

# Cabinet Agenda

Monday, 5 July 2021 at 6.00 pm

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# Agenda Item 3 Public Document Pack

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Present: Councillors Forward (Chair), Barnett (Vice-Chair), Batsford\*, Evans\*, Rogers, Webb

\* The following councillors were not present in the meeting, but attended virtually via MS TEAMS – they did not take part in the formal decision-making process and did not vote.

### **339. APOLOGIES FOR ABSENCE**

Apologies received from Councillor Chowney.

### **340. DECLARATION OF INTERESTS**

None received.

### **341. MINUTES OF LAST MEETING**

**RESOLVED (unanimously) – that the minutes of the meeting held on 6<sup>th</sup> April 2021 be approved as a true record.**

**RESOLVED** - the Chair called over the items on the agenda, under rule 13.3 of the council's constitution, the recommendations set out in minutes number 5, 9 and 12 are agreed without being called for discussion.

#### **Update from the Managing Director:**

The Managing Director updated the Cabinet on the current response to the pandemic. Despite the low infection rate, the Council stays on the high alert in case of a major outbreak or need for surge testing for new virus variants. The Delta variant is now the main cause of concern. The vaccine rollout is positive. At present, efforts are made to facilitate access to vaccines and encourage more people to take the offer.

Council officers continue to support local business to keep them covid secure and support recovery from the losses from the last year. The delay in lifting the restrictions will have an impact on scheduled events, and colleagues are continuing to work closely with event organisers around very challenging decisions. The lifeguard service is in operation since the end of May. They saved three lives already.

Additional work is undertaken by the officers to facilitate safe Council operations and public meetings. We have submitted views to the government's call for evidence regarding the holding of virtual meetings, and hope that the situation can be addressed very quickly so that the decision about how and where councillors meet can reflect the circumstances we are living through.

The Chair thanked the officers for their work. She also extended her thanks to the lifeguards for saving lives and creating a safe environment for everyone.

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### 342. WELCOME BACK FUND, CONTAIN OUTBREAK MANAGEMENT FUND AND CULTURE RECOVERY FUND PROPOSALS

The Managing Director presented a report to advise the Cabinet of 3 funding opportunities, programme activities and seek delegated authority for each. The timescales of those projects were very challenging, not allowing much time for discussion, but the requirement has been recognised, and vital funding was granted. A detailed breakdown of the proposed spend is included in the report.

The Councillors discussed the benefits of the funding and how it will help to support local businesses, tourism, and culture in Hastings. They also recognised the efforts of cultural organisations that secured additional Culture Recovery money to support their work and restart cultural activities.

Councillor Barnett proposed approval of the recommendations, seconded by Councillor Webb.

#### **RESOLVED (unanimously):**

That the delegated authority is granted to the Managing Director or relevant nominee, in consultation with the Leader to:

- Submit funding application form (action plan), sign the grant funding agreement, sign any relevant service level agreement with delivery partners, and commence spend, in some cases at risk, for the welcome back funding proposed interventions as detailed in paragraph 14.
- From the Government's Contain Outbreak Management Fund (COMF), allocate £80,000 to the Environmental Health and Licensing Team to help reduce the spread of coronavirus and support public health initiatives, and £10,000 to the Parking Services Team towards enhancing communication via digital signage.
- Allocate the Culture Recovery Fund Grant to eligible costs in line with the funding scheme aims

#### **Reasons for Recommendations**

To ensure that the government's various Covid funding schemes are used to best effect in Hastings.

### 343. PARKING SPACES AT WINDING STREET

The Chief Finance Officer submitted the report to consider a request from the proposed new owners of the Isabel Blackman Centre (IBC) to have exclusive use of the parking spaces in Winding Street.

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Under rule 13.3 the recommendations of the report were agreed without being called for discussion.

**RESOLVED:** Recommendation to full Council that terms be agreed to lease the parking spaces to the new owners of the IBC at less than Market Rent (Nil rent).

### **Reason for Recommendations:**

Use of the five parking spaces is considered essential by IBC for the practical operation of the centre and while letting at less than Market Value is a financial loss to the Council this is outweighed by the benefit to the Community as a whole.

### **344. CABINET APPOINTMENTS TO COMMITTEES, WORKING GROUPS AND PARTNERSHIPS**

**The item was not completed before the meeting and therefore has been deferred to the next cabinet meeting under part 4, rule 13.3 of the Constitution.**

(No discussion shall take place on any items which have not been reserved. Items not reserved, including items requiring Council decision, shall be deemed adopted without discussion)

### **345. LEASE AND MANAGEMENT AGREEMENT FOR THE BALE HOUSE (PART 1)**

The Environment and Natural Resources Manager presented a report to seek cabinet agreement on the draft Heads of Terms for the lease and management agreement for The Bale House Visitor Centre at Hastings Country Park Nature Reserve with Groundwork South. A 10-year lease is proposed. The details of the draft lease and management agreement are included in the appendices in part 2 of the report.

