



# Council Meeting

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**Wednesday, 9th  
February, 2022**

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## HASTINGS BOROUGH COUNCIL

Dear Councillor

You are hereby summoned to attend a meeting of the Hastings Borough Council to be held remotely on Microsoft Teams on Wednesday, 9th February, 2022 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

2 February 2022

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### **AGENDA**

#### **CABINET MINUTES AND REPORTS**

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 Annex Document Pack

## CABINET

31 JANUARY 2022

Present: Councillors Forward (Chair), Barnett (Vice-Chair), Batsford, Chowney, Evans, Rogers and Webb.

### 406. APOLOGIES FOR ABSENCE

None received.

### 407. DECLARATION OF INTERESTS

Councillor	Minute	Interest
Rogers	412 – Hastings Business Improvement District	Prejudicial – Is a director of the Hastings Business Improvement District.

### 408. MINUTES OF LAST MEETING

**RESOLVED** (unanimously) that the minutes of the meeting held on 4<sup>th</sup> January 2022 be approved as a true record.

The Chair invited the Managing Director to provide an update on the Covid-19 pandemic in Hastings. Due to the high rates of infection in the town the Managing Director is continuing to advise Councillors meet virtually where possible. Therefore, following the meeting the two items requiring a Cabinet decision will be formalised using the emergency powers granted to the Managing Director by Full Council for such circumstances.

The current rate of infection in Hastings is 997 per 100,000. The current infection rate is being fuelled by school age children and parents and there continues to be extremely high levels of demand on the NHS, which coupled with staff having to self-isolate, is causing significant operational issues in hospitals across Sussex.

The Council is requiring visitors to its facilities to wear facemasks and will continue to do so whilst rates remain this high. The Council continues to work with the NHS to deliver the vaccination programme across the Borough via walk-in and pop-up clinics.

**RESOLVED** - the Chair having called over the items on the agenda, under rule 13.3 of the Council's constitution the recommendations set out in minute number 411 are agreed without being called for discussion.

### 409. REVIEWING THE COUNCIL'S LICENSING ACT 2003 LICENSING POLICY STATEMENT

The Assistant Director, Environment and Place, presented a report to inform Cabinet of the results of the recently completed statutory consultation, and seek authority to update the Council's Licensing Policy, as required by the Licensing Act 2003.

## CABINET

31 JANUARY 2022

The statutory consultation process resulted in five separate responses, these were from Sussex Police, the Council's Planning Department, the ESCC Public Health Alcohol and Tobacco Lead, 1 Local resident, and the Council's Community Safety Manager.

Data from statutory consultees (such as the Police and Public Health), has suggested the need to retain the current saturation zones, and potentially to expand them.

The Lead Licensing Officer answered questions from the Cabinet and confirmed that Battle Road was not included in the extension of the saturation zones as it was felt the data did not support the proposal.

Councillor Barnett proposed an amendment to the Licensing Policy Statement to add 'not' to the second paragraph of page 34 of the policy so that it reads:

*It is not the general policy of the authority to refuse applications for the grant or variation of a premises licence or club premises certificate in the Cumulative Impact Areas.*

Councillor Evans proposed approval of the recommendations, seconded by Councillor Barnett, subject to the amendment above.

**Under the emergency powers set out in Rule 26.22 of the Council's Constitution the Managing Director is authorised to implement the following decision in consultation with Councillors Forward, Barnett, Batsford, Chowney, Evans, Rogers & Webb.**

**RESOLVED (unanimously):**

**Cabinet agrees the updated licensing policy statement at appendix A and recommend it to Full Council for adoption.**

Reasons:

There is a statutory requirement for local authorities to fully review their licensing policy at least every 5 years. Failure to do so could result in judicial review proceedings against the authority and call in to doubt the decisions made by the Licensing Committee under the Act.

### **410. PAY POLICY STATEMENT 2022/23**

The Managing Director presented a report to seek approval of the Pay Policy Statement for 2022/2023, as required by the Localism Act 2011.

The Pay Policy Statement does not include the current pay award which is still being negotiated at a national level. Once agreed the Statement will be amended to reflect this.

