



# Council Meeting

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**17 December 2014**

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## HASTINGS BOROUGH COUNCIL

Dear Councillor

You are hereby summoned to attend a meeting of the Hastings Borough Council to be held at the Stade Hall, The Stade, Hastings, on Wednesday, 17th December, 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

9 December 2014

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### **AGENDA**

1. Apologies for Absence
2. To approve as a correct record the minutes of the Council meeting held on 22 October 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. Members' allowances index review  
(Report of the Director of Corporate Resources)

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>
<b>CABINET – 3 November 2014</b>		
38	Medium Term Financial Strategy (2015/16 to 2017/18) (including 2014/15 mid-year financial review)	Birch
39	East Sussex PEER Challenge "Open for Growth"	Birch
40	Regulation 7 Direction-Seafront Estate Agents' Boards	Chowney
41	Museum Forward Plan	Poole
<b>CABINET – 26 November 2014</b>		
43	Proposed changes to the Senior Officer Structure	Birch
<b>CABINET – 1 December 2014</b>		
46	Rocklands Caravan Park	Birch
47	Combe Valley Community Interest Company	Poole
48	Community Partnership Funding Main Grants 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 8(a) above. Any such discussion shall be deferred until item 9 on this agenda.

**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

## COUNCIL

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

Apologies for absence were noted for Councillor Roberts

7. **TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE COUNCIL MEETING HELD ON 23 JULY 2014**

**RESOLVED** – that the minutes of the council meeting held on 23 July 2014 be signed by the Mayor as a correct record of the proceedings.

8. **DECLARATIONS OF INTEREST**

The following Councillors declared their interests in the minutes indicated: -

Councillor	Committee	Minute	Interest
Batsford and Birch	Council, 22 October 2014	10 – questions from councillors under rule 12	Personal – they had accounts with Hastings Credit Union
Cartwright	Council, 22 October 2014	10 – questions from councillors under rule 12	Personal – his partner works for Hastings Credit Union
Charlesworth	Council, 22 October 2014	10 – questions from councillors under rule 12	Personal – she is Honorary President of the Hastings Week Committee
Clark	Council, 22 October 2014	11 – Motion (Rule 14)	Personal – his great uncle was included on the list of possible persons to be recognised as new street names
Hodges	Cabinet, 6 October 2014	30 – Street Trading Policy	Personal – he is a member of the board of Let's Do Business and a member of the Town Centre Management Committee

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Hodges	Cabinet, 6 October 2014	34 – Hastings Country Park Interpretive Centre	Personal – Chair of the Hastings Country Park Forum
Howard	Council, 22 October 2014	10 – questions from councillors under rule 12	Personal – he is a member of the Borough Bonfire Society
Poole	Cabinet, 6 October 2014	34 – Hastings Country Park Interpretive Centre	Personal – she is Chair of the Hastings Country Park Interpretive Centre project board and a member of the Hastings Country Park Forum
Sinden	Council, 22 October 2014	11 – Motion (Rule 14)	Personal – his great great uncle was included on the list of possible persons to be recognised as new street names

### 9. ANNOUNCEMENTS FROM THE MAYOR AND LEADER

There were no announcements from the Mayor or Leader at the meeting.

### 10. QUESTIONS (IF ANY) FROM: -

No written questions had been received.

Questions to the Leader, Deputy Leader or other Lead Members were asked and answered in accordance with Rule 12.1 as follows: -

Questioner and Councillor	Subject	Reply Given By Councillor
Cooke	<u>950<sup>th</sup> Anniversary of the Battle of Hastings</u> would the Lead Member give an update on plans to mark the 950 <sup>th</sup> Anniversary of the Battle of Hastings in 2016? Councillor Poole replied that efforts were continuing to develop a programme of events to mark the anniversary. She agreed to provide a more detailed response in writing. Councillor Chowney added that a cultural specialist had been recruited to co-ordinate	Poole

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	<p>these activities. The planned events may include an international collaboration between Denmark, Normandy and Hastings. Funding opportunities were being explored from the arts council and private sector. A conference event, to be held at the De La Warr Pavilion, was planned to bring key partners together and further develop the programme.</p>	
Turner	<p><u>New Doctors Surgery in Ore Valley</u> last year the council wrote to NHS England in support of a proposed new Doctor's surgery in the Ore Valley area. The council had since been advised by NHS England that the proposal would not be progressed due to lack of funding. Would the Leader of the Council write to NHS England again to reaffirm the council's support for a new surgery in the area? Councillor Birch confirmed that he had written to NHS England to support the proposal, in response to a question raised at an earlier council meeting. He commented that Hastings currently had a lack of GP's. A new centre would improve healthcare provision in the town and may attract new GP's to the area. Councillor Birch agreed to write to NHS England and the local Member of Parliament in support a new health centre in Ore Valley.</p>	Birch
Lock	<p><u>Rocklands Caravan Park</u> will the Lead Member advise if a deadline has been set for a new planning application to be submitted by Rocklands Caravan Park, before enforcement action is taken by the council? Councillor Birch commented that there was already a live planning permission in relation to Rocklands Caravan Park. The council had commissioned an independent survey of the site, which had found that the new building was of a different size and orientation to the planned structure. The applicant intended to submit a new planning application for the building by the end of November 2014, which would then be considered by the Planning Committee. The council had been advised by an independent consultant to defer any enforcement action until after the outcome of the second planning application was known. The council had also commissioned an independent report, which made recommendations on the council's performance regarding planning matters. A</p>	Birch

