



Council Meeting

23 July 2014

HASTINGS BOROUGH COUNCIL

Dear Councillor

You are hereby summoned to attend a meeting of the Hastings Borough Council to be held at the Town Hall, Queen's Square, Priory Meadow, Hastings, TN34 1QR, on Wednesday, 23rd July, 2014 at 6.00 pm at which meeting the business specified below is proposed to be transacted.

Yours sincerely,

Chief Legal Officer

Aquila House
Breeds Place
Hastings

15 July 2014

AGENDA

1. Apologies for absence
2. To approve as a correct record the minutes of the Annual Council meeting held on 4 June 2014
3. Declarations of interest
4. Announcements from the Mayor and Leader
5. Questions (if any) from: -
 - (a) members of the public under Rule 11
 - (b) councillors under Rule 12
6. Membership of Committees
to give effect to any request received from a political group for a change in their representation on committee(s)
7. Annual Audit Report 2013-14 to Council
(Report of the Chief Auditor)

8. Reports of Committees

- (a) To resolve that the public be excluded from the meeting during the discussion of any items considered while the public were excluded by the relevant committee 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 respective paragraphs of Schedule 12A to the local Government Act 1972 referred to in the minutes of the relevant committee.
- (b) To receive and consider the recommendations and any decisions of the following committees: -

<u>Minute No.</u>	<u>Subject</u>	<u>Cabinet Member/Chair</u>	<u>Speaker</u>
CABINET – 9 June 2014			
3	White Rock Baths	Chowney	
4	Hastings Walking and Cycling Strategy	Chowney	
5	Banking Services Contract	Birch	
6	Cabinet appointments to Committees, Working Groups and Partnerships etc	Cartwright	
CABINET – 7 JULY 2014			
<u>Minute No.</u>	<u>Subject</u>	<u>Cabinet Member/Chair</u>	<u>Speaker</u>
11	Empty Homes Compulsory Purchase Programme	Forward	
12	Corporate Plan Part III	Chowney	
13	Local Development Scheme	Chowney	
14	Hastings Local Plan – Submission of the Development Management Plan	Chowney	
15	Hastings Local Plan – Statement of Community Involvement Update	Chowney	
16	Overview & Scrutiny Review of Changes to the Welfare System: Management Response	Forward	

17 (C)	Annual Treasury Management Report 2013-14	Birch	
18	Minor Works Contracts	Poole	
19	Office Accommodation	Birch	
22 (E)	Empty Homes Compulsory Purchase Programme	Forward	

Notes:

- (1) The Mayor will call over the minutes and members will rise and indicate those items, which they wish to have discussed.
- (2) No discussion shall take place at this stage upon any "Part II Minute" covered by the resolution at 7(a) above. Any such discussion shall be deferred until item 9 on this agenda.

(C) = Matter for Council Decision

(E) = Part II item.

PART II

9. To consider the recommendations and decisions of committees (if any) which the Council has resolved should be discussed after the exclusion of the public from the 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

ANNUAL MEETING OF THE HASTINGS BOROUGH COUNCIL HELD AT ST MARY IN THE CASTLE, HASTINGS ON 4 JUNE 2014

Present: The Right Worshipful the Mayor (Councillor Bruce Dowling) in the Chair; Councillors Atkins, Batsford, Beaney, Beaver, Birch, Cartwright, Charlesworth, Charman, Chowney, Clark, Cooke, Davies, Dowling, Fitzgerald, Forward, Hodges, Howard, Lee, Lock, Poole, Pragnell, Roberts, Rogers, Sabetian, Scott, Sinden, Street, Turner, Webb, Westley and Wincott

Apologies for absence were notes for Councillor Edwards

1. ELECTION OF MAYOR

Councillor Scott proposed that Councillor Bruce Dowling be elected Mayor of the Borough of Hastings for the current municipal year, which was seconded by Councillor Westley.

Councillor Lock proposed that Councillor Maureen Charlesworth be elected Mayor of the Borough of Hastings for the current municipal year, which was seconded by Councillor Lee.

Both Councillors Charlesworth and Dowling withdrew from the meeting and the vote was conducted by show of hands. 6 members having voted for Councillor Charlesworth and 23 for Councillor Dowling, it was declared: -

That Councillor Bruce Dowling is elected Mayor of the Borough of Hastings for the current municipal year.

Councillor Dowling made the declaration prescribed by Section 83 of the Local Government Act 1972 and addressed the meeting.

2. PRESENTATION TO RETIRING MAYOR

The Right Worshipful the Mayor proposed that the thanks of the council be extended to Councillor Alan Roberts for the services rendered by him to the council and the inhabitants of the Borough during his term of office as Mayor from May 2012 until today, which was seconded by Councillor Birch.

The Right Worshipful the Mayor presented Councillor Roberts with his past mayoral badge.

3. ELECTION OF DEPUTY MAYOR

Councillor Clark proposed that Councillor Judy Rogers be elected Deputy Mayor of the Borough of Hastings for the current municipal year, which was seconded by Councillor Poole. There were no further nominations.

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ON 4 JUNE 2014**

RESOLVED - that Councillor Judy Rogers is elected Deputy Mayor of the Borough of Hastings for the current municipal year.

Councillor Rogers made the declaration prescribed by Section 83 of the Local Government Act 1972

4. TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE COUNCIL MEETING HELD ON 16 APRIL 2014

RESOLVED – that the minutes of the meeting held on 16 April 2014 be signed by the Mayor as a correct record of the proceedings.

5. MAYORAL ANNOUNCEMENTS

There were no Mayoral announcements at the meeting.

6. ELECTION OF LEADER OF THE COUNCIL

Councillor Hodges proposed that Councillor Jeremy Birch be elected Leader of the Council for a four year term of office, which was seconded by Councillor Sinden. There were no further nominations.

RESOLVED (by 24 votes for 0 against with 7 abstentions) that: - Councillor Jeremy Birch is elected Leader of the Council for a four year term of office.

7. TO RECEIVE THE LEADERS REPORT ON THE APPOINTMENT OF THE DEPUTY LEADER OF THE COUNCIL

Councillor Birch announced that Councillor Peter Chowney had been appointed as Deputy Leader of the Council and Regeneration Portfolio Holder for the new municipal year.

8. TO RECEIVE THE LEADER'S REPORT ON THE NUMBER OF MEMBERS TO BE APPOINTED TO THE CABINET AND THE NAMES OF THE MEMBERS OF CABINET APPOINTED

Councillor Birch reported that: -

- (1) membership of the council's Cabinet would be 9 Councillors; and
- (2) the seats on Cabinet be allocated 7 to the Labour group (to include the Chair of the Charity Committee) and 2 to the Conservative group and members be appointed in accordance with the nomination of the groups as shown in Schedule A.

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9. TO RECEIVE THE LEADER'S REPORT ON THE CABINET PORTFOLIOS AND THEIR ALLOCATION TO MEMBERS OF THE CABINET

Councillor Birch reported that the allocation of responsibilities to Cabinet Lead Members would be as follows: -

<u>Cabinet Lead Member</u>	<u>Portfolio</u>
Councillor Birch	Leader of the Council and Budget Portfolio Holder
Councillor Chowney	Deputy Leader of the Council and Regeneration Portfolio Holder
Councillor Cartwright	Corporate Services (including revenues and benefits) Portfolio Holder
Councillor Forward	Housing and Community Services Portfolio Holder
Councillor Westley	Environment & Safety
Councillor Poole	Leisure and Amenities Portfolio Holder
Councillor Hodges	Charity Committee Chair

10. TO AGREE THE APPOINTMENT OF OVERVIEW AND SCRUTINY COMMITTEE AND THEIR TERMS OF REFERENCE

RESOLVED – that Overview and Scrutiny Committees be appointed with the following key areas of responsibility: -

Overview and Scrutiny Committee - Services

Strategy Targets, reviewing progress on the implementation of Cabinet decisions, policy development work with Portfolio Holders, officers and partners and service reviews.

Overview and Scrutiny Committee - Resources

Collection of Council Tax and other charges, payment of benefits, management of resources, public sector efficiency programmes, progress on the implementation of Cabinet decisions, policy development work with Portfolio

**ANNUAL MEETING OF THE HASTINGS BOROUGH COUNCIL
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Holders, officers and partners, service reviews and cross cutting issues.
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11. TO APPOINT THE COMMITTEES OF THE COUNCIL, TO DETERMINE THE REPRESENTATION OF POLITICAL GROUPS ON THOSE COMMITTEES, TO APPOINT MEMBERS TO THOSE COMMITTEES AND TO APPOINT THE CHAIRS AND VICE CHAIRS (AS INDICATED) FOR THE MUNICIPAL YEAR 2014-15

Councillor Birch proposed a motion regarding the appointment of committees as set out in the resolution below.

