



# Council Meeting

---

**Wednesday, 19th  
July, 2023**

---

## 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. Please enter the building through the Contact Centre entrance via the seafront., on Wednesday, 19th July, 2023 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

12 July 2023

---

### **AGENDA**

5. Questions (if any) from:
- a) Members of the public under Rule 11
  - b) Councillors under Rule 12

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

**Questions from the Public under Rule 11**

Questioner	Question	Answer
<p>Anna Sabin</p>	<p>How is the 2014 Hastings Walking and Cycling Network Strategy being fulfilled and what is the £9m Hastings and Bexhill Movement and Access Programme being spent on?</p>	<p>Councillor Batsford:</p> <p>The LCWIP (Local Cycling and Walking Infrastructure plan) is an ESCC initiative and was agreed at their cabinet in September 2021. I would refer you to the information held here for an update:- <a href="#">Item 11 - Local Cycling and Walking Infrastructure Plan.pdf (eastsussex.gov.uk)</a></p> <p>The Hastings and Bexhill Movement and Access programme (HBMAP) was discussed at the recent Team East Sussex Board meeting on the 3<sup>rd</sup> July – and update and programme overview is within their published papers here:- <a href="#">Item-5-HBMAP-assessment-Jun-2023.pdf (southeastlep.com)</a></p> <p>Rother District Council, Hastings Borough Council and East Sussex County Council officers are currently discussing this further. From a Hastings perspective this project is linked with the Town Deal ‘public realm and green connections’ project (which is currently due for stakeholder and public engagement in the autumn,). It is important that any development of the HBMAP scheme needs to dovetail with the town deal project.</p>
<p>Petra Gent</p>	<p>Are there updates on the floods in South Terrace claims against Southern Water?</p>	<p>Councillor Barnett:</p> <p>Following the January 16<sup>th</sup> floods, an independent study was commissioned by East Sussex County Council into the causes of the flooding and implications for the future of the town centre.</p>

		<p>This report has still not been completed due to the consultants waiting for detailed information from Southern Water.</p> <p>As soon as the final report is received, it will be published, and debated in public at a special meeting of Full Council.</p>
Steve Foreman	<p>The news on global warming is shocking. What is Hastings Borough Council doing to fulfil its part in tackling this crisis and in particular how are sustainable and ecological forms of transport being actively encouraged such as cycling?</p>	<p>Councillor Batsford:</p> <p>Thank you so much for your question and you're right the heat waves across the globe this week are a stark reminder of the challenge our planet faces if we don't take action even at the micro level here in our town. Hastings Council is one of the first in the country to set aside 1% of its whole budget to address the climate emergency and ensuring we have the funds to deliver projects that will move us closer to our aim of being Zero carbon by 2030.</p> <p>In regard to Active travel and Cycling, the cross-party active travel group here at HBC have met twice now and have agreed its mission statement and its priorities to work collectively to transform Hastings into town where you can walk, cycle and travel by public transport safely and efficiently.</p> <p>HBC also Co-Chair HARTAG (Hastings and Rother Transport Action Group) a cross borough active travel group which has direct links with County council, stagecoach, and the regional rail operators which the Hastings cross party active travel group will be able to directly feed into that process.</p> <p>We are all agreed that better, safer cycling links are essential for our town and we will work hard to reverse the decision of County to not go ahead with the two cycle routes here in Hastings due to economic reasons even though they have had the funds for almost 10years to deliver this project.</p>
Christopher Hurrell	<p>Could the lead member please explain why HBC has not implemented a Supplementary Policy Document which includes Affordable Housing guidance and post</p>	<p>Councillor Rogers:</p>

development reviews and tell us when an SPD covering affordable housing and post development reviews will be implemented?

