



Council Meeting

15 April 2015

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, 15th April, 2015 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

7 April 2015

AGENDA

1. Apologies for Absence
2. To approve as a correct record the minutes of the Council meeting held on 18 February 2015, the Budget Council meeting on 25 February 2015 and the Special Council meeting on 11 March 2015
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. Motion (Rule 14)
Councillor Davies to propose the following motion, seconded by Councillor Fitzgerald: -

"This Council is concerned that the Investor-State Dispute Mechanism (ISDS) of the Transatlantic Trade and Investment Partnership (TTIP)

currently being negotiated by the USA and the European Union will threaten our ability, as an elected local council to:

- 1) Pursue interventionist policies promoting social equity and community cohesion;
- 2) Choose the most effective way to provide contractual services;
- 3) Foster environmental protection or protect the public health to the benefit of the citizens of Hastings & St Leonards.

The European Commission's proposal on "regulatory co-operation" will further jeopardise Hastings Borough Council's powers to implement an autonomous regulatory framework for procuring, managing and guaranteeing best social and commercial value from our most important outsourced contracts.

Specifically, Hastings Borough Council seeks guarantees that the implications of this are not to give powers to companies to dictate terms favourable to themselves at the expense of the public interest.

We therefore resolve to:

- 1) Write to the Prime Minister, the Secretary of State for Business Innovation and Skills, our MP and MEPs raising our concerns about TTIP;
- 2) Contact the local governments of our twin towns within the EU with a copy of this motion, with the objective of making a joint statement to the EU Trade Commission and to urge our MEPs to lobby on our behalf;
- 3) Write to the Local Government Association to urge them to lobby on behalf of all local authorities on the potential impact of the TTIP."

7. Membership of Committees

To give effect to any request received from a political group for a change in their representation on committee(s).

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: -

Minute No.	Subject	Cabinet Member / Chair
Cabinet – 2 March 2015		
71.	Hastings and St Leonards Play Space Strategy Refresh	Poole
72.	Cabinet Appointments to Committee, Working Groups and Partnerships etc	Birch
Cabinet – 30 March 2015		
75.	Review of the Hastings Houses in Multiple Occupation Additional Licensing Scheme	Forward
76.	Proposed Discretionary Selective Licensing Scheme for Private Rented Homes in Hastings	Birch
77.	Management Response to the Overview and Scrutiny Review of Outsourced Contracts	Cartwright
78.	Leisure Facilities Strategy Refresh	Poole
79.	Contracting Out Part VII Housing Act 1996 Functions	Forward
81. (E)	4 Stanier Road	Birch

(C) = Council Decision

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

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Agenda Item 2

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COUNCIL

18 FEBRUARY 2015

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

Apologies for absence were noted for Councillor Wincott and Beaver

21. TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE COUNCIL MEETING HELD ON 17 DECEMBER 2014

RESOLVED that the minutes of the council meeting held on 17 December 2014 be signed by the Mayor as a correct record of the proceedings

22. DECLARATIONS OF INTEREST

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

Councillor	Committee	Minute	Interest
Chowney	Cabinet, 2 February 2015	62 – Social Lettings Agency Update	Prejudicial – he owns a second property, in addition to his main residence
Clark	Cabinet, 2 February 2015	62 – Social Lettings Agency Update	Prejudicial – he owns a second property, in addition to his main residence
Forward	Cabinet, 2 February 2015	62 – Social Lettings Agency Update	Prejudicial – she owns a second property, in addition to her main residence
Rogers	Council. 18 February 2015	24 – questions from councillors under rule 12	Personal – she is a Trustee of St Mary in the Castle

23. ANNOUNCEMENTS FROM THE MAYOR AND LEADER

The Leader of the Council acknowledged Richard Homewood's contribution to the council, the town and our twin town of Hastings Sierra Leone during his 40 year career. Members gave a round of applause.