RESOLVED – that the Council adopt the following arrangements for the appointment of committees: -

(1) that membership of the Council's committees be as follows: -

	<u>Councillors</u>	<u>Non-Councillors</u>
Overview and Scrutiny Committee - Services	7	-
Overview and Scrutiny Committee - Resources	7	-
Audit Committee	5	-
Standards Committee	5	-
Licensing Committee	15	-
Council Appointments Committee	5	2
Employment Committee	4	-
Employment Appeals Committee	4	-
Planning Committee	10	-
Environment and Safety Committee	5	-

(2) Following a review of the political balance on the Council, the seats on the committees of the Council be allocated to political groups and members be appointed to those committees in accordance with the nominations of the political groups as shown in Schedule A;

(3) the Chairs and Vice – Chairs of the committees be appointed as shown on schedule A.

**ANNUAL MEETING OF THE HASTINGS BOROUGH COUNCIL
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(The Mayor adjourned the meeting at 4.40 pm and the remaining business stood referred to the re-convened meeting to be held on 4 June 2014 at 6 pm)

**ANNUAL MEETING OF THE HASTINGS BOROUGH COUNCIL
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**RE-CONVENED ANNUAL MEETING OF THE HASTINGS BOROUGH COUNCIL
HELD AT ST MARY IN THE CASTLE, HASTINGS
ON 4 JUNE 2014**

12. THE YEAR'S PROGRAMME

In accordance with the Constitution Rule 1.1 (xii) the Leader of the Council outlined proposals for the ensuing municipal year.

RESOLVED – (by 24 votes for 0 against with 7 abstentions) that the Council agrees the programme for the ensuing municipal year as proposed by the Leader of the Council.

13. COUNCIL MEETINGS 2014-15

RESOLVED – that meetings of the Council be held on the following dates: -

6.00pm Wednesday, 23 July 2014

6.00pm Wednesday, 22 October 2014

6.00pm Wednesday, 17 December 2014

6.00pm Wednesday, 18 February 2015

6.00pm Wednesday, 25 February 2015 (Budget meeting) (Provisional Date)

6.00pm Wednesday, 15 April 2015

11.00am Wednesday, 20 May 2015 (Annual Council - first part)

6.00pm Thursday, 21 May 2015 (Annual Council - second part)

(The Chair declared the meeting closed at 7.40 pm)

SCHEDULE A

HASTINGS BOROUGH COUNCIL APPOINTMENTS TO COMMITTEES – AS OF COUNCIL ON 4 JUNE 2014						
POLITICAL BALANCE RULES APPLY TO COMMITTEES						
				APPOINTMENTS FOR 2014/15		NOTES
COMMITTEE	SEATS TO BE FILLED	ALLOCATION TO POLITICAL GROUPS		LABOUR GROUP	CONSERVATIVE GROUP	
		LAB	CON			
Cabinet	Up to 10			Birch (Chair) Chowney (Vice-Chair) Cartwright Forward Hodges Poole Westley	Cooke Lock	1 member from the majority group to be a non-portfolio holder and to Chair the Charity Committee.
Audit Committee Page 7	5	4	1	Clark (Vice-Chair) Birch (ex officio) Charman Webb	Beaver	The Leader of the Council, who shall not be the Chair, is a member ex officio. With the exception of the above, members of this Committee may not be members of Cabinet. The Chair may not be in the same political group as the Leader of the Council.
Council Appointments Committee	5	4	1	Chowney (Chair) Birch Cartwright Westley	Cooke	
Standards Committee	5 (+ 2 independents)	4	1	Roberts (Chair) Webb (Vice-Chair) Street Rogers	Cooke	No more than 1 Cabinet member who is not to be the Leader. Members may not appoint substitutes.

SCHEDULE A

				APPOINTMENTS FOR 2014/15		NOTES
COMMITTEE	SEATS TO BE FILLED	ALLOCATION TO POLITICAL GROUPS		LABOUR GROUP	CONSERVATIVE GROUP	
		LAB	CON			
Employment Appeals Committee	4	3	1	Beaney (Chair) Webb (Vice-Chair) Dowling	Edwards	
Employment Committee	4	3	1	Birch (Chair) Chowney Poole	Edwards	
Overview and Scrutiny Committee - Services	7	5	2	Davies (Chair) Fitzgerald (Vice-Chair) Charman Scott Turner	Edwards Pragnell	No Cabinet Member may sit on O & S Committees. Mayor and Deputy Mayor not eligible for membership. Political Balance applies to Chairs and Vice-Chairs of O&S Committees
Overview and Scrutiny Committee - Resources	7	5	2	Webb (Chair) Howard (Vice-Chair) Batsford Roberts Sinden	Atkins Beaver	No Cabinet Member may sit on O & S committees Mayor and Deputy Mayor not eligible for membership. Political Balance applies to Chair and Vice-Chairs of O&S Committees

SCHEDULE A

				APPOINTMENTS FOR 2014/15		NOTES
COMMITTEE	SEATS TO BE FILLED	ALLOCATION TO POLITICAL GROUPS		LABOUR GROUP	CONSERVATIVE GROUP	
Licensing Committee	15	11	4	Sabetian (Chair) Batsford (Vice-Chair) Beaney Charman Dowling Fitzgerald Howard Roberts Sinden Webb Wincott	Atkins Charlesworth Lee Pragnell	No Cabinet member with Portfolio. No more than 5 members of Planning Committee. Chair and Vice-Chair not to be elected from members of the Planning Committee.
Planning Committee	10	7	3	Street (Chair) Scott (Vice-Chair) Beaney Dowling Roberts Rogers Wincott	Beaver Edwards Lee	No Cabinet member with portfolio
Environment and Safety Committee	5	4	1	Roberts (Chair) Rogers (Vice-Chair) Dowling Street	Charlesworth	No Cabinet member with Portfolio.

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APPENDIX B

Programme for the year 2014

A more prosperous Hastings

- Bring about the regeneration of Hastings through the six-point regeneration plan agreed for the local area covering urban renaissance, connectivity, skills, broadband, enterprise, image, cultural regeneration
- Spearhead the campaign to improve the image of Hastings as an up and coming town with a significant history that is welcoming to those choosing to visit, study, set up home or invest in.
- Continue to use culture as a lever for regeneration of the town and make Hastings a major cultural hub in the south. The city of culture bid the council submitted showed the potential within the town – the Jerwood Gallery, the large number of artists and others working in the cultural and creative field and the traditional culture of the town of festivals and processions. Culture can be the key to improving the image of Hastings and making the borough increasingly a location for new businesses and visitors with higher disposable income who will stay longer and spend more.
- Co-ordinate the plans for a nationally significant cultural festival to mark the town's celebration of the 950th anniversary of 1066. Hastings with its historical position as the scene of the emergence of the English language and legal system is the most famous town in the world. We will make sure that the maximum benefit is gained for local businesses and local people from this important anniversary.
- Promote the town as a major visitor destination using the Famously Hastings brand, particularly aiming to increase the number of visitors who stay overnight and for longer. We will work with our hotels and guest houses and with the visitor attractions in the town to raise the quality of what the town offers and we will look to bring external monies to help achieve this.
- Continue to work with Pier Trust to complete the restoration of Hastings Pier after the Labour council compulsorily purchased it from the absentee, neglectful owner.
- Make the most of the economic potential of the town's key shop window – the seafront, identifying sites for cafés and kiosks, encouraging long-term investment in facilities like the White Rock Baths and Bottle Alley.
- Enable the redevelopment of the prime West Marina site for leisure, housing and employment
- Ensure Hastings fully recognises the importance of being a university town and the benefits of having 1,000 higher education students in three buildings in the town centre with a new hall of residence earmarked for the Station Plaza site. We will work with the university to assist their growth and to help link them up more closely with the local

business community and its needs. We will also continue to encourage local take-up by school leavers and mature students of the opportunities at Hastings local university facility.