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	<p>copy of the report would be published on the council's website and the recommendations would be considered by Cabinet at its meeting in December.</p>	
Wincott	<p><u>Hastings Bonfire Effigy</u> the Hastings Bonfire weekend was extremely successful, would the Leader of the Council comment on the bonfire societies' choice of effigy?</p> <p>Councillor Birch said that an estimated twenty five thousand had watched the procession and firework display. All of the town's hotel rooms were also fully occupied. He added that this successful community lead event helped to create a positive image of the town for residents and visitors. Hastings Bonfire Society had chosen the proposed cuts to bus services as the subject for the effigy.</p> <p>Councillor Birch commented that the bonfire societies' choice reflected the strength of community feeling on this issue, and the concern of residents about the impact of a reduced bus service on the town. Councillor Birch added that the campaign had led to plans to operate certain bus routes within the town on a commercial basis, however, some routes to the surrounding villages were still under threat.</p>	Birch
Lee	<p><u>White Rock Theatre</u> will the new manager of the White Rock Theatre be following a similar plan for improvement as the previous manager outlined at an earlier meeting of Overview and Scrutiny Committee for Resources?</p> <p>Councillor Poole agreed to circulate theatre attendance figures to Members. There had recently been an effort to reduce the number of shows, to enable the theatre to attract higher quality acts. Councillor Poole commented that the previous manager had made a valuable contribution to the theatre, and she was positive about the efforts of the new manager.</p>	Poole
Howard	<p><u>Hastings Week 2014</u> would the leader of the Council give an update on the events which had taken place over Hastings Week?</p> <p>Councillor Birch commented that a number of successful events had taken place over Hastings Week. He added that many of the events were organised by the local community, with support from the council. The Mayor and Deputy Mayor had attended a number of</p>	Birch



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	<p>engagements across the week, including a concert for Hastings' twin town in Sierra Leone. Councillor Birch also congratulated Owen Thompson on receiving the Order of 1066 Award which recognised his efforts to support community cohesion in the town.</p>	
Pragnell	<p><u>Landslip in Ecclesbourne Glen</u> when will the results of the geotechnical survey of Ecclesbourne Glen be available? Councillor Birch explained that the council had commissioned a geotechnical survey to examine a landslip which had impacted on council-owned land at Ecclesbourne Glen. A second survey had been commissioned to understand how best to arrest the landslip and prevent a reoccurrence. Councillor Birch commented that significant engineering works may not be possible, given the environmental significance of Ecclesbourne Glen. However, it was intended to re-open the public footpaths in the area.</p>	Birch
Rogers	<p><u>Hastings Pier</u> could the Lead Member provide an update on the refurbishment of the pier? Councillor Chowney responded that significant progress had been made towards the refurbishment of the pier, ahead of the planned re-opening next year. The demolition of the former ballroom had been completed ahead of schedule. The council had also recently submitted a bid to Coastal Communities Fund, to support the improvement of the area at the entrance to the pier.</p>	Chowney
Atkins	<p><u>Rocklands Caravan Site Inspection Report</u> when will the Rocklands Caravan Site inspection report, carried out by environmental consultants, be available? Councillor Birch replied that the report would be published by Friday, 24 October 2014.</p>	
Charlesworth	<p><u>Photographs of previous Mayors</u> will the photographs of previous Mayors be re-hung at the Town Hall, once the works to the new lift have been completed? Councillor Cartwright agreed to reply to Councillor Charlesworth's question in writing.</p>	Cartwright
Charman	<p><u>Fisheries Local Action Group (FLAG)</u> has all the FLAG funding now been committed, what are the outcomes of the projects and how will these be progressed in the future? Councillor Chowney replied that the FLAG</p>	Chowney

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	<p>initiative had generated over one million pounds in funding to support the local fishing industry and associated projects for tourism and the arts. All of the FLAG funds have now been committed. The initiative had brought together a variety of partners from the fishing community, education sector and the council and it was intended to further develop these links in the future.</p>	
Beaver	<p><u>Hastings Credit Union</u> given the recent drop in the number of residents using pay day loan companies, does the Leader of the Council agree that more should be done to support the Hastings Credit Union?</p> <p>Councillor Birch welcomed the work of Hastings Credit Union, he added that the council supports this activity by making meeting space available at Town Hall every Friday. The credit union also carried out outreach work around the town. Councillor Birch encouraged people to open an account with the credit union.</p>	Birch
Fitzgerald	<p><u>White Ribbon Day</u> could the Lead member provide an update on arrangements for White Ribbon Day?</p> <p>Councillor Cartwright explained that the council was seeking to achieve the white ribbon town award, which aimed to tackle issues associated with domestic violence. A number of events were planned for white ribbon day, including information stalls around the town and public speeches by the Mayor, Police and members. Residents would also be invited to sign a pledge not to commit or remain silent about domestic violence.</p>	Cartwright
Edwards	<p><u>White Rock Theatre</u> the White Rock Theatre receives a subsidy towards running costs from the council. The theatre is due to host a promotional event for Sarah Owen, the Labour Party candidate in next year's parliamentary election, would the Lead Member confirm that correct booking procedures have been followed?</p> <p>Councillor Poole confirmed that the booking between the Labour Party and HQ Theatres, the management company for the White Rock Theatre, was a purely commercial matter and subject to the usual booking procedures.</p>	Poole

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### 11. MOTION (RULE 14)

Councillor Clark proposed a motion, seconded by Councillor Davies, as set out in the Council book.

Councillor Pragnell moved an amendment to the motion, as follows: -

“That the people of Hastings remember the courage and sacrifice of those who serve the United Kingdom during World War One and that this be recognised by 1) the current list of possible persons to be recognised as new street names to be supplemented with a list of those who were awarded the Victoria Cross or Gallantry Cross for their actions and others who contributed during those years. 2) The paths around the war memorial in Alexandra Park be named on a World War One theme. 3) The names of World War One battles within which the Royal Sussex regiment served to also be included within the list of possible street names”.