24. QUESTIONS (IF ANY) FROM:-

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

Question and Councillor	Subject	Reply Given by Councillor
Atkins	<p><u>High Speed Rail Connection</u> will the Deputy Leader join with him in welcoming a recent rail summit on the rail service, and will he ensure the council is fully supportive of efforts to improve the local rail service?</p> <p>Councillor Chowney replied that the council was involved in developing a business case, to support efforts to improve the local rail service. He added that developing a high speed link to London would be extremely expensive, and it was therefore important that the council and its partners developed a strong argument for the electrification of the line between Hastings and Ashford.</p>	Chowney
Street	<p><u>Hastings Local Plan</u> with the local plan nearing completion, will the Deputy Leader advise how much this process has cost the council?</p> <p>Councillor Chowney replied that the local plan had cost approximately £3 million to produce, including council officer time, external studies and the necessary public consultation. He added that the process was more costly due to changes in relevant government legislation throughout the process. The costs to the council in producing the local plan were similar to those experienced by other local authorities.</p>	Chowney
Rogers	<p><u>Programme of local festivals</u> is there an update on the planned programme of festivals for 2015?</p> <p>Councillor Chowney explained that the town would continue to host a busy year-round programme of events. This included Jack in the Green, the St Leonards Festival, Old Town Week. The town would also host a number of cultural events, including Coastal Currents and Hastings Storytelling Festival. Ideas for new events continued to come forward from local community groups, and the council was already planning a series of events to mark the 950th anniversary of the Battle of Hastings in 2016.</p>	Chowney
Edwards	<p><u>Statue of Prince Albert</u> would the Lead Member provide an update on plans to restore the statue of Prince Albert?</p> <p>The Lead Member for Leisure and Amenities responded that the council was open to considering</p>	Poole

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	a variety of options to restore the statue, if the necessary funding could be secured.	
Cooke	<u>Proposed Discretionary Selective Licensing Scheme for Private Rented Homes in Hastings</u> will there be exemptions within the new scheme for charities? The Lead Member for Housing and Community Services replied that Members had been sent a briefing note on the proposed scheme. A public consultation had also been undertaken on the proposals, and the comments received would be addressed before the matter was considered by Cabinet.	Forward
Batsford	<u>Hastings Parking Board</u> would the Lead Member agree that a recent decision by Hastings Parking Board to subsidise certain bus routes within the town, which were no longer supported by East Sussex County Council, shows the importance of these arrangements? The Lead Member for Leisure and Amenities said that Hastings Parking Board had a valuable role to play in local transport provision. The council would continue to ensure that the board met regularly to seek improvements to local transport.	Poole
Scott	<u>Screwfix</u> would the Leader of the Council join with him in welcoming the opening of Screwfix at Theaklen Drive? The Leader of the Council welcomed the opening of Screwfix. He explained that the unit Screwfix now occupied had been refurbished using funding from the Answers in the Carbon Economy (ACE) programme, which aimed to make industrial units more environmentally sustainable.	Birch
Clark	<u>Universal Credit</u> will the Lead Member explain how the introduction of Universal Credit is likely to affect vulnerable residents? The Lead Member for Corporate Services replied that the first phase of changes would only apply to single people of working age with no other dependents. Initially, enquiries would be dealt with by the local job centre. He acknowledged that the application process for universal credit was complex, and staff would need to be aware of both the local and national implications of the changes.	Cartwright
Charman	<u>Switched on Hastings</u> is there an update on the latest round of the Switched on Hastings campaign? The Lead Member for Corporate Services explained that 108 authorities had participated in the latest round of collective energy switching. In Hastings, 208 residents had signed up to the scheme,	Cartwright

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	achieving an average saving of £190.00. The council's anti-poverty poverty officer had worked with local housing associations to raise awareness of the scheme amongst their tenants.	
Pragnell	<p>A21 improvements is the council still seeking improvements to the A21 between Hastings and London?</p> <p>The Deputy Leader replied that the council was a member of the A21 steering group, which lobbied for improvements to road on behalf of a number of authorities along the route to London.</p>	Chowney

25. 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 64 of Cabinet on 2 February 2015, which was a matter for Council decision, was approved without being called for discussion. Only those items which were reserved were discussed, as follows: -

Meeting	Minute	Councillor
Cabinet, 5 January 2015	50 – Refresh of Seafront Strategy	Clark
Cabinet, 5 January 2015	51 – Bottle Alley Petition	Charlesworth
Cabinet, 5 January 2015	54 – Scrutiny Review of Bathing Water Quality	Lock
Cabinet, 5 January 2015	55 - Hastings Crematorium Chapel Enhancements	Westley
Cabinet, 2 February 2015	62 – Social Lettings Agency Update	Batsford

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 there were, therefore, received and agreed.