- Maximise the opportunities to attract more shoppers and more spending power into Hastings from the opening of top international retailer H&M and the major facelift of Priory Meadow.
- Invest in new modern-style signage for the town centre to allow visitors to find their way to the main shopping and leisure facilities and to see the route on to the Old Town, as well as implementing the new signage in St Leonards town centre and along the seafront.
- Explore the submission of a bid to make the Old Town a world heritage site
- Seek additional European monies to continue the good work of the Fisheries Local Action Group which has been performing so well with the existing European funds that the council secured. We will continue to work closely with our fishing industry to ease the inequitable quota restrictions on under ten metre boats.
- Continue to support the Town Team as part of our commitment to the revival of St Leonards.
- Work within Seachange to see through the physical regeneration of the town centre and other sites. This includes the completion of the Priory Quarter masterplan which will see Queensbury House replaced with modern, quality office accommodation that along with the other buildings can offer attractive business space at competitive costs to businesses.
- Work to get the maximum benefit out of the new European Assisted Area Status designation we campaigned so hard to secure.
- Seek further external finance especially other European sources particularly to support the cultural programme, the regeneration activities and the physical heritage of the town
- Complete the restoration of Pelham Arcade as a key heritage feature
- Look to improvements to access and education/interpretation at Hastings Castle in time for 2016
- Promote our key business clusters such as advanced engineering, vacuum technology and creative industries. We will support initiatives including another Tech 66 exhibition which shows the wider business world just what Hastings has to offer as a location for inward investment and for trading.
- Work jointly with BT on broadband take-up now that the whole area has been enabled. High speed broadband is part of the town's offer to attract inward investment but also is an important tool for existing businesses that they should be fully utilising
- Play a prominent role in the South East Local Enterprise Partnership, promoting the particular needs of the Hastings area
- Continue to co-ordinate local economic inclusion initiatives, like Own Grown which help make young people work-ready. We need to make Hastings more prosperous and continue to reduce unemployment but we must make sure local people, especially young people have the right skills including social skills to take up these opportunities.

Employability especially in some of the most disadvantaged wards is a serious challenge and we will look for outside finance to help us tackle it.

- Keep campaigning for improved transport links by road and rail. Our rail priorities are the campaign for the electrification of the line to Ashford International and a high speed link to St Pancras as well as maintaining and improving our Cannon Street and Charing Cross links. On roads we will campaign for the Baldslow Link providing a direct connection from the Hastings-Bexhill Link Road and also the dualling of the Tonbridge to Pembury section of the A21. We are campaigning to rebrand the A21 as Route 1066
- Work with Stagecoach through the Quality Bus Partnership to improve bus services, especially along the A259, on routes to work and to the hospital.

A clean and safe Hastings

- Challenge the problem of street drinking including giving council street wardens the same powers to seize alcohol from street drinkers as the police. We will also continue to work with local drug and alcohol abuse rehabilitation agencies
- Extend the Reduce the Strength campaign currently operating in Central St Leonards, the town centre and the Old Town to the whole borough if there's evidence of street drinkers acquiring their high strength alcohol in other areas
- Continue to support and provide financial assistance to the Barwatch and Shopwatch schemes which can see offenders barred from all town centre pubs or shops
- Reduce the high levels of domestic violence in the town by working with partners to increase reporting of incidents; working with perpetrators to change their behaviour and applying for accreditation as a White Ribbon Town
- Continue to support the Hate Crime Reporting scheme
- Achieve a 35% recycling target with the new waste contract which collects a wider variety of materials for recycling and collects glass from doorsteps. We will bring glass collection and seagull-proof bags to more streets that don't have wheelie bins or communal waste facilities. We retain our commitment to bringing in household food waste collection in the future
- Look to introducing a mobile phone app for reporting flytipping, litter, dog fouling etc to the council in addition to a waste hotline and ensure a speedy clear-up and a report back to those who sent the information in
- Declare zero-tolerance of dog fouling. We will encourage residents to report in and find new and better ways for them to do so. Our warden team operating at all different times of the day, in plain clothes when needed, concentrating on known hotspots will take the strongest action. The new waste contract includes a mobile poover for cleaning up badly affected streets. We will extend the green-dog walker

scheme to more parks and open spaces, where responsible owners remind others of the duty to pick up after their animals

- Maintain the nationally recognised grotbuster team who will improve at least 50 tatty and derelict buildings each year having improved over 650 properties already
- Commit to finding a use for the largest derelict eyesore in the town the old Observer building – by working with the local community and partner organisations in the town and tapping into external funds.
- Sign an agreement with the Public Funding Regulatory Association (PFRA), which regulates the activities of charitable fundraisers, to control when and where ‘chuggers’ may operate in the town centre, and how many chuggers may be present at any one time.
- By working with Southern Water and also with the Environment Agency ensure that Hastings bathing water meets the more stringent European directive that comes into force in 2015
- Press for more 20mph zones like the one operating in the Old Town

A home for everyone

- Introduce a tenants’ hotline where tenants can pass on information about inadequate housing conditions safely and anonymously. The council will then investigate the report and take action if needs be
- License all privately rented properties at least in those wards in the town with the largest proportions of privately-rented accommodation. The council already requires all houses in multiple occupation to be licensed and requires planning applications to turn individual dwellings into HMO’s with a presumption of refusal where there is already a surfeit of these properties
- Introduce a Hastings Housing Standard which will be higher than the minimum housing standards legally required of rented property. We will work with local landlords encouraging them to raise the quality of their properties to the Hastings Housing Standard
- Clampdown on rogue landlords using our housing enforcement powers, including closure notices preventing properties from being let until they meet basic standards and challenging individual landlords who the council feels do not meet the fit and proper person test.
- Press the government to allow the council to freeze the payment of housing benefit for sub-standard properties until they are brought up to a decent standard and to allow us to increase and retain the proceeds of fines for non-compliance with licensing rules
- Step-up our compulsory purchase programme of long-term empty properties. Bringing these back into occupation ensures another family has a home, council tax is paid on the property and the damaging affect of a blighted, decaying empty building is lifted from the neighbourhood
- Continue to work with AmicusHorizon on the Coastal Space project in Central St Leonards – buying up some of the worst HMOs refurbishing them and reconfiguring them into larger units of accommodation and then letting them to people in employment to create more balance in

that community. We are actively seeking additional funds to intervene further into the privately rented sector to improve housing conditions and to uplift some of the most deprived parts of the borough

- Encourage developers to bring forward development on sites with planning permissions

A green Hastings

- With our new grounds maintenance contract preserve the high quality of our parks and gardens and retain their green flag status with the use of sustainable methods of cultivation and maintenance that minimise environmental damage in parks and gardens. In our local residents' surveys our parks and gardens come top of the satisfaction ratings for all our services.
- Ensure through our local plan that there is sufficient allocation of open space, green lungs and play facilities.
- Plan for more local nature reserves following on from the recent declaration of Pondswood funded to a large extent by the housing development in that area
- Provide a new visitor centre by 2016 for our Country Park and maintain the Park's quality with its national and European environmental designations. Ensure the Country Park is properly accessible by cycle
- Work with cycling groups to expand the town's network of cycle routes and do all we can to realise the Greenway concept
- Work with Groundworks the environmental charity to develop the Coombe Valley Countryside Park. It is primarily on land in council ownership with footpaths into adjoining farm land
- Install a solar array to generate electricity on the now disused Pebsham landfill site.
- Continue our programme of enviro-retrofitting some of the council's factory units part-funded by using European money
- Maintain our animal welfare strategy which will rule out any idea of badger culling on council land – Coombe Valley, Fairlight or the farmland in council ownership
- Reduce the council's carbon footprint including replacing the council vehicles with electric vehicles
- Promote the use of electric vehicles, including plug-in cars, vans and electric bicycles, by developing a network of charging points in co-operation with retail and leisure partners

A lively Hastings

- Continue to support our many festivals and events
- Preserve St Mary in the Castle as a community arts facility with the Trust that is currently managing it
- Examine the White Rock Theatre to make sure the cultural and leisure needs of Hastings people are best being met for the cost of the operation

- Create a new play area on our land along Bexhill Road – an area under-served with play facilities. We will work with the active local community to bring external monies to fund the new facility
- Maintain the cultural and fun programme of Stade Saturdays. Work with the Arts Council on supporting our arts and cultural programme but also look for commercial sponsorship of cultural activities
- Develop a set of smartphone apps to promote leisure and entertainment events and venues in the town
- Continue to fund the council's Active Hastings team who have done such good work taking sports opportunities and street games into disadvantaged parts of the town and given the chance for young people to progress to accredited sports leaders
- Work with partners to enhance the evening economy, in particular improving the range of cafes and other venues open in the early evening.