The Mayor ruled that the amendment effectively created a new motion.

Councillor Clark moved approval of the original motion, as set out in the resolution below, which was seconded by Councillor Davies.

**RESOLVED (unanimously) that the current list of possible persons to be recognised as new street names be supplemented with a list comprised of those from Hastings and St Leonards who served the United Kingdom during World War One and were awarded a Gallantry medal for their actions and others who made a contribution during those years”.**

### 12. MEMBERSHIP OF COMMITTEES

Councillor Birch announced that Councillor Westley had recently resigned from the Cabinet, the responsibilities of the Environment and Safety Portfolio had been reallocated between Cabinet Members. Councillor Birch thanked Councillor Westley for her efforts during her time on Cabinet. Councillor Birch proposed a motion regarding the membership of committees, as set out in the resolution below.

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

- 1) Councillor Westley be appointed to Audit Committee, in place of Councillor Webb**
- 2) Councillor Cartwright be appointed to Charity Committee, in place of Councillor Westley**

Councillor Lock announced that he had been appointed as Leader of the Conservative Group, following Councillor Cooke’s resignation. Councillor Atkins had been appointed as Deputy Leader of the Conservative Group. Councillor Lock proposed a motion regarding the membership of committees, as set out in the resolution below.

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

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- 1) Councillor Cooke be appointed to Overview and Scrutiny Committee for Resources, in place of Councillor Atkins
- 2) Councillor Cooke be appointed to Licensing Committee, in place of Councillor Atkins
- 3) Councillor Atkins be appointed to Cabinet, in place of Councillor Cooke
- 4) Councillor Lock be appointed to Council Appointments Committee, in place of Councillor Cooke
- 5) Councillor Lock be appointed to Standards Committee, in place of Councillor Cooke

### 13. REPORTS OF COMMITTEES

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

**RESOLVED** – under rule 13.3 that the reports and minutes of committees set out in the agenda be received. Minute number 24 of Cabinet on 1 September 2014 and minute number 35 of Cabinet on 6 October 2014, which were matters for Council decision, were approved without being called for discussion. Only those items which had been reserved were discussed, as follows: -

Meeting	Minute	Councillor
Cabinet, 1 September 2014	25 – New Factory Unit	Batsford
Cabinet, 6 October 2014	30 (C) – Street Trading Policy	Webb
Cabinet, 6 October 2014	32 (C) – ASB Crime and Policing Act 2014	Clark
Cabinet, 6 October 2014	33 – Coastal Communities Fund	Lock
Cabinet, 6 October 2014	34 – Hastings Country Park Interpretive Centre	Street

Minute number 30 of Cabinet on 6 October 2014 was a matter for Council decision. Councillor Cartwright proposed the following amendment: -

“Council agrees the street trading and highways licensing policy, attached to the Director of Environmental Services’ report with the deletion of point 4 and the delegation to the Director of Environmental Services and the Lead Member for Licensing to agree a discount for an initial transitional year for street trading consent fees applied for approved markets”.

Councillor Cartwright moved approval of the amended minute, seconded by Councillor Webb, which was unanimously agreed.

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Minute number 32 of Cabinet on 6 October 2014 was a matter for Council decision. Councillor Cartwright moved approval of the minute, seconded by Councillor Clark, which was unanimously agreed.

No motions for reference to an Overview and Scrutiny Committee or reference back to Cabinet were approved in respect of the items reserved for discussion and they were, therefore, received and agreed.

(The Mayor declared the meeting closed at 8.20pm)

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# Agenda Item 7



**Agenda Item No:** 7

**Report to:** Council

**Date of Meeting:** 17 December 2014

**Report Title:** Members' allowances index review

**Report By:** Neil Dart  
Director of Corporate Resources

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## **Purpose of Report**

To present the report of the Independent Remuneration Panel (IRP) to Council for consideration

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## **Recommendation(s)**

- 1. To agree the four recommendations made by the Independent Remuneration Panel set out in paragraph 8 of the report.**

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## **Reasons for Recommendations**

To review the index applied to calculate Members' allowances in accord with the provisions of the Local Authorities (Members Allowances) (England) Regulations 2003.

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## Introduction

### Background

1. The Council's Independent Remuneration Panel (IRP) last sat in 2010 to consider Members' allowances.
2. Under the Local Authorities (Members' Allowances) (England) Regulations 2003 Reg 10(5), the local authority must not rely on the annual index that it uses for longer than a period of four years before seeking a further recommendation from the Independent Remuneration Panel established in respect of that authority on the application of an index to its scheme.
3. The IRP was reconvened in early November 2014 to test the index for uplifting the allowances paid to Members. The full report by the IRP is attached as appendix A.

### Report overview

4. The report outlines the membership, terms of reference and the principles adopted by the Panel.
5. A comparative analysis with other local authorities is provided exploring review mechanisms used.
6. The views of the leader, opposition leader and a non-cabinet Member, as well as those of senior officers were sought via qualitative interviews as part of the review process.
7. The comparative analysis and qualitative interviews were used to inform the IRP's recommendations.