Affordable housing needs are set out in at paragraph 8.11 of the Hastings Planning Strategy (HPS). Meeting that need is dependent on housing developers coming forward to build out sites. This means either open market housebuilders providing an element of affordable housing within their developments schemes working in conjunction with a Registered Provider (RP) of affordable housing. Or an RP directly developing or acquiring a site for affordable housing development purposes only. Since the Council cannot compel developers to bring forward new housing development, securing enough affordable housing to meet demand is always going to be challenging. Securing affordable housing as part of any open market housing scheme will, in many case be subject negotiation. This is in accordance with both national planning policy and the Council's adopted Local Plan policy (HPS Policy H2(e)). The submission of viability reports by developers is required where their proposals do not meet policy requirements. In all cases where such reports are required, the Council uses independent specialists to scrutinise these documents.

The role and purposes of an SPD is to provide more detailed guidance and advice on the implementation of policies contained within a Local Plan. They can include details of the type and nature of information an applicant will be required to submit in support of their development proposals, and specifically information that will be required where proposals are not in accordance with policy. They are however wholly linked to specific adopted Plan policies and do not in themselves set out additional policy requirements. The absence of an SPD, in this case in relation to affordable housing provision, does not make it easier for developers to "evade" affordable housing requirements.

A Review Mechanism allows for a comparison of the viability assessment at application stage with actual achieved values and costs. If costs have gone down, and values up, then a further payment to the council will be required. In order to be able to apply a review mechanism to a legal agreement attached to a planning permission, the review mechanism requirement must already exist in

		<p>an adopted plan policy. This has already been established through a recent appeal decision where the Council sought to apply a review mechanism to the s106 however this was refused on the basis that there is no local plan policy to allow this. This is further set out in National Planning Practice Guidance, which states “Plans should set out circumstances where review mechanisms may be appropriate...”. A review mechanism will be included in a future updated affordable housing policy. Please see points below made in respect of para 6.</p> <p>The Council is currently working on a new Local Plan. This will include a revised affordable housing policy. In recognition of the continuing ‘viability’ challenges all Councils face in relation their affordable housing and other planning policy contributions, the Government has introduced a requirement to ‘frontload’ and test the impact of local plan policies on development viability locally, during the plan making process. The intention is to reduce viability challenges to meeting in full, policy requirements at the decision taking stage. It is therefore sensible to develop an Affordable Housing SPD only after the new policy (and plan) has been tested through the public examination process, and the Plan adopted by the Council. Developing an Affordable Housing SPD in advance of the new Plan being in place would mean the SPD would have to be linked to the existing adopted Plan. SPDs cannot introduce new policy in themselves.</p> <p>SPDs are not part of the development plan and so whilst they are a material consideration, their weight will be less than that of a planning policy.</p>
<p>Myriam Lengline</p>	<p>To this day, does anyone actually know who was responsible for the drainage of the balancing pond at Mulberry Walk and why, as it seems the Environment Agency is siding with Southern Water, and Southern Water and Hastings Borough Council say it is none of them?</p>	<p>Councillor Roark:</p> <p>I asked our Parks manager to look into this and he explained that this balancing pond is designed to drain periodically as part of the flood management of the area. I don’t dispute that the pond drained and it may be that this happened due to the recent activity in the area, however I am not aware that either HBC or Southern Water</p>