A fair and inclusive Hastings

- Lead the anti-poverty work across the town and continue to make the alleviation of poverty in Hastings a key priority; continue to work to narrow the gap between the most disadvantaged parts of the borough and the rest and between Hastings and the rest of the South East. And we will poverty-proof all council decisions to check we are not unwittingly exacerbating the difficult position some of our local residents are in
- Do all we can to mitigate the impact of the national welfare reforms on individual claimants. We will work with housing associations and the advice agencies we continue to fund to try to limit the impacts of the bedroom tax
- Work with London local authorities to resolve the problem of benefit migration. We will work to integrate London households who are forced to move here and ensure there is no discrimination against them
- Limit the impact on the most needy of the government's 10% cut in the monies the council has available to provide council tax benefit
- Lead the campaign locally for a living wage that would give those in employment sufficient income not to require claiming for benefits. We will ensure that no council employee is paid below this level and hope this encourages other local employers to follow our example
- Initiate further collective energy purchasing with our Switched On Hastings scheme giving residents access to more competitive energy prices
- Continue to collaborate with the Disability Forum and to financially support Disabled Go which provides the town with an updated directory of shops, cafes, hotels etc that are disabled accessible thereby encouraging others to make accessibility improvements
- Continue to assist the ideas and suggestions coming from the Youth Council and the Seniors' Forum to be heard
- Stand by our community cohesion principle of One Hastings Many voices – attending and support the different cultural events in the town,

welcoming the contribution that is made by everyone in our diverse borough to making Hastings a culturally and educationally a richer place

An efficient council

- Continue to consider new ways of delivering services to make the council as efficient and cost-effective as possible. The letting of the waste contract jointly with three other councils saved Hastings £650,000 a year and the letting of the grounds maintenance contract jointly with Rother Council and with AmicusHorizon housing association saved a further £200,000.
- Make good use of the Invest to Save pot that the council has created, partly using the efficiency support grant bonus. This can be utilised to invest in longer-term cost saving initiatives I
- Enable more contact, transactions and payments to the council to be completed electronically as this will be the preferred method for many residents. More traditional telephone and face to face contact will of course still be available.
- Listen to local residents about which services they particularly value
- Keep council staff fully aware of the difficult financial decisions we may have to make and limit compulsory redundancies to the very minimum

Agenda Item No: 7

Report to: Council

Date of Meeting: 23 July 2014

Report Title: Audit Committee Report 2013/14 to Council

Report By: Tom Davies
Chief Auditor

Purpose of Report

Report from the Audit Committee on its annual review of the effectiveness of Internal Audit to Council.

Recommendation(s)

- 1. That the Audit Committee Report 2012/13 to Council is accepted.**

Reasons for Recommendations

Regulation 6 of the Accounts and Audit Regulations (England) 2011 requires relevant bodies to conduct an annual review of the effectiveness of its system of internal audit and for a committee of the body to consider the findings.

Introduction

1. Regulation 6 of the Accounts and Audit Regulations (England) 2011 requires Local Authorities to conduct a review at least once a year of the effectiveness of its system of internal control and publish a statement on internal control each year with the authority's financial statements.
2. This report, which follows the format recommended by the Chartered Institute of Public Finance and Accountancy, sets out the review of internal control and assurance gathering process as required by the statute and accompanying guidance.
3. In addition, Regulation 6 of the Regulations requires relevant bodies to conduct an annual review of the effectiveness of its system of internal audit and for a committee of the body to consider the findings. Proper practices in relation to internal audit for relevant bodies for the period up to 31 March 2014 may be found in the "Public Sector Internal Audit Standards 2013". These were newly introduced with effect from 1 April 2013. We are in a transitional phase and not far from being compliant with them. We are working with the Sussex Audit Group to arrange a "peer" review of Internal Audit which must be completed by 31 March 2018.

Principal statutory obligations and organisational objectives

Responsibility for Statutory Obligations

4. The Council has formally established responsibilities for its statutory obligations through the Constitution that sets out individual officer and member responsibilities, delegations to officers and committees, and committee terms of reference. These records are accessible on the Council's website and through the Monitoring Officer.
5. Detailed officer responsibilities are set out in job descriptions and structure charts.
6. Directors are accountable for ensuring that responsibilities, authorities and any limits to authorities are appropriately and clearly established within their directorates. The Audit Committee receives internal and external audit reports and ensures that any non-compliance is remedied through appropriate recommendations, and where necessary, requires assurance that recommendations have been implemented.

Organisational objectives and priorities

7. The multi-functional nature of the Council means that there are a large number of mandatory and discretionary requirements and powers. Hastings Borough Council took action to identify its priority objectives resulting in a list of principles and priorities underpinning the Corporate Plan. The priority areas were then devolved through Directors to Service Managers in the form of Service Delivery Plans.
8. There is a Local Code of Corporate Governance. Audit Committee Terms of Reference clearly assign responsibility for the scrutiny of corporate governance arrangements to the Audit Committee.

Performance against planned outcomes

9. The Authority knows how well it is performing against its planned outcomes through a comprehensive and effective performance management system. This system monitors performance against plans, targets, and financial budgets, with quarterly reports to the Overview and Scrutiny Committees.

Identifying principal risks to achieving the objectives

10. 'Risk' is any obstacle, or potential obstacle, to the achievement of the Council's priority objectives or statutory duties. The purpose of risk management is to ensure the achievement of the Council's objectives with efficient use of resources.
11. By identifying high-risk groups or areas, corporate policies and service resources can be targeted on those groups or areas.
12. The Council has a formal Risk Management Framework that was approved by Cabinet. The Framework is designed to encourage managers to 'own' the risks associated with their areas of responsibility. Managers use a corporately agreed matrix for identifying and assessing risks and controls.
13. The council continues to ensure the identification of key risks from both a strategic and operational perspective. Using a process of self-assessment, top management re-assessed the strategic risks (those to service provision, statutory compliance, and reputation) and services assessed operational risks (financial, physical and contractual risks).
14. During 2013/14 both the Strategic Risk Register and Operational Risk Registers were regularly updated.
15. Council has approved Terms of Reference for the Audit Committee giving it a clear remit to,

"Review, evaluate and approve: The effectiveness of the Council's process for assessing significant risk exposures and the measures taken by management to mitigate risks to an acceptable level"
16. A large part of the internal audit plan is risk-driven.

Key controls for managing principal risks

17. To ensure that its controls are fully up to date with the current operating environment, Financial Operating Procedures provide the framework within which Members and Officers must operate and compliance is routinely checked through audit reports to the Audit Committee.

18. In addition, the Council has these controls in place:

- a. The Council has adopted the CIPFA Code on Treasury Management to ensure compliance with the Prudential Code
- b. An Anti-Fraud and Anti-Corruption Strategy (Fighting Fraud Locally)
- c. A Whistle-blowing Policy
- d. Codes of Conduct for Members and Officers
- e. Registers of Interests for Members and Officers
- f. A Scheme of Delegation, including financial and budgetary responsibilities
- g. Risk Registers (reviewed by Audit Committee) are updated on an ongoing basis
- h. Each service produces a Service Delivery Plan and performance is monitored through quarterly Performance Reviews
- i. A Corporate Health and Safety system of monitoring and review is in place
- j. A Corporate complaints procedure operates

Sources of assurance

19. Sources of assurance on the adequacy and effectiveness of the Council's controls over key risks include:

20. a. An Audit Committee that is a fully constituted Committee of the Council
- b. An internal Audit and Investigations service that is independent in planning, operating, and reporting, and that reports to the Audit Committee
- c. A Chief Finance Officer with responsibility for ensuring the proper administration of the Council's financial affairs
- d. Processes for maintaining internal control include a framework of regular management information, Financial Rules and Finance Operating Procedures, administrative procedures (including segregation of duties), management supervision and a system of delegation and accountability
- e. A performance management system that includes commentary on service-level risk, the setting of targets for service delivery and monitoring of performance against targets and plans
- f. A strategic Corporate Plan setting out the Council's priorities, which cascades to operational plans at service and project level, including consideration of risks
- g. An annual budget and quarterly reviews of actual expenditure to budget
- h. A Local Code of Corporate Governance agreed by Cabinet

- i. A project management system for major projects
- j. A Risk Management Framework
- k. Declaration of related party transactions forms for members
- l. Codes of Conduct for Members and Officers
- m. A Staff Health & Safety Group that monitors insurable and public liability risks
- n. A Corporate Risk Management Group that meets regularly
- o. Risk management processes designed to ensure that Directors and Managers retain ownership of the risks and internal controls associated with their areas of responsibility. Directors and Managers are therefore an important source of assurance on the effectiveness of controls for managing risks
- p. The Audit and Investigations service carries out audit and risk reviews of high-risk areas to provide assurance that major risks have been identified and are being actively managed, and that the internal control environment is adequate
- q. The Head of Finance in his role provides a source of assurance that the requirements of the Local Government Act 1972 Section 151 are being met
- r. The Monitoring Officer, undertakes the relevant statutory duties and provides a source of assurance that the Council's affairs are conducted in compliance with relevant legislation and Codes of Conduct
- s. External audit provides a source of assurance on the operation of internal controls in that BDO inspects internal audit work at each annual external audit.

Evaluation of assurances and identification of gaps

The Audit and Investigations Service

21. On the basis of the audits reported to the Audit Committee by the Audit and Investigations Division, the audit conclusion is that during the year 2013/14, all of the Council's operations that were audited incorporate control systems that are 'Satisfactory' or better.
22. In financial systems, the audit aims to evaluate the strength of controls for ensuring the proper administration of financial resources. In the audit of non-financial areas, the audit aims to evaluate the strength of controls for ensuring that external obligations are met and that the success criteria of the activity under review are achieved. The following table shows the audit conclusion for each of the main audits carried out in 2013/14.