### Recommendations

8. The IRP makes the following four recommendations in the attached report:
  - (1) The annual adjustment of the Members' allowances should continue to be the same as the annual adjustment to the officers' salaries as determined by the National Joint Council (NJC) scheme.
  - (2) In respect of travelling, the HM Revenue and Customs specified mileage rates for cars and motor cycles be paid and that at the time any revisions are made by HM Revenue and Customs then the revised rates be implemented.
  - (3) The Subsistence allowances should be paid up to the maximum rates as set out for NJC officers and that these be revised in future in accordance with any changes to these rates.
  - (4) The Dependants, Carers and Child Care allowances be based on the actual cost incurred whilst undertaking an approved duty up to the Living Wage hourly rate and that this continue to be the basis for the adjustment mechanism with no upper limit to the amount payable to any individual Member for each year.



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**Wards Affected**

None

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**Area(s) Affected**

None

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**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	No
Environmental Issues	No
Economic/Financial Implications	No
Human Rights Act	No
Organisational Consequences	No
Local People's Views	No

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**Background Information**

Appendix A IRP report

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**Officer to Contact**

Officer Name: Mark Horan  
Officer Email Address: mhoran@hastings.gov.uk  
Officer Telephone Number 01424 451485

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# **Report of the Independent Remuneration Panel on the review of Members' Allowances for Hastings Borough Council – November 2014**

## **1. Introduction**

- 1.1 This report has been prepared by the Independent Remuneration Panel, established by the Council in May 2010, in accordance with the provisions of the Local Authorities (Members' Allowances) (England) Regulations 2003 (as amended).
- 1.2 The report sets out the Panel's findings in respect of the annual index for uplifting the Allowances paid to elected Members. Under the Local Authorities (Members' Allowances) (England) Regulations 2003 Regulation 10 (5) the Local Authority must not rely on the annual index that it uses for longer than a period of four years before seeking a further recommendation from the Independent Remuneration Panel.
- 1.3 The report also deals with various other matters in addition to Members' Allowances which are subject to annual or periodic updating.

## **2. The Independent Remuneration Panel**

- 2.1 The Independent Remuneration Panel has the following membership:

Grahame Handley – retired Local Government Chief Executive (Chairman)  
John Marsh – Accountant and former Local Authority Director  
Deborah Robinson – retired NHS Employee Services Advisor

- 2.2 The regulations require a minimum of three members to constitute an Independent Remuneration Panel.

## **3. Terms of Reference**

- 3.1 The Council have required the Panel to review only the annual updating mechanism, and specifically to:
  - consider the position with other similar local authorities.
  - interview the Leader and Opposition Leader and one other non cabinet member to receive views on the index.
  - draft a report with these findings and associated recommendations.
  - complete the review report by the end of October 2014. (By agreement with the Panel the deadline was extended to end of November 2014).

## **4. The Principles adopted by the Panel**

- 4.1 In the 2004 Independent Remuneration Panel's Report the then Panel adopted the overall objective that the Scheme of Allowances should be "simple, fair and easy to administer"

4.2 The new Panel established in 2010 agreed that this overall objective was still appropriate but that it should amplify that objective by adopting a number of key principles and these were:

- The allowances should take account, as far as possible, of the time commitment given by Members in fulfilling their roles and responsibilities.
- The scheme should ensure, as far as practical, that as wide a range of people as possible should be able to stand for election and that they should not be financially penalised in doing so.
- An element of Members' time in terms of their work as a Councillor should be treated as voluntary, which should not be remunerated.
- The levels of the allowances should not be treated as salary but are an "allowance".
- The assumption that all Members will participate as fully as possible in Council business and play an active part in their wards and that the importance of these two roles should be reflected in the level of the Basic Allowance.
- The Special Responsibility Allowance payments should be banded to reflect both the time commitment and the workload of the identified special responsibilities.
- Members should be recompensed for specific costs and expenses incurred in carrying out their duties.
- The scheme should recognise the complex and often balanced political control of the Council, which has been subject to relatively frequent change given the two-yearly electoral cycle adopted by the Council.
- The scheme should anticipate a number of possible structures which might be adopted by the Council and which would avoid the necessity for comprehensive reviews on a very regular basis.
- The reviewed scheme should take account of payments included in the current scheme and any changes which might be recommended should be balanced with the interests of Council Tax payers in the Borough.

4.3 The background to the current review is one of continuing extreme financial difficulty for all Local Authorities, including Hastings Borough Council. Based on what is known at present, all Local Authorities will be facing further cuts for the next financial year (2015-2016) and a sustained period of reduced financial resources for the foreseeable future. This factor has been taken into account by the Panel.

4.4 In advance of the publication of the next Comprehensive Spending Review by Government the detailed consequences for Local Government are not known. Moreover, only when details of the Grant Settlements for future years are fixed, will the specific impact of public expenditure restraint on Hastings Borough Council be known.

## **5. The Panel's Work**

5.1 The Panel have considered a range of background information which has included:

- 1 Information from the other Local Authorities in East Sussex
- 2 Information on a sample of Local Authorities in the South East
- 3 Its own professional judgement as to what is appropriate and which will minimise the cost of reviewing Members Allowances in future.

5.2 The Panel have established that the other Local Authorities in East Sussex have the following annual review mechanisms in place.

East Sussex County Council – annually in line with the percentage increase in the salaries of managers who are on locally negotiated pay.

Eastbourne BC – all allowances in the scheme, with the exception of travel allowances, shall be updated annually in line with the Retail Price Index (the annual percentage rate as published for the preceding February on 1 April).

Lewes DC – annually in line with the increase awarded to staff

Rother DC – reviewed annually by the IRP.

Wealden DC – reviewed annually by the IRP.

5.3 From the sample survey of 36 Local Authorities in the South East based on the position reported to Council or other information on the Council's website the following summarises the position:

20 Councils link the index to staff pay, the great majority to the National Joint Council (NJC) rate or in a very small number of instances local pay. All seem to have implemented 1% in the current year in line with the NJC settlement.