(The Mayor declared the meeting closed at. 7.51 pm)

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

Apologies for absence were noted for Councillor Street

26. DRAFT CORPORATE PLAN 2015/16 TO 2017/18

It was proposed that the recommendations set out in minute number 66 of the meeting of Cabinet held on 16 February 2015 be approved.

Councillor Dowling, The Right Worshipful the Mayor, proposed a motion, seconded by Councillor Cartwright, and agreed unanimously as follows: -

RESOLVED that in order to facilitate full discussion on Cabinet’s proposal for the corporate plan and any proposed amendments to cabinet’s recommendations, Council suspends Rule 16.6.(b) of Council Procedure Rules (only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been disposed of) to permit the Deputy Leader’s motion and all amendments to be on the table and open for discussion at the same time.

Councillor Atkins moved an amendment to the Corporate Plan, seconded by Councillor Pragnell, as follows: -

1. Replace the current vision with:

We believe Hastings Borough Council should be committed to focusing its efforts on reigniting the local economy as a whole. Hastings will become a “Borough of Aspiration”, in which economic prosperity and quality of life is at the forefront thanks to sustainable, long term economic plan for this council. Together we will build a town where aspiration and ambition become synonymous with the 1066 brand that Hastings is so famous for. Through a long term economic plan we will develop a two pronged approach to economic prosperity; through the high tech industries, manufacturing and engineering and by building upon our creative heritage – creating the most famous digital technology hub on the South Coast. A culture of aspiration will, in turn, drive the educational changes needed throughout the town to ensure new businesses have the skilled workforce needed to work towards an economically prosperous town.

The council will develop a long term plan to stand on its own two feet as a council, free from the reliance and uncertainty of government grants, free to fulfil its duties to provide well paid local jobs, warm and affordable homes, high quality health care and good quality infrastructure. We will do everything we can to build

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transport links to and from the capital, encouraging visitors and widening our tourism offering; opening up the town and properly marketing and preserving the fantastic cultural, creative and historical heritage that we have inherited.

2. Council Values (c)

Amend statement to say

We believe that the council should be doing all it can to promote business, entrepreneurship and aspiration in the town. As a result we believe all local people (including employees of the council) will receive a high standard of education and decent jobs that pay a living wage, where they are treated with dignity, respect and fairness.

3. Turning our vision into a reality

Add priority 'H' which reads

An aspirational borough: to promote practices that lead to lean, we run services. To do all we can as a council to promote and become an entrepreneurial, aspirational town, through inward business investment and skill development.

4. Programmes and Projects (External Funding Programme (page 18)):

Amend statement to say

To make discovering how the council can draw in external funds and generate additional income a top priority, in order to support the council's overarching priorities.

The amendment was lost by 8 votes to 22.

Councillor Chowney moved that the corporate plan be approved.

RESOLVED (by 22 votes for 0 against with 8 abstentions) that: -

- 1) The content of the documents, as appended to the report to Cabinet on 16 February 2015, form the basis of the council's corporate plan 2015/16 to 2017/18, subject to the proviso that any significant amendment made to the council's draft budget be reflected in the final corporate plan text;**
- 2) Delegated authority be given to the Director of Corporate Resources, after consultation with the Leader of the Council. To make further revisions as is considered necessary to the plan prior to publication to reflect decisions made on the council's budget;**
- 3) A retrospective year-end report on performance and the actual performance indicator information for 2014/15 be presented to the Overview and Scrutiny Committees in June 2015, prior to consideration by the Cabinet meeting in July 2015, and that the Council delegate authority to that Cabinet meeting to agree 2015/16 performance indicators based on previous year's performance, and;**

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4) All who submitted views as part of the consultation process be thanked for their contributions

The reason for this decision was:

The council needs to approve the corporate plan as it is a statement of Hastings Borough Council's strategic direction to 2018. It sets out how we will ensure that we successfully address our priorities, meet the needs of our communities, and ensure we have a strong dedicated and motivated workforce to deliver our strategic priorities.

27. REVENUE BUDGETS 2014/15 (REVISED) AND 2015/16, PLUS CAPITAL PROGRAMME 2014/15 TO 2017/18

It was proposed that the recommendations set out in minute number 67 of the meeting of Cabinet held on 16 February 2015, be approved.