23.

Audit Conclusion	No of Audits
A: Good More than the key controls are in place and work effectively. While improvement may be possible, there are no significant audit concerns	1
B: Satisfactory The key controls are in place and work effectively. Improvement is possible but there are no significant audit concerns	4
C: Adequate but with reservations in some areas Some controls in place are adequate but there are audit concerns in some areas	0
D: Poor Controls are not adequate or not present or not adequately complied with. Improvement is essential	0
Total audits	5

24. This compares with previous years as follows:

Audit Conclusion	2010-11	2011-12	2012-13	2013-2014
	No of audits	No of audits	No of audits	No of audits
A, B: Good / Satisfactory	8	5	8	5
C, D: Adequate / Poor	0	1	0	0

25. The audit conclusions are defined in the service's own Internal Audit Manual.

26. The Internal Audit plan was not completed by 31 March 2014. This was because of difficulties encountered auditing the Housing Benefit Grant Subsidy. However, all of the International Auditing Standards work was completed within the deadlines.

27. Based on the audit work undertaken by Internal Audit, the Authority's overall internal control system is considered to be satisfactory.

External Audit

28. External audit is carried out by BDO and is an important source of assurance on the adequacy of the Council's arrangements for ensuring proper arrangements for its financial affairs. During 2013/14 the Audit Committee received the following reports:

Report Title	Date issued
BDO Planning Letter 2013-14 (fee letter)	June 2013
External Audit Report on final Accounts	Sept 2013
Annual Audit Letter 2012/13	Oct 2013
Planning Letter 2013/14	Dec 2013
Grant Claim and Returns Certification for the year ended 31/03/13	Mar2014
External Annual Audit Plan 2013/14	Mar2014

29. BDO gave an unqualified opinion on the Council's accounts for 2012/13 and an unqualified opinion on value for money and concluded that the Council's 2012/13 expenditure plans were met.

Areas of audit concern arising from internally conducted audits

30. Although risk levels changed, there were few concerns arising from internally conducted audits.

Areas of audit concern arising from External Audit

31. No significant areas of audit concern have been highlighted in the Annual Audit Letter (October 2013).
32. The key findings reported in it were:
- (i) Our audit of the financial statements for the period ended 31 March 2013 was completed by 30 September 2013 in line with the statutory deadline. Our final Annual Governance Report was considered by the Audit Committee on 25 September 2013 when the financial statements were approved. We issued an unqualified opinion.
 - (ii) We issued an unqualified value for money conclusion. We found some strengths in the Council's arrangements for ensuring financial resilience and positive outcomes in the areas of significant risk we identified for securing economy, efficiency and effectiveness in the use of resources.
 - (iii) We are satisfied that the Annual Governance Statement is not inconsistent or misleading with other information we were aware of from our audit of the financial statements and complies with .Delivering Good Governance in Local Government. (CIPFA / SOLACE).
We submitted our short form assurance statement on the Whole of Government Accounts return before the Government's deadline of 4 October 2013. No issues arose from our work.
The Council reported positive performance towards its priorities in the year.

Policy Implications

Risk Management

33. This report has referred to the way that the council manages its risks.

Wards Affected

None

Area(s) Affected

None

Policy Implications

Please identify if this report contains any implications for the following:

Equalities and Community Cohesiveness	No
Crime and Fear of Crime (Section 17)	No
Risk Management	Yes
Environmental Issues	No
Economic/Financial Implications	No
Human Rights Act	No
Organisational Consequences	No
Local People's Views	No

Background Information

External audit Annual Governance Report 2012/13
External audit Annual Audit Letter 2012/13

Officer to Contact

Tom Davies
tdavies@hastings.gov.uk
Telephone: 01424 451524

CABINET

9 JUNE 2014

Present: Councillors Birch (Chair), Chowney, Cartwright, Forward, Hodges, Westley, Cooke, Lock and Poole

1. DECLARATIONS OF INTEREST

The following councillors declared an interest in the minutes as follows:

<u>Councillor</u>	<u>Minute</u>	<u>Interest</u>
Forward, Hodges and Westley	3 – White Rock Baths	Prejudicial - Members of Charity Committee

2. MINUTES OF THE MEETING HELD ON 31 MARCH 2014

RESOLVED – that the minutes of the meeting held on 31 March 2014 be approved and signed by the chair as a correct record.

RESOLVED - the chair called over the items on the agenda, under rule 13.3 the recommendations set out in minute number 5 were agreed without being called for discussion.

MATTERS FOR CABINET DECISION

3. WHITE ROCK BATHS

Councillors Forward, Hodges and Westley, having declared a prejudicial interest in this item, left the chamber while the matter was discussed.

The Director of Regeneration presented a report to inform members of work to bring forward proposals for White Rock Baths and to seek support for this approach.

Hastings Borough Council (HBC) and the Foreshore Trust had been working to identify a suitable alternative use for the White Rock Baths, which had been vacant for a number of years. The Trust had been approached by the Source, a BMX and mail order company based in Braybrooke Terrace, with proposals to utilise the premises as an indoor arena for BMX and skateboard competitions and training, with supporting retail and refreshment provision.

The report acknowledged that Hastings had a long association with BMX and skateboarding, and a new competition venue would further increase the profile of the sport in the town. Moreover, the proposed use of the building was in keeping with council's objective to promote a healthy lifestyle.

CABINET

9 JUNE 2014

A further proposal had been received from the West End Sustainable Development Company; however, it was felt that insufficient information had been provided to recommend proceeding with this option

The funding package for the project included an investment of £150,000 from the Foreshore Trust, which had been approved by the Charity Committee at its meeting on 5 June 2014. Funding was also sought from East Sussex County Council (ESCC) and HBC, including a loan of £300,000 from HBC, which would be supported by rental income. The funding would support the refurbishment of the building prior to an internal fit out by the tenant. It was proposed that premises should then be leased for a 10 year period, at a rental of £36,000 per annum. Should the venture fail and the premises become vacant during the 10 year period, the council and Trust would share the risk of loan repayments on a 50:50 basis.

Councillor Lock moved an amendment to the recommendation contained in the report, seconded by Councillor Cooke, as follows:

“3) As the Foreshore Trust has ample reserves, Hastings Borough Council will not share the risk of repaying loans in the case of possible failure in the next ten years.”

The proposed amendment was lost by 2 votes to 4.

Councillor Chowney moved approval of the original recommendations to the report, as set out in the resolution below, which was seconded by Councillor Cartwright.

RESOLVED (by 4 votes for 0 against with 2 abstentions) that –

- 1) Subject to funding being obtained from east Sussex County Council and Hastings and St Leonards Foreshore Trust, the Cabinet approve the proposal to create a BMX / Skateboard facility at White Rock Baths on the basis contained in this report, and;**
- 2) Delegation is given to the Director of Regeneration acting in consultation with the Director of Corporate Resources and the Chair of the Foreshore Trust and Lead member for Regeneration to complete tendering, contracting, lease and other arrangements to deliver the proposed scheme at White Rock Baths.**

The reason for this decision was:

To enable the White Rock baths to be open for business by Christmas 2015.

4. HASTINGS WALKING AND CYCLING STRATEGY

The Strategic Planning Manager presented a report on the draft Hastings walking and cycling strategy, the comments received from a public consultation and to propose adopting the strategy.

HBC and ESCC had prepared the draft strategy which would form the basis for future provision of walking and cycling routes in Hastings and associated infrastructure and

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facilities. Members noted that improved facilities for cyclists and pedestrians had a number of potential benefits for the local economy, as well as helping to reduce road traffic congestion within the town.

The draft strategy had been subject to a public consultation between 6 January and 17 February 2014. 71% of the representations received either strongly agreed or agreed that they were happy with the strategy overall. Following adoption by HBC and ESCC, detailed route designs will be subject to specific consultations, as sections of the proposed routes are brought forward. The strategy would provide a supporting document to the county's local transport plan 2011-2026, and was aligned with the Hastings planning strategy and revised proposed submission version of the development management plan.

Councillor Chowney moved approval of the recommendations of the report, which was seconded by Councillor Westley.

RESOLVED - (unanimously) that -

1) Cabinet adopts the version of the Hastings walking and cycling strategy, appended to the report.

The reason for this decision was:

To progress the adoption of the Hastings walking and cycling strategy.

5. BANKING SERVICES CONTRACT

The Head of Finance submitted a report to advise Cabinet of the procurement route for the provision of banking services and to agree delegated authority for the award of the contract.

The council's current banking contract was due to expire on 31 March 2015. The East Sussex Procurement Hub was undertaking a tendering exercise for banking services on behalf of six local authorities. This method would enable each authority to benefit from process improvements and to achieve best value for these services through aggregation of volumes and value.