3 Councils use RPI

13 Councils have no formal updating mechanism

From the above sample nearly 2/3 have an annual updating mechanism and of those that use an annual updating index over 80% use staff pay linked directly, and in the odd case indirectly, to the National Joint Council (NJC) salary increase.

5.4 From the above information it is clear that the mechanisms used by the other Councils in East Sussex, are not typical, if the wider sample is more representative of the approach adopted by the majority of Local Authorities which the Panel believes is the case.

5.5 From the sample of Local Authorities in the South East there is clearly a very limited number using either the retail Price Index or the Consumer Price Index. The Panel cannot see that this mechanism has any special logic which would suggest that the Panel should recommend it be adopted by Hastings BC.

5.6 From the sample of Local Authorities, including all the Councils in East Sussex, clearly a significant number of Local Authorities have no formal mechanism for updating allowances and this either results in allowances being frozen or the Independent Remuneration Panel being required to meet each year and devise an appropriate change on a year by year basis.

5.7 If this approach were to be adopted by the Council then it would have less certainty about the outcome each year, which would not help longer term budget planning and secondly incurs costs each year associated with the operation of the Panel. For these reasons the Panel does not recommend it be adopted by the Council.

5.8 Hastings BC currently update Member Allowances in line with the National award for staff salaries as recommended by the National Joint Council (NJC) which is in

accord with the majority of Local Authorities which use an annual updating mechanism.

5.9 The Panel have also held interviews with:

Leader of the Council – Councillor Jeremy Birch  
Leader of the Opposition Group – Councillor Matthew Lock  
Non Cabinet Member – Councillor Richard Street

and the following officers:

Director of Corporate Resources – Neil Dart  
Head of Corporate Resources – Jane Hartnell

5.10 Both Members and Officers favoured a formal updating mechanism rather than devising something each year through an assessment by the Panel. Also, Members thought it most appropriate that Allowances were linked to the annual change in officers' salaries as recommended by the NJC and did not believe any other mechanism, such as the RPI or CPI had the same degree of logic.

5.11 The Panel's conclusion is that there should be an annual updating mechanism and this should be linked to the uplift in officers' salaries for the period 2015-2016 to 2018-2019.

## **6. Annual Review Mechanism (Index)**

6.1 It was necessary for the Panel in 2010 to select a mechanism for determining the annual adjustment to the Members' Allowances. The Panel believed that the most appropriate mechanism should be the annual adjustment to Local Government Officers' salaries as determined by the National Joint Council.

6.2 The Panel in 2010 recognised the then difficult budget position of the Council and envisaged that there would be no adjustments to the Members' Allowance Scheme for 2011-2012 and 2012-13. The following annual adjustments to the adopted Members Allowance Scheme were applied in

2011-12	0%
2012-13	0%
2013-14	0%
2014-15	1%

6.3 The Panel see no reason to recommend any other annual adjustment mechanism as more appropriate than the annual adjustment to Local Government Officers' salaries as determined by the National Joint Council. Therefore, the Panel recommend that this should continue to be the mechanism for the annual index to be applied to Members' Allowances, accepting that this has meant that there has been no increase in Members Allowances for some years in the past and could be the case in the future.

## **7. Other Allowances**

7.1 The Panel in 2010 made recommendations in relation to:

Travelling and Subsistence Allowances  
Dependants` Carers` and Child Care Allowances

- 7.2 In respect of Travelling Allowances, the Panel in 2010, recommended that the HM Revenue and Customs specified mileage rates for cars and motor cycles to be paid and at the time any revisions were made by HM Revenue and Customs these be revised in accordance with any changes in the HM Revenue and Customs rates.
- 7.3 The Panel reaffirms that this should continue to be the mechanism for uplifting Travelling Expenses.
- 7.4 In respect of Subsistence Allowances, the Panel in 2010 recommended that these should be paid up to the maximum rates, as set out for NJC officers and these be revised in accordance with any changes to these rates.
- 7.5 The Panel reaffirms that this should continue to be the mechanism for uplifting Subsistence Allowances.
- 7.6 In respect of the Dependants` Carers `and Child Care Allowances, the Panel recommended that these should be based on the actual costs incurred while undertaking an approved duty up to the maximum Statutory Minimum Wage hourly rate, including up to one hour in total travelling to and from the place at which the approved duty takes place, subject to an upper limit of £600 per Member per year.
- 7.7 Hasting BC has made a major commitment to the Living Wage over the period since the Panel reported last in 2010. It seems appropriate to the Panel that the Dependants` Carers` and Child Care Allowances rate should be linked to this rather than the Statutory Minimum Wage. The Panel also considered the upper limit of £600. Although there has been very limited take up of this since 2010 no elected Member or potential Member should be restricted in carrying out their duties and it seems unreasonable to limit any call on this Allowance by an individual Member. In the situation that a Member called on this allowance twice per month then it is likely that the upper limit as currently set would be breached. In such a situation it would be inappropriate to restrict the ability of an elected Member to carry out his or her duties by such an upper limit and therefore the Panel recommend that the upper limit be removed.
- 7.8 The Panel therefore recommend that the Dependants` Carers`and Child Care Allowances should be based on the actual costs incurred while undertaking an approved duty up to the Living Wage hourly rate, including up to one hour maximum in total travelling to and from the place at which the approved duty takes place and there should be no upper limit.

## **8 Recommendations**

- 8.1 Within the overall framework, as recommended by the Panel and adopted by the Council in 2010, the Panel now make the following specific recommendations in relation to the annual uplifting for the next four years.

