



Council Meeting

**Wednesday, 18th
March, 2020**

HASTINGS BOROUGH COUNCIL

Dear Councillor

You are hereby summoned to attend a meeting of the Hastings Borough Council to be held at the Council Chamber, Muriel Matters House, Breeds Place, Hastings, East Sussex, TN34 3UY, on Wednesday, 18th March, 2020 at 6.00 pm at which meeting the business specified below is proposed to be transacted.

Yours sincerely,

Chief Legal Officer

Muriel Matters House
Breeds Place
Hastings

11 March 2020

AGENDA

2. To approve as a correct record the minutes of the last meeting

Note: Nothing contained in this agenda or in the attached reports and minutes of committees constitutes an offer or acceptance of an offer or an undertaking or contract by the Borough Council

Agenda Item 2 Public Document Pack

FULL COUNCIL

12 FEBRUARY 2020

Present: Councillors Sinden (Chair), Bacon (Vice-Chair), Barnett, Battley, Batsford, Beaney, Beaver, Bishop, Charman, Chowney, Cox, Edwards, Evans, Fitzgerald, Forward, Foster, Lee, Levane, Louise, Marlow-Eastwood, O'Callaghan, Patmore, Rankin, Rogers, Roberts, Sabetian, Scott, Turner and Webb

101. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Berelson and Davies

102. TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE LAST MEETING

RESOLVED that the minutes of the Full Council meeting held on 18th December 2019 be approved and signed by the Mayor as a correct record of proceedings

103. DECLARATIONS OF INTEREST

The following Councillors declared an interest in the minutes;

Councillor	Committee	Minute	Interest
Forward	Cabinet- 3 February 2020	237. Review of HMO Licensing Fees	Prejudicial- Close family member has a HMO licence property
Lee	Cabinet- 3 February 2020	237. Review of HMO Licensing Fees	Prejudicial- lives in somewhere that requires a HMO licence
Rankin	Cabinet- 3 February 2020	237. Review of HMO Licensing Fees	Prejudicial- works in property management

104. ANNOUNCEMENTS FROM THE MAYOR AND LEADER

The Leader of the Council paid tribute to the Lifeboat crew for their attempted rescue of a surfer during Storm Ciara. This had received a high amount of media attention questioning the surfer's behaviour. The Leader praised the Coxswain Mark Tewkesbury for not engaging with this and replying instead that it is their job to rescue anyone in trouble. The Leader praised and thanked the lifeboat crew for their continued dedication in rescuing those in need.

105. QUESTIONS (IF ANY) FROM:

105.1 Members of the Public under Rule 11

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A written question was received from Claudine Eccleston regarding Performers at the White Rock Theatre being inline with the Councils Equalities Charter. Councillor Forward provided a written response. Copies of the question and response were circulated to Councillors and members of the public.

Claudine Eccleston did not ask a supplementary question.

A written question was received from Russell Hall regarding the proposed Local Nature Reserve byelaws for the Country Park in relation to the other Nature Reserves. Councillor Fitzgerald provided a written response. Copies of the question and response were circulated to Councillors and members of the public.

Mr Hall asked a supplementary question. He believes that the new proposed byelaws would restrict access in the Country Park from 2% to 40% and that no adequate explanation had been given as to why this had happened. It seemed like a draconian law. Would the Council consider deferring the new byelaws until further assessment and consultation?

Councillor Fitzgerald replied there has been a lot of confusion regarding these new byelaws and they are not restricting any further access that wasn't previously restricted. The new byelaws will be debated later in the meeting and more information will be given then.

A written question was received from Chris Hurrell regarding the proposed Local Nature Reserve byelaws about access and the consultation process. Councillor Fitzgerald provided a written response. Copies of the question and response were circulated to Councillors and members of the public.

Chris Hurrell did not ask a supplementary question.

105.2 Councillors under rule 12

Questions to the Leader, Deputy Leader and portfolio holders were asked and answered in accordance with Rule 12.1 as follows:

Questioner	Subject	Reply given by
Councillor Lee	<p><u>Bathing Pool Site</u> – In both the October and December meetings it was that we were close to signing the terms of the lease for the Bathing Pool Site. Has this happened?</p> <p>Councillor Chowney replied that they currently haven't been signed yet. He had expected to be signed in the original timelines he gave. This would have been done as expected but unfortunately details within the lease still had a couple of outstanding issues.</p>	Councillor Chowney
Councillor Cox	<p><u>Climate Change</u> – Last year a motion was passed declaring a climate change emergency.</p>	Councillor Evans

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	<p>Can we have an update on progress the council is doing with this issue.</p> <p>Councillor Evans replied the Council was the first in the country to declare a climate emergency. A Cabinet member was appointed and 2 new members of staff. A climate change strategy is being created. By comparison to other Local Authorities we are quite ahead. The government haven't given addition funding for this as it's not a statutory requirement.</p>	
Councillor Beaver	<p><u>Cycle path</u> - A section of the cycle path near bridge way has been tarmacked. Why has this happened and are there plans for further tarmacking of the path?</p> <p>Councillor S Beaney replied that she would provide a written response to the question.</p>	Councillor S Beaney
Councillor Roberts	<p><u>EU negotiations for Fishing community</u> - Do you believe it is essential in negotiations with EU that our fishing community is protected?</p> <p>Councillor Chowney replied that it was essential that they get the best deal from Brexit negotiations. Would still need to export and would need the terms for this. 90% of the UK allocation of fisheries goes to big fisheries. This would need to be looked at also.</p>	Councillor Chowney
Councillor Turner	<p><u>Update on works in Alexandra Park</u> - Can an update be given about the works in by Southern Water in Alexandra Park?</p> <p>Councillor Fitzgerald responded that there had been a problem with the sewer near Harmers way. The water is being moved by a temporary pump whilst this is being fixed. The pump has been vandalised on several occasions. Doing these risks pollutants contaminating the area. People are advised not to switch off the pumps.</p>	Councillor Fitzgerald
Councillor Rankin	<p><u>Universal Credit and Council Services</u> - Universal Credit claimants use our council services. Budget constraints will impact our services. How will this effect these people?</p> <p>Councillor Chowney replied that this was a complicated question to answer as users of our services are affected in many ways. We are still one of the few Councils that give 100%</p>	Councillor Chowney