Councillor Dowling, The Right Worshipful the Mayor, proposed a motion, seconded by Councillor Cartwright, and agreed unanimously, as follows: -

RESOLVED – that in order to facilitate full discussion on Cabinet's proposal for the budget and any proposed amendments to Cabinet's recommendations, Council suspends Rule 16.6.(b) of Council Procedure Rules (only one amendment may be moved and discussed at any one time. No further amendment may be moved until the amendment under discussion has been disposed of) to permit the Leader's motion and all amendments to be on the table and open to discussion at the same time.

Councillor Pragnell moved an amendment to the revenue budget, seconded by Councillor Atkins, as follows: -

- | | |
|---|------------|
| 1. Remove money from general reserves: | £1,000,000 |
| Place money in an 'Aspiring Millions' reserve | £1,000,000 |
| 2. Reduction in I.T. budget | £15,000 |
| Working with the I.T. department to transfer all LOCAL server services to the Cloud / Amazon Web Services | |
| Reductions / Savings | £15,000 |
| 3. Generate revenue from sources: | £60,100 |
| A. Website advertising revenue | £10,000 |
| B. Roadside billboard and town wide digital advertising revenue | £26,000 |
| C. Charging for pre-planning application advice | £9,700 |
| D. Charging other authorities for officer advice on grant application and sourcing | £14,400 |
| Total Revenue / Income | £75,100 |
| 4. Expenditure from revenue budget: | £75,100 |
| A. 2 additional annual cuts for grass verges | £15,000 |
| B. Additional funds for the Chess Congress | £10,000 |

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for 2015/16, followed by £10,000 for
2017/18

C. Annual upkeep of the Old Town Museum / Creative and Digital Tech Hub	£45,000
D. Balance to contingency fund	£5,100
Total Expenditure	£75,100

The proposed amendment was lost by 8 voted to 22. Councillors Atkins, Beaver, Charlesworth, Cooke, Edwards, Lee, Lock and Pragnell voted in favour of the proposed amendment to the revenue budget. Councillors Batsford, Beaney, Birch, Cartwright, Charman, Chowney, Clark, Davies, Fitzgerald, Forward, Hodges, Howard, Poole, Roberts, Rogers, Sabetian, Scott, Sinden, Turner, Webb, Westley and Wincott voted against the proposed amendment.

Councillor Birch moved approval of the Revenue Budgets 2014/15 (Revised) and 2015/16, plus Capital Programme 2014/15 to 2017/18.

Councillors Batsford, Beaney, Birch, Cartwright, Charman, Chowney, Clark, Davies, Fitzgerald, Forward, Hodges, Howard, Poole, Roberts, Rogers, Sabetian, Scott, Sinden, Turner, Webb, Westley and Wincott voted for approval of the Revenue Budgets 2014/15 (Revised) and 2015/16, plus Capital Programme 2014/15 to 2017/18. No votes were cast against the motion. Councillors Atkins, Beaver, Charlesworth, Cooke, Edwards, Lee, Lock and Pragnell abstained from the vote.

RESOLVED (by 22 votes for 0 against with 8 abstentions) to: -

- 1) Approve the revised budget for 2014/15 (appendix A to the Cabinet report)
- 2) Approve the draft 2015/16 budget (appendix A to the Cabinet report)
- 3) Approve a 1.9% increase in the borough council's part of the council tax
- 4) Approve the coastal space initiative, a grant of £875,000 being payable, as detailed in appendix P and the main body of the report
- 5) Approve the capital programme 2014/15 (revised) to 2017/18 (appendix R to the Cabinet report)
- 6) Approve the proposed expenditure from the renewal and repairs reserve, and information technology reserve (appendices J and I to the Cabinet report respectively) and those items from other reserves shown in appendix H that can proceed without further reference to Cabinet or Council
- 7) Approve that the use of the monies identified in the budget for invest to save schemes be determined by the Head of Finance in consultation with the Leader of the Council
- 8) Approve the revised Land and Property Disposal Programme (appendix L to the Cabinet report) and agree that disposals can be brought forward if market conditions make it sensible to do so
- 9) Agree that schemes marked with an asterisk in the capital programme can proceed without further reference to Cabinet or Council
- 10) Agree work on priority income and efficiency reviews (PIER) should continue and where possible identify a sustainable budget for a period

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in excess of 1 year. A mid-year review, for members and officers, to be undertaken in light of the continuing severe government grant reductions

- 11) Approve the revised parking charges as per appendix M to the Cabinet report from April 2015 with no further increase for a period of 24 months
- 12) Approve the detailed recommendations in Appendix N to the Cabinet report, which relate to the setting of council tax in accordance with sections 31 to 36 of the Local Government Act 1992

The reason for the decision was:

The level of government funding to the council continues to fall and is expected to carry on falling until at least 2018-19. Since 2010/11 funding has been reduced by more than 50% in cash terms on a like for like basis.