The Councillors agreed that the Visitor Centre is a great asset to the town. It will benefit residents and tourists by enhancing the eco-tourism offer in the region and promoting the Hastings Country Park. Groundwork South are keen to make the centre accessible to people from all backgrounds. Apart from leisure facilities, they are aiming to create an education hub.

Councillors thanked the officers involved in the project.

Councillor Rogers proposed approval of the recommendations, seconded by Councillor Webb.

**RESOLVED (unanimously) that:**

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1. Cabinet agree the draft Heads of Terms for the lease and management agreement with Groundwork South for the Bale House Visitor Centre at Hastings Country Park Nature Reserve, and
2. Delegate authority to enter into a legal agreement for the lease and management agreement with Groundwork South to the Chief Legal Officer, in conjunction with the Assistant Director of Environment and Place, and the lead councillor for the Environment.

### Reasons for Recommendations

1. The Bale House is our new visitor centre at Hastings Country Park Nature Reserve. It is due to open this Summer, 2021. Council Officers have negotiated a proposed 10-year agreement with Groundwork Trust to manage the centre on our behalf. Authorisation to proceed with a lease and management agreement are required to enable an operator to be appointed, so the new visitor centre can open this Summer.
2. The draft lease and the draft management agreement are commercially sensitive and are detailed in a Part 2 report.

### 346. BUCKSHOLE RESERVOIR SAFETY IMPROVEMENTS - UPDATE PART 1

The Assistant Director Environment and Place submitted the report to update councillors on progress with this mandatory project to improve the safety of the reservoir and dam (as required by Reservoirs Act 1975 and subsequent guidance), including the results of the tender process highlighting the shortfall in the approved programme budget, and seeking approval to increase the budget to enable the project to proceed.

Under rule 13.3 the recommendations of the report were agreed without being called for discussion.

**RESOLVED:** Recommendation to authorise the capital and revenue budgets for this project to be increased (as detailed in the associated part 2 report on this agenda) to full council for approval.

### Reasons for Recommendations

1. The original estimates for the costs of the project were carefully developed by specialists before approval by cabinet on 6th January 2020. They included a 10% contingency sum and were also adjusted to take account of potential inflation between Autumn 2019 and Summer 2021, when the works were likely to be carried out. However, the tenders obtained through the East Sussex Procurement Hub in 2021 are significantly higher than the original estimates. There are well understood reasons for this, and these are set out in this report. They include

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the need to amend the specification to secure planning approval, and the significant financial impact of the pandemic and EU-exit on the UK construction and civil engineering sectors.

2. It is essential that this project goes ahead as the works are mandatory, and necessary to reduce the risk to life and property associated with a failure of the reservoir infrastructure. In addition, the council would be the subject of enforcement action by the Environment Agency were it not to comply with the guidance and complete the works as required by spring 2022

### **347. EXCLUSION OF THE PUBLIC**

**Resolved (unanimously)** 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 referred to in the relevant report.

The live stream ended, and the meeting proceeded in the private session.

### **348. LEASE AND MANAGEMENT AGREEMENT FOR THE BALE HOUSE (PART 2)**

The Environment and Natural Resources Manager presented the report and appendices with the draft Heads of Terms for the lease and draft management agreement for the Bale House.

Councillors considered the report and appendices and discussed the catering provision arrangements.

Councillor Rogers proposed approval of the recommendations, seconded by Councillor Webb

#### **RESOLVED (unanimously) that:**

1. Cabinet agree the draft Heads of Terms for the lease and draft management agreement with Groundwork South for the Bale House Visitor Centre at Hastings Country Park Nature Reserve, and

2. Delegate authority to enter into a legal agreement for the lease and management agreement with Groundwork South to the Chief Legal Officer, in conjunction with the Assistant Director of Environment and Place, and the lead councillor for the Environment.

### **349. BUCKSHOLE RESERVOIR SAFETY IMPROVEMENTS - UPDATE PART 2**

The Assistant Director, Environment and Place, submitted the report to update councillors on progress with this mandatory project to improve the safety of the reservoir and dam (as required by Reservoirs Act 1975 and subsequent guidance), including the results of the tender process highlighting the shortfall in the approved

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programme budget, and seeking approval to increase the budget to enable the project to proceed.

Under rule 13.3 the recommendations of the report were agreed without being called for discussion.

**RESOLVED:** Recommendation to full council to authorise the capital and revenue budgets to be increased as stated in the report.

### **Reasons for Recommendations**

As stated in item 9.

(The Chair closed the meeting at 18.37 PM)