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	Council Tax Reduction for those with minimum income and currently have no intention of changing this.	
Councillor O'Callaghan	<p>Preston Model - In the media there has been a lot of talk about the Preston Model in Local Authorities. What is this?</p> <p>Councillor Chowney replied that the Preston Model is in effect a local purchasing agreement that prefers using local suppliers in order to put money back into the local economy. Hastings could consider this but would need simpler processes to encourage smaller business to join the agreement.</p>	Councillor Chowney
Councillor Bacon	<p><u>Rough Sleeping</u> – Update on progress with dealing with rough sleeping in the borough.</p> <p>Councillor Batsford responded that the recent bad weather emergency shelters open to look after people. There are a number of organisations that help with this. Officers and partner organisations are still working to help people in crisis.</p>	Councillor Batsford
Councillor Scott	<p><u>Fair Funding Review</u> – The fair Funding review was delayed by the government. Any update when this start again?</p> <p>Councillor Chowney advised that no timeline had been given but it is likely that we will not receive further money from this. Some councils are relying on receiving further funds, but this is very risky and not something we are doing.</p>	Councillor Chowney

106. MOTION (RULE 14)

None received.

107. MEMBERSHIP OF COMMITTEES

Councillor Lee proposed a motion regarding the membership of committees, as set out in the resolution below.

RESOLVED that the council adopt the following arrangements for the membership of committees:

- 1. Councillor Foster be appointed to the Employment Appeals Committee in place of Councillor Edwards**

108. REPORTS OF COMMITTEES

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The Mayor having called over the minutes set out in the agenda, the following minutes were reserved for discussion.

RESOLVED that under rule 13.3 the reports and minutes of committees set out in the agenda, including those items on which a council decision was required, be received and agreed. Only those items which were reserved were discussed as follows:

Meeting	Minute	Councillor
Cabinet, 6 January 2020	227. Bohemia Leisure and Cultural Facilities Study	Turner
Cabinet, 6 January 2020	229. Town Deal	Lee
Cabinet, 6 January 2020	230. Buckshole Reservoir	Lee
Cabinet, 3 February 2020	234. Local Nature Reserves- Byelaws	Fitzgerald
Cabinet, 3 February 2020	236. Pay Policy Statement 2020/21	Rogers
Cabinet, 3 February 2020	237. Review of HMO Licensing Fees	Batsford

Minute 228 of Cabinet on 6th January 2020, Treasury Management – Mid- Year Report 2019-20, was a matter on which the Council was required to make a decision. Under rule 13.3, the minutes were approved without being called for discussion.

Minute 234 of Cabinet on 3rd February 2020, Local Nature Reserves- Byelaws, was a matter on which the Council was required to make a decision. Councillor Fitzgerald, proposed a motion, seconded by Councillor Beaver, and agreed unanimously as follows:

RESOLVED that in order for Councillors to take advice from Officers, under Rule 16(14) of council procedure the council proceed as if in committee.

Councillor Fitzgerald proposed approval of the minute, seconded by Councillor Scott

The Mayor proposed that the meeting return to Full Council mode which was agreed.

RESOLVED (26 for, 3 against and 1 abstention)

1. To recommend to Full Council that the following byelaws are made ,
Filsham Reedbeds Nature Reserve, Marline Valley Nature Reserve,
Hastings Country Park Nature Reserve, St Helens Wood Nature Reserve,
Church Wood and Robsack Local Nature Reserve, Summerfields Nature Reserve and Old Road Gill Nature Reserve
2. Following Full Council approval to make the byelaws, delegate to the Chief Legal Officer responsibility for following due legal process as outlined by the Department for Environment, Food and Rural Affairs for confirmation of the byelaws for Local Nature Reserves.

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Minute 236 of Cabinet on 3rd February 2020, Pay Policy Statement 2020/21, was a matter on which the Council was required to make a decision.

Councillor Rogers proposed approval of the minute, seconded by Councillor Leah and agreed unanimously.

Councillors Barnett, Fitzgerald, Forward, Scott and Turner were not present during the full debate of this item and did not vote.

RESOLVED (unanimously) the recommendation of the pay policy statement.

Minute 237 of Cabinet on 3rd February 2020, Review of HMO Licensing Fees, was a matter on which the Council was required to make a decision.

Councillor Batsford proposed approval of the minute, seconded by Councillor O'Callaghan and agreed unanimously.

Councillors Forward, Lee and Rankin left the Council Chamber having declared a prejudicial interest.

Councillor Barnett was not present during the full debate of this item and did not vote.

RESOLVED (unanimously)

- 1. Approve the revised fee structure for HMO licensing to take into account a 'Hemmings' (two part) fee structure.**
- 2. That the revised fee structure in appendix 1 is introduced on 1 April 2020**

Councillors debated minutes 227, 229 and 230 of Cabinet on 6th January 2020. These matters did not require approval of Full Council.

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 Chair declared the meeting closed at. 8.00 pm)