The banking services required by each council had been divided into two lots; lot 1, corporate banking services and lot 2, merchant services. Three bids had been received for lot 1, and four bids had been received for lot 2. Each bid would be evaluated on its own merit, and the contract would be awarded to the most economically advantageous tender.

It was anticipated that the new contract would start on 1 July 2014. Transfer to the new contract would be staggered, however, all councils require transfer to be completed and service to commence no later than midnight on 31 March 2015.

RESOLVED – that –

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- 1) **Hastings Borough Council joins with the Procurement Hub in the contract for banking services, and;**
- 2) **delegated authority be given to the Director of Corporate Resources or his nominee in consultation with the Lead Member, to award a contract to the supplier that offers the most economically advantageous terms.**

The reason for this decision was:

The joint procurement route is seen as being the most cost effective way forward in the interests of the Council. It will save procurement time and allow scope for using the consolidated purchasing power of 5 other local authorities.

Delegated authority is sought in order to ensure the short timescales within the tendering procedure can be achieved.

6. CABINET APPOINTMENTS TO COMMITTEES, WORKING GROUPS AND PARTNERSHIPS ETC

The Chief Legal Officer presented a report to consider nominations received and to make appointments to committees, working groups and partnerships.

A copy of the schedule of Cabinet appointments had been circulated to the group leaders, and nominations had been sought to fill the places available. Cabinet committees were not required to be politically balanced, Members were appointed until the Borough elections in 2016.

At the meeting, it was agreed by 7 votes to 2 that Councillors Hodges, Forward and Westley be appointed to Charity Committee. 7 Members voted for Councillor Howard to be appointed to the Combe Valley Countryside Park Forum and 2 Members voted for Councillor Beaver, therefore Councillor Howard was appointed to the forum. 7 Members voted for Councillor Forward to be appointed to the Joint Governing Body for the Hastings Academy and the St Leonards Academy and 2 Members voted for Councillor Cooke, therefore Councillor Forward was appointed.

Members also agreed that Councillor Forward be appointed to the AmicusHorizon Hastings Area Panel, as the relevant Lead Member. Councillor Lee was appointed as vice chair of Working Arrangements Group. Members noted that the Youth Forum no longer met, and this item was therefore removed from the schedule of appointments.

The remaining nominations were agreed, as detailed in Appendix A and B to the minutes.

RESOLVED – that –

CABINET

9 JUNE 2014

- 1) **Members be appointed to committees, working groups, partnerships and representative bodies as set out in appendix A and B, which will be circulated as soon as possible; and**
- 2) **the chairs and vice-chair of Museums Committee, as listed in appendix A.**

The reason for this decision was:

Members are required to serve on the Committees, Working Groups, Partnerships and representative bodies to which Cabinet appoints. Chairs and Vice-Chairs are required for the Committees that report to Cabinet.

7. **MINUTES OF THE MEETING OF CHARITY COMMITTEE HELD ON 24 MARCH 2014**

The minutes of the meeting of Charity Committee held on 24 March 2014 were submitted;

RESOLVED – that the minutes of Charity Committee held on 24 March 2014 be received.

(The Chair declared the meeting closed at. 6.58 pm)

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**CABINET
APPOINTMENTS TO COMMITTEES, WORKING GROUPS, PARTNERSHIPS ETC. JUNE 2014**

COMMITTEES, WORKING GROUP / PARTNERSHIPS

COMMITTEES	SEATS TO BE FILLED	ALLOCATION TO POLITICAL GROUPS 2014/15		APPOINTMENTS for 2014/15		NOTES
		LAB	CON	LABOUR GROUP	CONSERVATIVE GROUP	
Museums Committee	Up to 10			Poole (Chair) Howard (Vice-Chair) Charman Hodges Sinden Street	Charlesworth Edwards Lock	
Charity Committee	3			Hodges (Chair) Forward Westley		Chair to be non-portfolio holder member of Cabinet for the majority group
Discretionary Rate Relief Appeal Panel	Up to 9			Cartwright Chowney Forward Hodges Poole Westley	Cooke Lock	All Members of Cabinet, excluding the Leader, to be appointed to the Panel.

APPENDIX A

Licensing Committee (Scrap Metal Dealers)	Up to 9			Cartwright Chowney Forward Hodges Poole Westley	Cooke Lock	All Members of Cabinet, excluding the Leader, to be appointed to the committee. Functions relating to the licensing of Scrap Metal Dealers as set out in the Scrap Metal Dealers Act 2013 or by virtue of any amending or consolidating legislation and any regulations made under the Act as such amending or consolidating legislation.
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APPENDIX A

WORKING GROUPS ETC	SEATS TO BE FILLED	ALLOCATION TO POLITICAL GROUPS 2014/15		APPOINTMENTS for 2014/15		NOTES
		LAB	CON	LABOUR GROUP	CONSERVATIVE GROUP	
Working Arrangements Group	7			Street (Chair) Cartwright Roberts Rogers Davies	Charlesworth Lee (Vice-Chair)	
Member Training and Development Group	4			Cartwright (Chair) Batsford (Vice-Chair) Rogers	Lock	
Hastings Country Park Management Forum	5			Hodges (Chair) Street (Vice-Chair) Poole Sinden	Beaver	
Order of 1066	4			Dowling Roberts Rogers	Charlesworth	To comprise Mayor, Deputy Mayor & 1 member from each Political Group
Joint Waste Committee	2			Birch Westley		Leader of the Council and Lead Member for Env & Highways
Personnel Consultative Group	4			Chowney (Chair) Cartwright (Vice-Chair) Birch	Cooke	

PARTNERSHIPS	SEATS TO BE FILLED	ALLOCATION TO POLITICAL GROUPS 2014/15		APPOINTMENTS for 2014/15		NOTES
		LAB	CON	LABOUR GROUP	CONSERVATIVE GROUP	
Stade Partnership	2			Birch Poole		
Hastings Overseas Student Advisory Council	3			Dowling Street	Charlesworth	Known as HOSAC
Hastings Local Strategic Partnership	2			Birch	Cooke	
Safer Hastings Partnership	1			Westley		Relevant Lead Member
Jt. Advisory Cttee. the High Weald AONB	1			Street		
Combe Valley (formerly Pebsham) Countryside Park Management Forum	2			Howard Poole		Appropriate Lead Member, plus one further Councillor.
Hastings and Rother Task Force Steering Group	1			Birch		Leader of the Council
Hastings Athletics Track Committee	2			Batsford	Lock	
AmicusHorizon Hastings Area Panel	1			Forward		Relevant Lead Member

APPENDIX A

Joint Governing Body for the Hastings Academy and the St Leonards Academy	1			Forward		
Police & Crime Panel	1			Westley		
Public Health Systems Partnership	1			Turner		
East Sx Health Overview & Scrutiny Committee	1			Beaney		Needs to be a non-executive Member.

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CABINET – JUNE 2014**APPOINTMENT OF MEMBERS TO REPRESENTATIVE BODIES**

ORGANISATION	SEATS TO BE FILLED	APPOINTMENTS FOR 2014/15
Dungeness Site Stakeholder Group	1	
East Sussex Energy Infrastructure and Development Ltd (Sea Change) (This is a directorship)	1	Chowney
Hastings & St Leonards Town Centre Management Group	1	Birch
Hastings Health Improvement Network	1	Webb
Health & Wellbeing Board	1 (not Health O & S Cttee member)	Turner
Local Gov. Assoc. – National Body	1	Birch
Local Gov. Assoc. – Urban Commission	1	
Local Gov. Assoc. – Coastal Issues Group	1	Beaver
South East England Councils	1 (The Leader of the Council)	Birch
Ten Sixty Six Enterprise	1	Atkins

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CABINET

7 JULY 2014

Present: Councillors Birch (chair), Chowney (vice-chair), Cartwright, Forward, Hodges, Lock and Poole

Apologies for absence were notes for Councillors Westley and Cooke

8. DECLARATIONS OF INTEREST

Councillors made no declarations of interest at the meeting.

9. MINUTES OF THE MEETING HELD ON 9 JUNE 2014

RESOLVED – that the minutes of the meeting held on 9 June 2014 be approved and signed by the chair as a correct record.

RESOLVED – the chair called over the items on the agenda, under rule 13.3 the recommendations set out in minute numbers 12, 16 and 21 were agreed without being called for discussion.

MATTERS FOR CABINET DECISION

10. EMPTY HOMES COMPULSORY PURCHASE PROGRAMME

The Head of Housing and Planning Services presented a report to seek Cabinet approval for compulsory purchase action on twenty seven privately owned empty properties, as part of the empty homes strategy enforcement programme.