Major reductions in funding in 2015/16 are set to continue to 2018/19 and possibly beyond and this will impact heavily upon the council's ability to provide services and grants across all areas of existing activity. To ensure key corporate priorities are achieved it remains imperative that the limited resources available are properly targeted.

The council needs to be in a position to match its available resources to its priorities across the medium term and to maintain sufficient reserves and capacity to deal with potentially large and unexpected events in addition to fluctuations in income and expenditure levels.

The council is exposed to a much greater degree of volatility in the level of funding it receives through non domestic rates. In addition it is also exposed to a much higher degree of volatility in terms of council tax support claims – the council now receiving an upfront sum as part of the annual grant statement rather than reimbursement of actual costs.

Further reductions in grant funding have major implications for the council and as such work needs to continue to identify and make savings in order to produce balanced budgets in 2016/17 and beyond.

28. TREASURY MANAGEMENT AND ANNUAL INVESTMENT STRATEGY 2015/16

It was proposed that the recommendations set out in minute number 68 of the meeting of Cabinet held on 16 February 2015 be approved under rule 13.3 (items which have not been reserved are not to be discussed).

RESOLVED that: -

- 1) The Treasury Management Strategy, Minimum Revenue Provision (MRP) Policy and Annual Investment Strategy 2015/16 be approved;
- 2) The current year's strategy remains unaltered

The reason for this decision was:

The council seeks to minimise the costs of borrowing and maximise investment income whilst ensuring the security of its investments. The sums involved are large and the assumptions made play an important part in determining the annual budget.

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Compliance with the CIPFA Code of Practice represents best practice and ensures compliance with statutory requirements.

(The Mayor declared the meeting closed at. 8.25 pm)

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COUNCIL

11 MARCH 2015

Present: The Right Worshipful the Mayor (Councillor Bruce Dowling) in the Chair, Councillors Rogers, Birch, Cartwright, Charlesworth, Chowney, Clark, Davies, Forward, Hodges, Poole, Roberts, Sabetian, Scott, Sinden, Street, Webb, Westley, Wincott, Lee, Fitzgerald, Beaney, Atkins and Edwards

Apologies for absence were noted for Councillor Batsford, Cooke, Howard, Pragnell, Turner, Beaver and Lock

At the start of the meeting, the Leader of the Council paid tribute to Neil Dart, who would be retiring as Director of Corporate Resources at the end of March. Councillor Birch thanked Mr Dart for his dedication in overseeing a range of council services and the valuable contribution he has made to the town since joining the organisation in 1984. Members and officers gave a round of applause.

The Leader of the Council thanked all staff who would be leaving the council as a result of the 2015/16 budget setting process for their contribution to the organisation.

29. APPOINTMENT OF THE HEAD OF PAID SERVICE AND RESPONSIBLE OFFICERS

The report of the Director of Corporate Resources on the appointment of the Head of Paid Service and responsible officers was submitted. At its meeting on 2 March 2015, the Employment Committee had recommended that Jane Hartnell be appointed as Director of Corporate Services and Governance, which included Head of Paid Service responsibilities. The Head of Paid Service was a statutory role under section 4 of the Local Government and Housing Act 1989, and the Full Council was required to ratify this recommendation. The report also recommended that Jane Hartnell be appointed as Electoral Registration Officer and Retuning Officer.

The report proposed that Christine Barkshire-Jones be appointed as Monitoring Officer, which was a statutory role under section 5 of the Local Government and Housing Act 1989.

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

RESOLVED (by 23 votes for, 0 against with 1 abstention) that: -

- 1) Council ratifies the resolution of the Employment Committee of 2 March 2015 to designate Jane Hartnell as the Head of Paid Service from 1 April 2015 in compliance with Section 4 Local Government and Housing Act 1989, and;**
- 2) With effect from 1 April 2015, the following be agreed: the council's Monitoring Officer be Christine Barkshire-Jones; the Electoral Registration Officer and Returning Officer be Jane Hartnell.**

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11 MARCH 2015

The reason for this decision was:

The council is required to appoint a Head of Paid Service and responsible officers to certain posts.