1. The Panel RECOMMEND that the annual adjustment of the Members` Allowances should continue to be the same as the annual adjustment to the Officers` salaries as determined by the National Joint Council (NJC) Scheme.

2 The Panel RECOMMEND that in respect of travelling the HM Revenue and Customs specified mileage rates for cars and motor cycles be paid and that at the time any revisions are made by HM Revenue and Customs then the revised rates be implemented.

3 The Panel RECOMMEND that the Subsistence Allowances should be paid up to the maximum rates as set out for NJC Officers and that these be revised in future in accordance with any changes to these rates.

4 The Panel RECOMMEND that the Dependants` Carers` and Child Care Allowances be based on the actual cost incurred whilst undertaking an approved duty up to the Living Wage hourly rate and that this continue to be the basis for the adjustment mechanism with no upper limit to the amount payable to any individual Member for each year.

Grahame Handley  
John Marsh  
Deborah Robinson

November 2014



# Agenda Item 8

## CABINET

3 NOVEMBER 2014

Present: Councillors Birch (Chair), Chowney (Vice-Chair), Cartwright, Forward, Hodges, Lock, Poole and Atkins

**37. MINUTES OF THE MEETING HELD ON 6 OCTOBER 2014**

**RESOLVED** – that the minutes of the meeting held on 6 October 2014 be approved and signed by the chair as a correct record.

### MATTERS FOR CABINET DECISION

**38. MEDIUM TERM FINANCIAL STRATEGY (2015/16 TO 2017/18) (INCLUDING 2014/15 MID YEAR FINANCIAL REVIEW)**

The Head of Finance presented the medium term financial strategy and 2014/15 mid-year financial review. The council reviewed its current year spending against the budget, to assist with the budget setting process for future years and to align the council's available resources with its corporate objectives.

The report set out variations in the council's income and expenditure throughout 2014/15. The report acknowledged the ongoing economic uncertainty within which the council was operating. The strategy explained the council intended to use some of its reserves over the next three years to support the transition to a lower spending authority. Potential recurring underspends in the mid-year review would also be identified and investigated, to assist with the budget setting process in future years. However, the budget shortfalls, projected in the Medium Term Financial Strategy in each of the next three years, meant that it was still critically important for the council to continue to identify further efficiencies, income generation opportunities and cost reductions in order to achieve a balanced budget.

Councillor Birch moved approval of the recommendations of the report, which was seconded by Councillor Cartwright.

**RESOLVED** (unanimously) that the Medium Term Financial Strategy be approved.

The reason for this decision was:

The council matches its available resources to its priorities across the medium term. The report provides the opportunity to assess the council's resources to assist the review of corporate priorities given the continued reductions in funding and the need to continually ensure limited resources are properly aligned to targets.

**39. EAST SUSSEX PEER CHALLENGE - "OPEN FOR GROWTH"**

The Director of Regeneration presented a report which recommended a response to the Local Government Association (LGA) Peer review of economic development and support to businesses in East Sussex.

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Peer challenges replaced the previous national performance framework of inspection, and allow council's to review performance in a way which is improvement focused. The scope of each review is agreed by the councils involved, in order to take account of local needs and specific requirements.

The East Sussex Leaders and Chief Executives Group had agreed to undertake an open for growth peer challenge, which examined the county wide mechanisms in place, for councils to support their local economy and businesses. The review was undertaken in March 2014 and had included extensive input from stakeholders, before a report was agreed at officer level in July 2014.

It was acknowledged that there was a positive relationship in place between the East Sussex authorities, and key partners including local colleges, the University and business groups. The report made a series of recommendations around the 5 priority areas of economic growth, planning, housing, education and training for skills and procurement. It had also been agreed that economic inclusion should also be a key area of consideration. An action plan would be developed between the authorities to implement the recommendations contained within the LGA report.

Councillor Birch moved approval of the recommendations to the report, which was seconded by Councillor Hodges.

### **RESOLVED (unanimously) that –**

- 1) The Cabinet support the recommendations contained in the report of the LGA Peer review Team subject to the comments in this report, and;**
- 2) The development of an Action Plan is supported with decisions in this respect delegated to the Director of Regeneration in consultation with the Leader and Deputy Leader.**

The reason for this decision was:

In order to allow the council to work with other partners in Team East Sussex (TES) to implement the report's recommendations.

### **40. REGULATION 7 DIRECTION - SEAFRONT ESTATE AGENTS' BOARDS**

The Director of Regeneration presented a report which advised Cabinet of the making of a new direction relating to estate agents boards and recommended that the council reaffirms its policy for the area.

The existing direction, which came to an end on 31 December 2014, had resulted in a marked improvement in the appearance of the seafront. At its meeting in March 2014, Cabinet had resolved to apply to the Secretary of State for the renewal of the Direction. An Inspector had visited the site, and accepted that the area covered by the Direction was of special visual importance to the town. Following advertisement in the London Gazette and local paper, the new Direction, which covered the majority of Hastings and St Leonards seafront between Grosvenor Gardens and Pelham Crescent, would come into effect from 1 January 2015. The Direction had been granted in perpetuity, which meant it would not be necessary for the council to reapply in future.

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

**RESOLVED (unanimously) that Cabinet welcomes the making of the new Direction and re-affirms its policy within the area of the Direction for not granting consent under the Advertisement Regulations for any estate agents boards except in the most exceptional circumstances.**

The reason for this decision was:

The secretary of State for Communities and Local Government has made a new Direction restricting the display of estate agents boards along the majority of the seafront and it is now necessary for cabinet to consider its policy for the area.

### **41. MUSEUM FORWARD PLAN**

The Head of Amenities, Resorts and Leisure presented the Museum Forward Plan for 2014 – 19.