		drained this pond on purpose. If I find out anything further about this I will let the questioner know.
Michelle O'Connor	Why, despite residents contacting local councillors and HBC to put up warning signs to inform the public of the contaminated water, did HBC fail to do anything and instead the issue was left to a small group of residents to warn the public? Especially as HBC knew there had been a sewage leak into Old Roar Gill stream?	Councillor Roark:  The Environment Agency (EA) are the responsible regulators for SW and pollution in watercourses and the clean-up operation following the sewage leak in May was the responsibility of Southern Water under the oversight of the EA. Southern Water placed signage at the site at HBCs request initially – all of this signage has been vandalised either by removal and throwing in the ponds or was sprayed over with paint.
Christine Giles  Page 5	As Hastings Borough Council does not have the budget to repair the path/bridges along the Gill (following landslides), can HBC ask for compensation and demand that Southern Water pay/do the repair of the path/bridges and get rid of the fly-tipping blighting the Gill (one of the 'Path Closed Ahead' boards put up when another sewage leak happened under St Helens Road Bridge on 25 June, is now down the Gill and has been left behind)?	Councillor Roark:  I hope that a claim for compensation will be put to Southern Water following the disruption and damage caused by the sewage leak in the area in May, however, this is a separate issue to the closure of the streamside walk. This section of the walk has been closed for health and safety reasons following a recent inspection and is not a result of the sewage leak.
Andrew Cordle	In 2012, following sewage leaks in Old Roar Gill, Southern Water invested £1.5m in their 'Old Roar Gill Pollution Prevention Scheme' (source Hastings Online Times.)  In 2014, after further sewage leaks occurred in the park, more work was done by Hastings Borough Council, Southern Water and the Environment Agency.  Hastings Borough Council, back then, on their website, said there were on-going and long term projects and they needed to ensure the system continues to provide clean water, that maintaining the newly created habitats and monitoring their function will be an on-going commitment for the council. The document 'Waterways Management Plan, Alexandra Park, Hastings, 2016-2026' can also be found on	Councillor Roark:  I will be asking officers for a briefing on these projects once the clean-up work has been completed. The council is pressing for a full disclosure of what has happened and a full review of the incident. This will include an impact analysis on the woodland waterway, ecology of the water bodies and streams in Alexandra Park.

	<p>HBC's website.</p> <p>Now, 2023, once again, more sewage leaks in the Gill and Park, with, to this day, the water bodies in the Park and Gill still getting polluted. My question is: what has the Council, Southern Water and the Environment Agency done during all those years, how exactly were all those on-going projects monitored and managed?</p>	
<p>Tracy Knight</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 6</p>	<p>Regarding the recent and on-going Old Roar Gill sewage pollution, in its Facebook statement on 14 June, HBC says "the council will ensure that a full review of the incidents is carried out once the work has been completed. This will include a full ecological impact assessment of the sewage outpouring and an impact analysis on the waterway and ecology of the water bodies and streams in Alexandra Park."</p> <p>Southern Water has not done a full clean up of the Gill, its water being left festering and putrefied for over a month, with further sewage leaks in June, during a heatwave/weeks of high temperatures and barely no rain. It is official that some fish and eels died in the Buckshole pond, but there are also local residents who say they saw poor woodland birds drinking from the horribly polluted water in the Gill; some say they have seen dead badgers and foxes in and around the Old Roar Gill. Other residents reported their dogs being very sick. Despite what residents say, Southern Water claims no sick dogs were reported and no wildlife has died (apart from the fish and eels) - this is also denied by the Environment Agency saying residents have no proof those animals died of poisoning.</p> <p>Will HBC's full ecological impact assessment and impact analysis be independent and available for public scrutiny, taking into account any dead wildlife seen/found and reported to their services, with a full quantitative and</p>	<p>Councillor Roark:</p> <p>The council is pressing for a full disclosure of what has happened and a full review of the incident once the work has been completed. This will include an impact analysis on the woodland waterway, ecology of the water bodies and streams in Alexandra Park.</p> <p>Once the clean-up work is completed, I will discuss the review and impact assessment with officers and write back to you.</p>



	<p>comparative breakdown over the periods in question?</p>	
<p>Becca Horn</p>	<p>Earlier in June we had glorious weather which prompted locals and tourists alike to flock to the beach for the weekend. Come Sunday afternoon, I was shocked and appalled at the amount of litter scattered on the beach and along the promenade, with bins overflowing. Not only is this terrible for the environment but also makes our historic town look dreadful to visitors who come from all over the world. What are you going to do to rectify this embarrassing sight?</p>	<p>Councillor Roark:</p> <p>Thank you for your question and interest in the street cleaning service. It is sad that a very small minority of people choose to drop litter on the beach, causing issues for other beach users, as well as impacting on the service that is in place to keep the beach clean.</p> <p>Over the summer period there is often an increase in litter on the beach as a result of increased use. With that in mind, Hastings Borough Council increases the amount of resource placed out to maintain the area, which includes additional staff, bins, waste collections, and messaging (litter posters) along the seafront.</p> <p>We are also working closely with volunteer groups to ensure that litter collected is removed quickly by our crews and that volunteers have sufficient resources to support their work.</p> <p>Keeping the beach clean is an ongoing task that requires the help of both beach users and the council. We are grateful for the volunteer spirit present in Hastings and would urge all beach users to be responsible and clear up after themselves, either by taking your waste home or using the litter bins provided.</p> <p>If a member of the public feels that an area requires cleansing outside of the normal schedule, this can be requested online via MyHastings.</p>
<p>Joanne Walker</p>	<p>The Ore area is often heavily littered with plastic bottles and fast food containers, broken glass and dog fouling. Please let me know what the current provision for street cleaning is and how that provision is quality assured?</p>	<p>Councillor Roark:</p> <p>Street cleansing in Ore Village, like the rest of the town is scheduled with different frequencies ranging from daily to 6 – weekly depending on the area and footfall. Street cleansing across the town is monitored on an ad-hoc basis by waste officers, as well as cleansing supervisors.</p>

