hub and will be reviewed in January 2014.

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

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

- 1. To agree that authority be given for the Director of Corporate Resources or his nominee in consultation with the Chair of the Charity Committee, to award a contract to the supplier that offers the most economically advantageous terms for the Foreshore Trust.**

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Reason for the decision: -

To explain the rationale for the route for Hastings Borough Council procuring its insurance that is also in the best interests of the Foreshore Trust.

The recommended route is seen as being the most cost effective way forward in the interests of the Council and Foreshore Trust. This will save procurement time as the Council will not need to carry out all of the detailed preliminary checks associated with EU procurement rules as this would have been carried out by the Government Procurement Service.

With other Councils renewing their insurance through the East Sussex Procurement Hub insurance framework being developed, it will allow scope for using the consolidated purchasing power of a number of authorities in order to obtain competitive premiums for the future on a collaborative basis.

**21. CREDIT CARD PAYMENTS FOR PARKING**

The Director of Environmental Services submitted a report to seek approval for funding to upgrade / replace pay and display machines in Foreshore Trust car parks to accept payment by credit card.

It intended to install two new machines in each car park and complete this work before Easter 2014. This upgrade will provide an improved level of customer service and flexibility as well as addressing concerns of local businesses.

Officers will continue to investigate the practicality and cost of other alternative payment methods such as payment by mobile telephone etc.

Councillor Kramer sought clarification on the facility of the machines to provide verbal instructions in a choice of four languages. She asked if the choice of languages was English plus three other European languages, or English plus four European languages. The Director of Environmental Services confirmed he would investigate this further.

The Protector sought clarification on why transaction fees for payment by debit cards are higher than credit cards. The Head of Finance confirmed that there was a fixed fee for a debit transaction and a percentage fee for a credit card transaction.

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

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

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- 1. That the Charity Committee approve the funding for the upgrade / replacement of pay and display machines in Foreshore Trust car parks to accept payment by credit / debit card and revise the Spending Plan to incorporate this expenditure.**
- 2. That officers be requested to continue to investigate pay on foot (exit) options and other alternative payment methods.**

Reason for the decision: -

To make it easier for customers to pay for parking in Foreshore Trust car parks and address the concerns of local businesses who are repeatedly asked for change.

**22. COMMERCIAL SITES**

The Head of Amenities, Resorts and Leisure submitted a report to update the Charity Committee report of December 2012 and recommend further action for the sites on Foreshore Trust land.

A map showing the location of the sites was provided at the meeting along with an amendment to the report. Paragraph entitled 'Update on Individual Sites', Site No.3, delete the words: "(to be provided and operated by the Adventure Golf company)." And delete the words "No further action required from HBC/CC as the land is leased and operated by Adventure Golf." and replace with the words "commercial value uncertain at this time."

The report included an update on a number of sites which were in the ownership of Hastings Borough Council and the Foreshore Trust. Consideration was given to the future usage of the sites.

The Coastal Users Group had expressed concern regarding any development of Site No.2.

A business plan regarding the use of the sites would be forwarded to the Charity Committee for their consideration. The proposals had also been considered by the Coastal Users Group at their meeting on 12<sup>th</sup> November. The group had supported the proposal with the exception of site 2 which they recommended removing from the list.

The Committee were mindful of the Coastal User Group recommendations and removed the Site No.2 from the commercial list.

The Chief Legal Officer suggested amendments to recommendation No.3 which were agreed.

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

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

- 1. That the listed Foreshore Trust sites are marketed where legally permissible and commercially viable, subject to advice from HBC Environmental Health and Planning Departments.**
- 2. For the platform area adjacent to the Bathing Pool site (site 18), that this site is removed from commercial consideration.**
- 3. For potential uses of land at Pelham Beach (site 5), the feasibility and cost of extending the Hastings Borough Council Act 1988 is explored and the Charity Commission is approached to seek approval for the granting of a commercial licence, subject to a robust business plan.**

**Reason for the decision: -**

A report to the Charity Committee in December 2012 described the demand and gaps in provision for certain facilities and activities on both Foreshore Trust and Hastings Borough Council land and property.