The compulsory purchase order (CPO) programme was a significant tool in achieving the aims and objectives set out in the empty homes strategy, however, the council only used its CPO powers when all other options to bring the properties back into use had been fully explored.

Cabinet was advised of the financial and legal implications of using the CPO process, and options to mitigate the risk to the council. The CPO process may take between three and fifteen months to complete, depending on whether a public enquiry is called. Once the council has taken possession of the properties, it is intended that they will be disposed of on the open market, with covenants ensuring the purchaser brings the property back into use within a reasonable timescale.

The report also gave an update on the successful progress on the existing forty two empty homes previously considered for compulsory purchase.

Members noted a part 2 report, which gave detailed reasons for resolving to use compulsory purchase powers for each of the proposed twenty seven homes.

Councillor Forward moved approval of the recommendations to the report, as set out in the resolution below, which was seconded by Councillor Chowney.

CABINET

7 JULY 2014

RESOLVED (unanimously) that – Cabinet approves the detailed recommendations set out in the report included in Part 2 of the agenda and approves the making of compulsory purchase orders in respect of the twenty seven long term empty properties.

The reason for this decision was:

The council's empty homes strategy sets out a number of enforcement powers available to the council, including the compulsory purchase of suitable properties.

In addition to taking action to bring individual empty properties back into use, it is hoped that taking this action will demonstrate to the owners of empty homes that it is unacceptable to leave property empty for an unreasonable time. This action will demonstrate to owners of these empty homes that the council will take the necessary action to bring these back into use again for the benefit of the community.

11. CORPORATE PLAN PART III

The Head of Corporate Services presented a report to advise Cabinet of the year-end performance for 2013/14 and proposed performance indicator targets for 2014/15, to be published as part III of the corporate plan. The report included comments from the Overview and Scrutiny committees and Staff and Management Forum on the draft information.

Parts I and II of the corporate plan, which set out the strategic direction and work plans of the council in 2014/15 had been agreed by Council on 26 February 2014. Cabinet had delegated authority to approve part III of the corporate plan, which contained report back on progress against the milestones and targets for 2013/14 and the proposed performance indicators for 2014/15.

Cabinet were mindful of the comments made by the Overview and Scrutiny committees when they considered drafts of part III of the corporate plan at their meetings in June. Neither committee had requested changes to the forward looking performance indicators. The Staff and Management Forum had also considered a draft of part III of the corporate plan and were pleased to note the good performance achieved during 2013/14.

Members were pleased to note the strong performance of the organisation over 2013/14 and thanked all those involved in achieving the targets set out in the corporate plan.

Councillor Chowney moved approval of the recommendations to the report, as set out in the resolution below, which was seconded by Councillor Hodges.

RESOLVED (by 6 votes for 0 against with 1 abstention) that –

- 1) the comments of the Overview and Scrutiny committees be considered for inclusion in the final version, and;**

CABINET

7 JULY 2014

2) the corporate plan 2014/15 – part III be approved for publication (the 26 February Council delegated authority to Cabinet to approve part III)

The reason for this decision was:

The council's corporate plan is one of the key documents by which the council is held to account for its performance, therefore honest and transparent reporting back on how well we performed against targets in the previous year is essential.

Local people and staff also need to be aware of the targets and standards we have set ourselves, and where any of these targets have changed from previous years we need to be clear about the reasons why.

12. LOCAL DEVELOPMENT SCHEME

The Head of Regeneration and Planning Policy submitted a report to inform Cabinet of the updated timescales for the production of the emerging local plan documents since the last local development scheme (LDS) was published.

The LDS sets out details, of which local plan documents will be produced over the next three years, in what order and when. The report included an update on the production of the Hastings planning strategy, development management plan and supplementary planning documents. The last LDS was published in January 2013. The council was required to have an up to date LDS in order to meet the tests of soundness, which the local plan will be measured against at an examination in public, provisionally planned for November 2014.

RESOLVED - that the contents of the revised local development scheme be agreed.

The reason for this decision was:

So that an up to date local development scheme is in place at the time of publication of both the Hastings planning strategy and the development management plan to ensure legal compliance at the time of consultation, in accordance with provisions in the Planning and Compulsory Purchase Act 2004.

13. HASTINGS LOCAL PLAN - SUBMISSION OF THE DEVELOPMENT MANAGEMENT PLAN

The Strategic Planning Manager presented a report to advise of the outcome of the recent consultation on the development management plan, and to gain approval to submit the revised proposed submission version of the development management plan to the Secretary of State.

Under Regulation 19 of the Town and Country Planning (Local Development) (England) Regulations 2012, the council was required to undertake a final consultation on the revised proposed submission version of the development management plan. The consultation took place between 10 March and 22 April 2014, and the report provided a summary of the representations received over this period. All representations received during the final consultation would be submitted to the

CABINET

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Planning Inspectorate for consideration at examination in public, together with the representations from the previous consultation held between January and April 2013. Members noted the comprehensive responses received to the consultation, and highlighted this as a good example of community engagement.

A schedule of minor amendments to the plan, as a result of the consultation, had been produced which include the minor focused modifications appended to the report.

The development management plan would be submitted to the Secretary of State on 31 July 2014, with an examination in public provisionally scheduled for November 2014. Following the hearings, the Planning Inspectorate will publish a report on the development management plan, with adoption of the final plan taking place in 2015.

Councillor Chowney moved approval of the recommendations of the report, as set out in the resolution below, which was seconded by Councillor Cartwright.

RESOLVED (by 6 votes for 1 against) that –

- 1) Cabinet acknowledge the key issues arising from consultation on the revised proposed submission version (RPSV) of the development management plan (DMP);**
- 2) Cabinet recommends to Council the submission of the RPSV of the DMP and the related revised policies map, along with the other associated submission documents to the Secretary of State under regulation 20 and which include a sustainability appraisal, an updated statement of consultation, copies of duly made representations and other supporting evidence base documents;.**
- 3) delegated authority is given to the Director of Regeneration or his nominee in consultation with the Lead Member for Regeneration to make minor amendments to the RPSV of the DMP, and;**
- 4) in accordance with advice from the Planning Inspectorate, the representations from the previous regulation 19 consultation (January – April 2013) will be submitted to the Inspector.**

The reason for this decision was:

To enable the development management plan to be submitted to the Secretary of State in accordance with regulation 22 of the Town and Country Planning (Local Planning) (England) regulations 2012.

14. HASTINGS LOCAL PLAN - STATEMENT OF COMMUNITY INVOLVEMENT UPDATE

The Strategic Planning Manager presented a report to inform Cabinet of minor updates to the statement of community involvement (SCI), prior to its publication on the council's website.

CABINET

7 JULY 2014

The SCI is part of a wider suite of documents which make up the local plan; it sets out the council's approach to community involvement and provides details of how and when people can get involved in both the planning policy and development management processes.

The Hastings SCI, which was originally adopted in 2006, had been subject to a review to ensure that the most up to date version is available at the time of examination in public. The main updates reflect changes brought about by the Localism Act 2011 and the latest position in terms of preparation of the local plan.

The revised SCI will be published on the council's website, before examination in public of the development management plan. Members of the community will be made aware of the new SCI through the local newsletter and through updates to the website and social media.

Councillor Chowney moved approval of the recommendations to the report, as set out in the resolution below, which was seconded by Councillor Cartwright.

RESOLVED (by 6 votes for 0 against with 1 abstention) that – the content of the revised statement of community involvement is considered, and recommended for approval for publication on the council's website.

The reason for this decision was:

To ensure there is an up to date statement of community involvement in place at the time of publication of the development management plan. This will help to ensure the development management plan meets the legal compliance test at examination in public.

15. OVERVIEW & SCRUTINY REVIEW OF CHANGES TO THE WELFARE SYSTEM : MANAGEMENT RESPONSE

Councillor Davies, as chair of the original Scrutiny review, presented the review team's findings to Cabinet. The purpose of the review had been to assess the impact of the reforms, and the potential effects of further planned changes to the welfare system. Members intended that the recommendations of the review should compliment the ongoing work to revise the anti-poverty action plan.

Members had met with representatives of key partners in the advice and housing sector, to understand how the changes had impacted the council and other agencies. Consideration had been given to methodology for measuring fairness of the reforms, an example of a fairness square, which set out four key principles of equitable decision making, had been appended to the report. Members noted that this methodology could be applied within the council's decision making process.

The Director of Regeneration presented the management response to the review. He acknowledged that the review team had aimed to consider the impact of the reforms in a holistic and objective way. Moreover, there were further challenges in assessing the cumulative impact of the reforms, as not all of the planned changes had yet been introduced. The management response addressed each of the recommendations

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from the review and options for their implementation. Discussion took place regarding options to engage with the University of Brighton on longer term monitoring of the impact of the reforms.