		<p>If a member of the public feels that an area requires cleansing outside of the normal schedule, this can be requested online via MyHastings.</p>
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 8</p>	<p>I am increasingly concerned at the level of air pollution in several highly residential Hastings wards such as Silverhill. Air pollution has now been officially linked to a wide range of health problems and fatalities; I would like to know what the council plans to do to improve it while we can?</p>	<p>Councillor Roark:</p> <p>The council has a legal duty to assess airborne pollution in the borough (as stated in Part IV of the Environment Act 1995) which is carried out by the Environmental Health Team. Since 1998, we've been monitoring the quality of the air to make sure it reaches the Government's national standard.</p> <p>A summary of our air quality monitoring can be found in the 2022 Air Quality Annual Status Report <a href="#">here</a>.</p> <p>Hastings Borough Council has produced an Air Quality Strategy to determine improvements that can be made in respect to air quality in the Hastings Borough Council administrative area. The Air Quality Strategy is split into short and medium to long term actions and can be found online <a href="#">here</a>.</p>
<p>Adele Bates</p>	<p>Each day the few resident bins are collected in Central St Leonards and nearly every day rubbish is left strewn on our pavements and roads by the refuse collectors who leave it and drive on.</p> <p>This causes issues with seagulls, health hazards for children and dogs. Not to mention that when visitors arrive at St Leonards, the first thing they often see of the area is rubbish.</p> <p>Why is this happening in our area? We do not see it happen in other areas of Hastings.</p>	<p>Councillor Roark:</p> <p>Without knowing the exact bins being referred to here, I can only answer generally. In central St. Leonards, there are a number of different collection types. On street bins are used in numerous locations to provide a waste disposal option for those who cannot store waste in their property for the next weekly kerbside collection.</p> <p>These bins are emptied at least daily, and checked by our street cleansing crew routinely, generally at least daily. If the facilities are used correctly there shouldn't be split waste – i.e. no waste, whether bulky, or black sack, should be placed around the bin. If the bin is full then bags should be taken back inside and placed out when there is capacity.</p>

		Requests for street cleansing outside of the scheduled service, along with reporting an issue can be made online via MyHastings.
--	--	--

**Questions from Councillors under Rule 12**

<b>Questioner</b>	<b>Question</b>	<b>Answer</b>
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 9</p> <p>Cllr Collins</p>	<p>The next Local Plan is in preparation, but residents of Hastings are still waiting for details of the green infrastructure strategy; the playing fields strategy; and the housing strategy. The Plan was also meant to include contributions from all political parties, but discussions have been postponed.</p> <p>Can the council leader tell us when we can expect to receive details of these strategies, and when and how councillors from parties other than Labour will have a chance to contribute their ideas?</p>	<p>Councillor Rogers:</p> <p>Two of the 3 studies referenced here are currently being prepared for publication – ‘The Green &amp; Blue Infrastructure and Biodiversity Net Gain Strategy’ and the ‘Playing Pitch &amp; Built Facilities Strategy’. They have been developed to inform the new draft Plan along with a suite of other studies and evidence base material.</p> <p>The housing strategy is not a document prepared by the Planning Policy Team but the new Head of Housing will be reviewing this once he commences in September.</p> <p>Publication of all of the evidence base would normally take place at the same time as the draft Plan is to be considered by Cabinet and Full Council. This is currently scheduled for November 2023 (6th &amp; 22nd respectively). The piecemeal publication of individual study documents can be unhelpful because the evidence needs to be considered in the round to avoid the conclusions and recommendations of individual studies being viewed out of context.</p> <p>However the Playing Pitch Strategy is due for publication shortly. This document will be in the public domain ahead of other Local Plan documents in view of future planning applications and the sports and leisure strategy.</p>