## CABINET

31 JANUARY 2022

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

**Under the emergency powers set out in Rule 26.22 of the Council's Constitution the Managing Director is authorised to implement the following decision in consultation with Councillors Forward, Barnett, Batsford, Chowney, Evans, Rogers & Webb.**

**RESOLVED (unanimously):**

**Recommendation of the pay policy statement to Full Council for approval.**

Reasons:

The Localism Act 2011 requires Hastings Borough Council to prepare and publish an annual pay policy statement. The purpose of such a statement is to provide information about Council policies on a range of issues relating to the pay of its workforce, particularly its senior staff and its lowest paid employees. A Pay Policy must be prepared for each financial year and must be approved by Full Council, and published.

**411. FIRST HOMES IN HASTINGS**

The Assistant Director, Housing and Built Environment, submitted a report to share research on the national First Homes criteria in the local context and explore whether the introduction of local criteria can better support development viability and help ensure that local households, who may otherwise struggle to purchase a new home, benefit from the scheme.

First Homes is a government policy which has been introduced to help first-time home buyers purchase a home. It is a new form of discounted market housing and is considered an affordable housing product for planning purposes. It will be delivered through the planning process and supports the government's aims to promote home ownership.

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

**Under the emergency powers set out in Rule 26.22 of the Council's Constitution the Managing Director is authorised to implement the following decision in consultation with Councillors Forward, Barnett, Batsford, Chowney, Evans, Rogers & Webb.**

**RESOLVED:**

1. That the council introduces Interim Guidance for First Homes which includes the following local criteria:

## **CABINET**

**31 JANUARY 2022**

- A household income cap of £60,000 (reduced from the national £80,000 cap)
- The value of the First Home, after the discount has been applied, to be capped at £210,000 (reduced from the national £250,000 cap)
- A local connection and key worker criteria

2. That the Assistant Director, Housing & Built Environment, in consultation with the Lead Member for Housing, are granted delegated powers to agree a Key Worker definition for the Interim Guidance.

Reasons:

1. The demand for affordable housing in Hastings far outweighs supply and it is increasingly difficult for local families to meet rising housing costs and to access affordable accommodation. There are growing numbers of households living in temporary, unsuitable accommodation, presenting as homeless and hoping to be re-housed through the council's housing register. Unfortunately, alongside this there are fewer social housing homes becoming available to rent each year.
2. There are a range of affordable housing products however the council is committed to maximising affordable rent as it can support those households most in housing need. However, through the introduction of the First Homes policy, the government has prioritised the provision of discounted market sale housing. Unfortunately, this has the ability to impact the delivery of affordable rent homes.
3. The recommendations in this report seek to:
  - Support development viability and the potential provision of other forms of affordable housing
  - Support Hastings residents to purchase new homes which will free up accommodation elsewhere in the town
  - Support households in Hastings who would otherwise have difficulties purchasing on the open market
  - Safeguard affordable housing for local people
  - Ensure that affordable housing is not targeted at high end housing
  - Attract key workers to take up jobs in Hastings where there is a skills shortage
  - Offer a proportionate response given limited capacity and the demands on council resources

### **412. HASTINGS BUSINESS IMPROVEMENT DISTRICT**

## CABINET

31 JANUARY 2022

Councillor Rogers left the meeting during discussion of this item due to a prejudicial interest.

The Continuous Improvement and Democratic Services Manager presented a report to provide an update on the progress towards a second term ballot for Love Hastings Ltd – Business Improvement District.

Love Hastings Ltd, the Business Improvement District (BID) for Hastings, has been operating within Hastings Town Centre for the last five years. BIDs are allowed to operate for a maximum five-year term before ceasing or going to a ballot of their members for a further term. Love Hastings Ltd held their AGM on 8 December 2021, where members voted 'yes' to balloting the current boundary levy payers for a second term running from 1<sup>st</sup> April 2022 to 31<sup>st</sup> March 2027.