The museum was required to produce a forward plan as part of the national accreditation scheme, which was run by the Arts Council. The accreditation scheme assessed a variety of criteria, including; organisational health, collections care and management, and the visitor experience. It was intended that accreditation would assist the museum in obtaining loans of artefacts and collections and ensure eligibility for various grant programmes.

The Hastings Museum and Art Gallery and the Old Town Hall Museum had been accredited since 2007. The report considered the achievements over the previous forward plan, which had covered the period from 2010- 2013, and recommended that the museum reapply for accreditation by the deadline of February 2015.

Councillor Poole moved approval of the recommendations to the report, which was seconded by Councillor Cartwright.

**RESOLVED (by 6 votes to 0, with 2 abstentions) that Cabinet adopt the Museum Forward Plan and key actions to support our application for reaccreditation by the Arts Council.**

The reason for this decision was:

A forward plan for the Museum Service is a requirement of the Museum Accreditation scheme, which is run by the Arts Council. The plan was presented in draft form to the Museums Committee on 16 June 2014. Suggested changes were incorporated and presented to the Museums Committee on 15 September 2014 where it was resolved that the committee accepted the report and were satisfied with the comments in the report, subject to minor changes which have since been made.

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**42. MINUTES OF THE CHARITY COMMITTEE MEETING AND THE ANNUAL PUBLIC MEETING OF THE HASTINGS AND ST LEONARDS FORESHORE TRUST HELD ON 29 SEPTEMBER 2014**

The minutes of the meeting of Charity Committee and the Annual Public Meeting of the Hastings and St Leonards Foreshore Trust held on 29 September 2014 were submitted.

**RESOLVED – that the minutes of the Charity Committee and the Annual Public Meeting of the Hastings and St Leonards Foreshore Trust held on 29 September 2014 be received.**

(The Chair declared the meeting closed at. 7.08 pm)

## CABINET

26 NOVEMBER 2014

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

### MATTERS FOR CABINET DECISION

#### **43. PROPOSED CHANGES TO THE SENIOR OFFICER STRUCTURE**

The Executive Manager of People and Business Support presented a report on proposals from the Leader and Deputy Leader of the Council on changes to the council's senior officer structure.

The council had submitted a bid for the government's efficiency support grant, in which it had committed to undertake a review of the organisation's senior management structure as part of its transformation and efficiency programme.

The Leader of the Council had launched a consultation document, which set out proposals for the new structure. The council had also engaged a critical friend from SOLACE Enterprises to oversee the consultation process and to assist the council with its proposals.

The consultation document proposed a new structure based on two chief officers rather than three; a Director of Corporate Services and Governance and Director of Operational Services. The Director of Corporate Services and Governance would fulfil the statutory post of head of paid service, however, responsibility for chairing the corporate management group and representing the council at external bodies would be shared between both directors.

The report acknowledged that the council would need to focus its actions on a smaller number of key activities; whilst retaining capacity at senior officer level to ensure these tasks are met effectively. The proposed structure was in line with comments made during the last review of the senior management structure and ongoing efforts to highlight the principle of being One Council through the organisation's working practices.

Once a decision had been taken by Cabinet on the new structure, the employment committee would oversee the appointment of the two directors. A further round of consultation with staff affected by the changes would be undertaken and the council would need to comply with the JNC terms and conditions of employment, should a redundancy situation arise.

A review of the number and remit of heads of service would be undertaken, once the directors had been appointed, and it was anticipated that the new structure would be implemented from 1 April 2015.

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

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**RESOLVED** (unanimously) that the Cabinet: -

- 1) agrees that the current three Directors posts be abolished and be replaced by two new posts. The two new posts are proposed to be
  - a) Director of Corporate Services and Governance, which will be designated Head of Paid Service, and have the Heads of Service for Finance, Corporate Services and Marketing and Communications reporting to it;
  - b) Director of Operational Services which will have the Heads of Service for Housing and Development, Regeneration and Planning Policy, Environmental Services and Amenity, Resorts and Leisure reporting to it.
- 2) That the Cabinet instructs the Executive Manager, People and Organisational Development to
  - i). produce, in consultation with the Leader, person specifications and job descriptions to reflect the specific requirements of each post taking into account the consultation response referred to above and the move away from generic job descriptions;
  - ii). commence formal consultation with the three Directors on the proposals to abolish the three Director's posts and the alternative proposed arrangements;
  - iii). commence formal consultation with other staff directly affected by this proposal

The reason for this decision was:

- 1) The financial challenges facing the council, and the commitments given in connection with the efficiency support grant.
- 2) Enable informed decisions to be made.

(The chair declared the meeting closed at. 6.40 pm)

## CABINET

1 DECEMBER 2014

Present: Councillors Birch (chair), Chowney, Cartwright, Forward, Hodges, Poole and Atkins

Apologies for absence were noted for Councillor Lock

### 44. DECLARATIONS OF INTEREST

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

Councillor	Minute	Interest
Birch	48	Prejudicial – he is a Director of Let's Do Business and Town Centre Management
Forward	48	Prejudicial – she is a Trustee of the Education Futures Trust
Hodges	48	Prejudicial – he is a Director of Let's Do Business

### 45. MINUTES OF THE MEETING HELD ON 3 NOVEMBER 2014

**RESOLVED** – that the minutes of the meeting held on 3 November 2014 be approved and signed by the chair as a correct record.

### 46. ROCKLANDS CARAVAN PARK

The Director of Regeneration presented a report which responded to two consultant reports, commissioned by the council, to examine the handling of planning and licensing issues in relation to Rocklands Caravan Park. The report also responded to comments received from the Save Ecclesbourne Glen Group on the consultant reports.