		<p>The intention is that workshop dates will be secured across September with all political parties.</p>
<p>Cllr Haffenden</p>	<p>Seagull sacks are one of the most complained about things to me as a ward councillor. What do other councils that can't use traditional bins use, and how many households in Hastings currently use seagull sacks?</p>	<p>Councillor Roark:</p> <p>Seagull proof sacks were trialled in Hastings about 10 years ago as a way of providing containment for properties on a weekly black sack collection who did not have space on the property to store a wheeled bin. Hastings currently has roughly 15,000 properties that receive a weekly residual waste collection, of which about 12,000 could make use of a seagull proof sack.</p> <p>The sacks are designed to be used only on the day of collection to discourage black sacks being split by animals. They are not designed to be used as an external storage option during the week.</p> <p>Other areas of the country with a similar geodemographic configuration either use communal bins (e.g. Brighton), or black sacks placed out on the pavement.</p> <p>When it comes to waste collections, there is rarely a perfect solution, especially in areas that were not originally designed to be flats or HMOs. In these cases the services have been designed with the best available solution within available resources.</p> <p>We would urge customers to make appropriate use of the options available and ensure that waste is not placed out at the wrong time, thus reducing the window that it can be split by animals. Any issues can be reported directly to the council online via MyHastings.</p>
<p>Cllr Hilton</p>	<p>The February Budget Full council agreed to stop live streaming of some council meetings to make financial savings but the budget document stated that "recordings of meetings will continue to be available after the meetings". It now appears that officers have decided not to make recordings available of meetings such as the Town Deal Board and Local Strategic Partnership meetings.</p>	<p>Councillor Rogers:</p> <p>We originally believed that recording meetings could be made available after the meetings, however because the council chamber recording and video system does not record individual speakers this has not been possible without significant IT Officer input. As such using IT Officers for this task would not create the identified savings.</p>

	<p>This issue is of great concern due to its impact on council accountability and democratic decision making. When will recordings of all meetings be reinstated on the Hastings Borough Council website?</p>	<p>There is no statutory duty to provide recordings of all council and or partnership meetings and written minutes of each are and will continue to be provided via Mod Gov. However, we are now looking at new software that should enable us to record these meetings at little or no cost to the council and we will be testing this over the coming weeks.</p>
<p>Cllr Jobson</p> <p>Page 11</p>	<p>Over the last year community groups have proposed ready financed initiatives to improve the green infrastructure in our town, but these have been consistently thwarted by a failure on the part of Council to take decisions.</p> <p>Last September the Friends of Gensing Gardens applied for permission to install a composting hub in Gensing Gardens. and a location was agreed. Funding is in place by Hastings Compost community but it's still waiting approval.</p> <p>The Town Grown project had applied for a small orchard plot by Summerfield's Woods and this has been thwarted, again location was approved by Cllr Ali Roark but the decision rested with Cllr Barnett.</p> <p>And Section 40 of the natural environment and rural communities act 2006 places a duty on all public authorities in England and Wales to have regard in the exercise of their functions to the purpose of conserving biodiversity.</p> <p>Therefore can you make a structured template form, a 'draft license' for future projects going forward?</p>	<p>Councillor Barnett:</p> <p>The councillor idea form has been in place to enable suggestions such as these to be considered corporately.</p> <p>However, the current pressures on staff time while the council deals with the Housing crisis means that the ideas scheme is being paused for a period of six months.</p> <p>Ideas may still be submitted during this time, but won't be considered until January 2024.</p>

This page is intentionally left blank