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

**Under the emergency powers set out in Rule 26.22 of the Council's Constitution the Managing Director is authorised to implement the following decision in consultation with Councillors Forward, Barnett, Batsford, Chowney, Evans, Rogers & Webb.**

**RESOLVED (unanimously):**

1. To support the progress towards a potential second term of Love Hastings Ltd, including operating the ballot process on their behalf, and managing the collection of the BID Levy should an overall 'yes' vote be secured at the ballot.
2. To delegate authority to the Assistant Director of Regeneration & Culture, in consultation with the Lead Member for Regeneration to cast the HBC votes on its own hereditaments that will attract a levy.
3. To give delegated authority to the Assistant Director of Regeneration & Culture and the Chief Financial Officer, in consultation with the Lead Member for Regeneration to agree with the BID board the BID Business Plan and BID Operating Agreement.

Reasons:

The BID is shortly reaching the end of its first five-year term on the 31 March 2022. The BID members voted at their AGM on 8 December 2021 to go to ballot for a second term on the current boundary arrangements. Government BID Technical Guidance dictates that Hastings Borough Council are required to support the BID through the management of the ballot process and the management and collection of the subsequent levy payments, should a 'yes' vote result be declared after the ballot. This also includes the Council approving and supporting the ambitions detailed within the Business Plan.

## **CABINET**

**31 JANUARY 2022**

(The Chair declared the meeting closed at 6.34pm)



# Minute Annex

## **Managing Director Decision Notice**



In accordance with Rule 26.22 of the Constitution the Managing Director (having carried out a prior risk assessment) made the decision, in consultation with members of the Cabinet, to hold the Cabinet meeting on 31<sup>st</sup> January 2022 virtually.

The following decisions were made in accordance with emergency powers granted to the Managing Director to implement the decisions made at that Cabinet meeting in consultation with Councillors Forward, Barnett, Batsford, Chowney, Evans, Rogers and Webb

The reasons for the decisions are set out in the Cabinet minutes for that date.

### **Item 5**

**Report:** Reviewing the Council's Licensing Act 2003 Licensing Policy Statement

**Report Author:** Mike Hepworth, Assistant Director, Environment and Place

**Decision Type:** Cabinet recommendation to Full Council

### **Decision:**

**Cabinet agrees the updated licensing policy statement at appendix A and recommend it to Full Council for adoption.**

**The Councillors present voted unanimously in favour to approve the recommendations in the report.**



## **Item 6**

**Report:** Pay Policy Statement 2022/23

**Report Author:** Jane Hartnell, Managing Director

**Decision Type:** Cabinet recommendation to Full Council

### **Decision:**

**Recommendation of the pay policy statement to Full Council for approval.**

**The Councillors present voted unanimously in favour to approve the recommendations in the report.**

## **Item 7**

**Report:** First Homes in Hastings

**Report Author:** Andrew Palmer, Assistant Director, Housing and Built Environment

**Decision Type:** Cabinet decision

### **Decision:**

**1. That the council introduces Interim Guidance for First Homes which includes the following local criteria:**

- **A household income cap of £60,000 (reduced from the national £80,000 cap)**
- **The value of the First Home, after the discount has been applied, to be capped at £210,000 (reduced from the national £250,000 cap)**
- **A local connection and key worker criteria**

**2. That the Assistant Director, Housing & Built Environment, in consultation with the Lead Member for Housing, are granted delegated powers to agree a Key Worker definition for the Interim Guidance.**

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

**Item 8**

**Report:** Hastings Business Improvement District

**Report Author:** Victoria Conheady, Assistant Director, Regeneration and Culture

**Decision Type:** Cabinet decision

**Decision:**

- 1. To support the progress towards a potential second term of Love Hastings Ltd, including operating the ballot process on their behalf, and managing the collection of the BID Levy should an overall 'yes' vote be secured at the ballot.**
- 2. To delegate authority to the Assistant Director of Regeneration & Culture, in consultation with the Lead Member for Regeneration to cast the HBC votes on its own hereditaments that will attract a levy.**
- 3. To give delegated authority to the Assistant Director of Regeneration & Culture and the Chief Financial Officer, in consultation with the Lead Member for Regeneration to agree with the BID board the BID Business Plan and BID Operating Agreement.**

**The Councillors present voted unanimously in favour to approve the recommendations in the report.**

Signed



Jane Hartnell  
Managing Director  
Hastings Borough Council