The report addressed issues regarding a partially constructed holiday let house at Rocklands Caravan Site, arrangements for caravan licensing and planning at the site as well as a landslip which had affected the south of the site and impacted upon public access to the Country Park.

The council had commissioned two independent reports to review the planning issues associated with the site and audit the caravan site licence conditions for Rocklands Caravan Park.

The consultant reports proposed a series of recommendations to address the areas of concern and ensure the council processed planning applications better and engaged with the public effectively. The recommendations would also facilitate improved

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communication between the Planning Department and other departments within the council. An action plan to ensure these recommendations were implemented was being drafted, and would be introduced early in 2015. The Planning Advisory Service would be invited to review the improvements, once the action plan had been implemented for six months.

The Save Ecclesbourne Glen Group had submitted comments on the consultant's report, and these had been circulated to Cabinet Members prior to the meeting. The Director of Regeneration had provided a response to the recommendations submitted by the group.

The Director of Regeneration also explained how the council intended to deal with specific planning and other issues at Rocklands Caravan Park.

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

**RESOLVED (unanimously) that cabinet agrees the proposed actions in response to the consultants' reports contained in paragraphs 43-54 and the responses to recommendations received from the Save Ecclesbourne Glen Group contained in Appendix 2 of the Director of Regeneration's report**

The reason for this decision was:

To address the areas of concern identified in the consultants' reports in relation to both planning and licensing matters.

### **47. COMBE VALLEY COMMUNITY INTEREST COMPANY**

The Environment and Natural Resources Manager presented the report of the Head of Amenities, Resorts and Leisure which recommended that the council join Rother District Council (RDC) and East Sussex County Council in forming a community interest company for the Combe Valley Countryside Park.

Groundwork South had been commissioned by the council and RDC to develop proposals for a community interest company (CIC) which would replace the previous management board in overseeing the strategic direction and management of Combe Valley Countryside Park. An interim shadow management board had been formed in February 2014, to oversee the implementation of S106 funds held for the Combe Valley Country Park and the formation of a CIC.

A CIC would ensure the countryside park could be managed effectively and expand the scope of opportunities to secure funding to improve the park environment and facilities. The council would retain full control over its land and the CIC would have the remit that its assets may only be used for the public benefit. The CIC would be governed by a board of Directors, together with a separate advisory group.



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Following the meeting of Cabinet, Groundwork South would convene a meeting of the shadow management board, and following registration with Companies' House, it was anticipated that the CIC board would be operational by the end of the current financial year.

Councillor Poole moved approval of the recommendations to the report, which was seconded by Councillor Hodges.

**RESOLVED (unanimously) that: -**

- 1) Members agree to the formation of a community interest company in partnership with Rother District Council and East Sussex County Council, and;**
- 2) Agree that Groundwork South undertake the necessary steps to form the community interest company**

The reason for this decision was:

Following the withdrawal of local authority funding for the Combe Valley Countryside Park, the management board was dissolved in February 2014. The local authority partners commissioned Groundwork South to develop an alternative governance structure for the Combe Valley Countryside Park for 2015/16 and beyond.

The formation of a Community Interest Company is considered to be the most realistic and sustainable model for future governance and one that has been approved by the partners who made up the previous Combe Valley Countryside Park Management Board.

### **48. COMMUNITY PARTNERSHIP FUNDING MAIN GRANTS PROGRAMME**

The Head of Regeneration and Planning Policy presented a report to update Members on the process in respect of the Community Partnership Funding (CPF) grants for 2015-16 and 2016-17. The application process was nearing completion and the report included recommendations on the services and organisations that should receive grant support.

The council's corporate priorities provided the framework for CPF, grouped around the key thematic areas of job creation and employment, advice services, safer communities, active involvement of residents and digital inclusion. The CPF programme had also worked with the Department for Works and Pensions to jointly commission projects, where there was an overlap in priorities.

A two-stage application process had been adopted, and a Grants Appraisal Panel established to consider the funding requests received. Eighteen applicants had been invited to submit more detailed proposals for the final stage of the process, twelve of which had been recommended for funding by the Grant Appraisal Panel. Any grant offers approved would remain conditional until the council had completed its budget setting process for 2015-16 and 2016-17.

It was also proposed that the Town Centre Management team be supported in 2015-16 and 2016-17 with funds from the CPF budget.

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Councillor Forward moved approval of the recommendations to the report, which was seconded by Councillor Cartwright.

**RESOLVED (unanimously) that the Grants Appraisal Panel's recommendations (excluding those organisations and projects which Members had previously declared a prejudicial interest in) as set out in the Head of Regeneration and Planning Policy's report be approved subject to the decisions of the Budget Cabinet meeting in February 2015.**

Councillors Birch, Forward and Hodges, having declared a prejudicial interest in three of the applicant organisations, left the chamber while those grants were considered. Councillor Chowney took the chair for the remainder of this item.

**RESOLVED (by 4 for, 0 against) that the recommendations of the Grants Appraisal panel in respect of Education Futures Trust, Let's Do Business (South East) Group Ltd and Town Centre Management Team be approved subject to the decisions of the Budget Cabinet meeting in February 2015, and;**

**2) Delegation is given to the Director of Regeneration in consultation with the Lead Member for Community Services to agree final contractual outputs, outcomes and grants.**

The reason for this decision was:

The proposed allocations are based on the indicative CPF budget for the next two years, and follow the completion of a two-stage application process to determine which applications for grant most closely meet the council's CPF priorities and offer the best value for money.

(The chair declared the meeting closed at. 6.57 pm)