Cabinet thanked all those involved in the Scrutiny review process for their efforts.

Councillor Forward moved approval of the recommendations to the report, as set out in the resolution below, which was seconded by Councillor Hodges.

RESOLVED (by 6 votes for 1 against) that –

- 1) Cabinet welcome the report expresses its appreciation of the work of members in assessing the impact of reforms on local people and organisations, and;**
- 2) Cabinet agree the responses set out in the table in paragraph 6 of the report**

The reason for this decision was:

To respond to the report of the Overview and Scrutiny review of changes to the welfare system.

MATTERS FOR COUNCIL DECISION

16. ANNUAL TREASURY MANAGEMENT REPORT 2013-14

The Head of Finance submitted a report on the treasury management activities and performance over the 2013-14 financial year.

Treasury management referred to the management of the authority's investments, cash flow, banking, money market and capital market transactions and the potential risks associated with these activities. The report also gave an overview of the wider economic context within which the council operated.

The council complied fully with the Chartered Institute of Public Finance and Accountancy (CIPFA) Code of Practice on Treasury Management 2009, by undertaking an annual review report of its treasury management activities. A similar report had been considered by the Audit Committee at its meeting in June.

RESOLVED that the annual treasury management report 2013-14 be approved.

The reason for this decision was:

To ensure that members are fully aware of the activities undertaken in the last financial year, that codes of practice have been complied with and that the council's strategy has been effective in 2013-14. As delegated by Council the Audit committee is tasked with scrutinising these activities and to draw to Cabinet's attention any matters it considers important. The report is also presented to Full Council for consideration. Any changes to the strategy will need to be approved by Full Council.

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MATTERS FOR CABINET DECISION

17. MINOR WORKS CONTRACTS

The Director of Environmental Services presented a report to explain the arrangements for renewing the council's minor works maintenance contract, and to seek approval for tendering and delegated authority to award the new contract.

The council was seeking to procure a five year contract, with the option of a two year extension in annual increments, beginning on 1 April 2015, to coincide with the expiration of the existing contract. The nature of the work covered by the contract is primarily responsive and variable in terms of the types of building and building services trades involved and it was therefore recommended that the contract should be awarded to a single multi-trade contractor.

The East Sussex Procurement Hub had provided guidance on the procurement process; and consideration would be given to examples of best practice from other authorities. Members noted potential opportunities for handling minor maintenance or cyclical inspection tasks using council staff and sharing services with other authorities.

Councillor Poole moved approval of the recommendations of the report, as set out in the resolution below, which was seconded by Councillor Chowney.

RESOLVED (unanimously) that –

- 1) Cabinet agrees to the procurement process for the renewal of the council's minor works maintenance contract. The contract will begin on 1 April 2015 and run for 5 years with the option of two years extension in annual increments;**
- 2) Cabinet delegates authority to the Director of Environmental Services, or his nominee, in consultation with the Lead Member, to award the contract to the most economically advantageous tenderer;**
- 3) Cabinet support the officer's view that the contract should be awarded to a single multi-trade contractor, and;**
- 4) Cabinet support further investigation of an in-house or shared capacity for minor maintenance works where that can be shown to be cost effective.**

The reason for this decision was:

The existing contract expires on 31 March 2015. The new contract from 1 April 2015 will be a call-off arrangement with no fixed financial commitment under a measured term contract to be awarded to a single contractor. We are investigating opportunities to remove minor maintenance and cyclical inspection work from the contract where there is a more cost-effective approach utilising council staff, automated monitoring or shared arrangements with other agencies. This has already been implemented for some electrical testing, legionella monitoring and some minor maintenance. Further possibilities will be assessed in parallel with the contract procurement.

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18. OFFICE ACCOMMODATION

The Director of Environmental Services presented a report to outline the works proposed by the freeholder of Aquila House to refurbish the building.

Since the council's accommodation and smarter working strategy had been approved in March 2004, efforts had been underway to consolidate operational services in Aquila House. Officers had been in negotiation with the freeholders to agree new long leases on Aquila House and to secure a programme of repair and refurbishment of the building before the new leases are entered into. The freeholder proposed an extensive programme of refurbishment, including essential works to the roof, windows and exterior cladding of the building as well as updating the internal office space on floors 1 to 5. The council would then be required to fit out the office space to its own specification and requirements. Members welcome the planned works, but were mindful that there would be considerable disruption to staff while the refurbishment was ongoing.

The refurbishment of Aquila House was also seen as a significant opportunity to further encourage smarter working across the organisation, to improve efficiency and co-ordination of service and support a one council philosophy. Increased smarter working may also provide opportunities for income generation by sub-letting unused office space in Aquila House. It was therefore proposed that £250,000 of the invest to save budget be allocated to support the move to more flexible working, and further £50,000 be allocated to the IT reserve to fund investment in additional technology.

RESOLVED (unanimously) that –

- 1) **Cabinet acknowledge that the freeholder's proposals for the refurbishment of Aquila House provide an opportunity to drive organisational change. The changes will support the transition to more flexible working practices, improved productivity and efficiency, more focus on coordination of service delivery and a further development of the one council philosophy;**
- 2) **Cabinet approve the increase of £200,000 in the budget allocation in the capital programme for office accommodation work;**
- 3) **That the IT reserve be increased by £50,000 to support more flexible working and improved efficiency, and;**
- 4) **The invest to save proposal (£250,000) to support the transition to a one council philosophy be supported**

The reason for this decision was:

To ensure that the office accommodation is fit for purpose following the refurbishment by the freeholder and to support the transition to a one council philosophy, improving flexibility and efficiency to support service delivery in response to the medium and long term financial pressures faced by the council.

19. MINUTES OF THE CHARITY COMMITTEE MEETING HELD ON 5 JUNE 2014

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The minutes of the meeting of Charity Committee held on 5 June 2014 were submitted;

RESOLVED – that the minutes of Charity Committee held on 5 June 2014 be received

20. **MINUTES OF THE MUSEUMS COMMITTEE MEETING HELD ON 16 JUNE 2014**

The minutes of the meeting of Museums Committee held on 16 June 2014 were submitted;

RESOLVED – that the minutes of Museums Committee held on 16 June 2014 be received

EXCLUSION OF THE PUBLIC

RESOLVED – 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 paragraph 6 of Schedule 12A to the Local Government Act 1972 referred to in the relevant report.

21. **EMPTY HOMES COMPULSORY PURCHASE PROGRAMME**

The Head of Housing and Planning Services submitted a report to provide further information in relation to the Cabinet resolution sought to pursue compulsory purchase action on twenty seven privately owned empty homes as part of the empty homes strategy enforcement programme. The report set out details of the properties and the statement of reasons for resolving to use compulsory purchase powers in each case.

RESOLVED that –

- 1) Cabinet resolve to take formal action, by means of making compulsory purchase orders for twenty seven long term empty homes, being the addresses shown in the report, under compulsory purchase powers set out in Section 226 (1)(a) of the Town & Country Planning Act 1990 (as amended by the Planning and Compensation Act 2004);
- 2) Cabinet give authority to the Director of Regeneration or his delegated nominee to execute all relevant documentation required for the compulsory purchase of the twenty seven homes set out in recommendation 1 of the report, and;
- 3) Cabinet give authority to the Director of Regeneration or his delegated nominee to execute and complete the onward sale of the homes set out in recommendation 1 of the report, once they have been acquired

The reason for this decision was:

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The matrix in appendix 1 of the report sets out why compulsory purchase powers should be used to help bring these homes back into use.

These are long standing empty homes and without compulsory purchase action, officers are of the view that these homes will continue to remain empty. Officers have spent time attempting to engage with the owners and assist them in bringing their empty homes back into use. These actions have not achieved the desired result and it is not believed that the homes will be returned to use without CPO action.

It is hoped that taking this action will demonstrate to the owners of empty homes that it is unacceptable to leave property empty for an unreasonable time. This action will demonstrate to owners of these empty homes that the council will take the necessary action to bring these back into use again for the benefit of the community.

In deciding to take compulsory purchase action regard has to be had to the provisions of Article 1 of the First Protocol to the European Convention on Human Rights and, in the case of dwellings, Article 8 of the Convention. The council has to weigh the human rights interest of public need as against private property rights and to consider that sufficient justification exists for the making of these compulsory purchase orders. By authorising these orders the council is therefore of the opinion that a compelling case exists in the public interest.

The Chief Legal Officer has advised that it is in the public interest that the detail of the properties and ownership should not be disclosed since the properties are the subject of report by reason of their being empty homes and disclosure of the detail would expose the properties to possible criminal activity as well as squatting and anti-social behaviour. Further, the council's negotiating position might be prejudiced by disclosure of details of valuation.

(The chair declared the meeting closed at. 7.40 pm)