It recommended that further legal advice was sought to clarify the position with the Hastings Borough Council Act 1988 and this has now been given.

**23. STADE HALL AND OPEN SPACES – FEES AND CHARGES**

The Head of Amenities, Resorts and Leisure submitted a report to propose hire charges for the Stade Hall and Stade Open Space from 1<sup>st</sup> April 2014.

An increase of 3% was proposed to all hourly and daily rates to reflect inflation. The report suggested two separate hire rates, one for exhibitions which hang on the wall and one for sole use of the hall which was supported by the Committee. Consideration was also given to the rate of charges for non profit organisations. It was suggested these organisations pay for costs e.g. water, electricity and clean up, but that no further fee would be added.

The Head of Amenities, Resorts and Leisure advised that £3,000 income would be generated from bike events and 24 weeks of market events in 2013.

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

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

- 1. That the Committee approve the charges for 2014**

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Reason for the decision: -

The hire charges for the Stade Hall have not been revised since the 2011 opening. We are proposing a general increase of 3% on most charges as a modest reflection of inflation. Regarding the Open Space, where charging has been ad hoc rather than a formal agreement, we are proposing that free community or charitable events cover their costs whilst commercial events pay a hire fee in line with that charged on Hastings Borough Council open spaces.

**24. FORESHORE TRUST – FINANCIAL REPORT**

The Head of Finance presented a report on the current year's financial position (2013/14), to agree revisions to the Trust's business plan (2013/14 and 2014/15).

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

The Head of Finance gave an update on the revised plan, he advised that savings of £30,000 had been achieved on the projected spend on the reinstatement works at White Rock Baths and £30,000 on the contribution to the tenant fit out. The revised business plan identifies savings in 2013/14 of £110,000 on the main programme and £61,500 on maintenance and cyclical projects. The latter would increase the operational surplus shown in Appendix 1 (£106,000 increasing to £167,500 (EST)).

The report recommended bringing forward proposed works to the playground, but noted that this would necessitate amending the total operating surplus/Deficit for 2013/14.

The Head of Finance advised of an amendment to Appendix 2 of the report, the 'Total' column is to be deleted and updated.

Councillor Forward asked to receive a copy of the revised budget. The Head of Finance confirmed he would email the revised document to the Charity Committee Members and the Protector.

Councillor Kramer moved approval of the recommendations to the report, subject to the amendment of Appendix 2, which was seconded by Councillor Forward.

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

- 1. The current financial position for 2013/14 to be accepted.**

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- 2. To agree the amendments to the Business Plan resulting in expenditure 2013/14 and 2014/15 on the:-**

**Pelham Playground resurfacing;  
Railings at Rock a Nore 2014/15;  
Credit Card machines in the Trust's car parks;  
Removing/re-profiling 2013/14 spend.**

Reason for the decision: -

The Council has the responsibility for the proper management of the financial affairs of the Trust.

**25. COASTAL USERS GROUP**

The Foreshore Trust items from the minutes of the meetings of the Coastal Users Group held on 12 November 2013 were submitted.

The Head of Regeneration and Planning Policy informed the committee of an amendment to the minutes of the Coast User Group held on 12 November 2013. Item 4.1, Commercial Sites on Foreshore Trust Land, Site 2, amend the words to read: "The Group expressed its concern regarding any development at this location preferring the area to remain an open physical and visual access to the beach." And Site 3, amend the words to read: "A general concern was raised about a proliferation of kiosks because, out of season, their appearance deteriorates considerably. CR questions whether enough demand exists as the existing kiosks have not been commercially successful."

**RESOLVED – that the minutes of the meetings of the Coastal Users Group held on 12 November 2013, as amended, be received and noted.**

**26. STADE HALL ADVISORY COMMITTEE**

The notes of the Stade Hall Advisory Committee on 7 November 2013 were submitted.

**RESOLVED – that the minutes of the meetings of the Stade Hall Advisory Committee held on 7 November 2013 be received and noted.**

(The Chair declared the meeting closed at 6.55pm)