(The Mayor declared the meeting closed at. 6.09 pm)

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CABINET

2 MARCH 2015

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

69. DECLARATIONS OF INTEREST

The following Councillors declared an interest in the minutes:

Councillor	Minute Number	Interest
Pragnell	72 – Hastings and St Leonards Play Space Strategy Refresh	Personal – he is a member of the board of the Combe Valley Countryside Park Community Interest Company

70. MINUTES OF THE MEETING HELD ON 2 FEBRUARY 2015 AND THE BUDGET CABINET MEETING HELD ON 16 FEBRUARY 2015

RESOLVED that the minutes of the meeting held on 2 February 2015 and the Budget Cabinet meeting held on 16 February 2015 be approved and signed by the chair as a correct record

RESOLVED that chair called over the items on the agenda, under rule 13.3 the recommendations set out in minute number 72 were agreed without being called for discussion

MATTERS FOR CABINET DECISION

71. HASTINGS AND ST LEONARDS PLAY SPACE STRATEGY REFRESH

The Leisure Development Manager presented a report on the refreshed Hastings and St Leonards Play Space Strategy, including proposed actions, for Cabinet to consider.

The council had a longstanding commitment to enabling children and young people to enjoy their right to play. The Hastings and St Leonards Play Space Strategy, which was produced in partnership with AmicusHorizons Ltd and Orbit Housing Association, had last been updated in 2011.

A comprehensive audit of the town's play facilities had been undertaken. Since 2011, the number of households in the borough within 600 metres of a good rated playground had increased by 18%.

The refreshed strategy outlined key actions to be undertaken between 2015 and 2017, in partnership with local housing associations, to maximise the number of households with access to a good quality play space. The refreshed strategy also highlighted the need to provide access to informal play space around the town.

CABINET

2 MARCH 2015

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

RESOLVED (unanimously) that:

1. **The contents of the revised Play Space Strategy be agreed, and;**
2. **The proposed actions be agreed**

The reason for this decision was:

The council and its partners committed to the implementation of the Hastings and St Leonards Play Space Strategy (2011). The refreshed version continues to embrace the agreed framework and proposed new actions. The strategy will ensure that a maximum number of children and young people from across the Borough have access to quality play spaces, which can be sustained within allocated budgets.

72. CABINET APPOINTMENTS TO COMMITTEE, WORKING GROUPS AND PARTNERSHIPS ETC

The Chief Legal Officer submitted a report which sought agreement for the appointment of a new member of the Member Training and Development Group.

A request had been received from the Labour group for Councillor Roberts to sit on the Member Training and Development Group in place of Councillor Batsford, Cabinet was required to authorise this request.

RESOLVED that Councillor Roberts be appointed to the Member Training and Development Group in place of Councillor Batsford

The reason for this decision was:

Members are required to serve on the committees, working groups, partnerships and representative bodies to which Cabinet appoints.

(The chair declared the meeting closed at. 6.20 pm)

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CABINET

30 MARCH 2015

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

Cabinet members thanked Neil Dart, who would be retiring as Director of Corporate Resources, for his excellent service and advice to the council.

73. DECLARATIONS OF INTEREST

The following councillors declared an interest in the minutes:

Councillor	Minute Number	Interest
Chowney	76 – Proposed Discretionary Selective Licensing Scheme for Private Rented Homes in Hastings	Prejudicial – he owns a tenanted property in the town
Forward	76 – Proposed Discretionary Selective Licensing Scheme for Private Rented Homes in Hastings	Prejudicial – she owns a tenanted property in the town
Hodges	76 – Proposed Discretionary Selective Licensing Scheme for Private Rented Homes in Hastings	Prejudicial – he is a trustee of Magdalen and Lasher charity
Poole	76 – Proposed Discretionary Selective Licensing Scheme for Private Rented Homes in Hastings 78 – Leisure Facilities Strategy Refresh	Prejudicial – she is a trustee of Magdalen and Lasher charity Personal – she is a Director of the Combe Valley Countryside park Community Interest Company
Pragnell	78 – Leisure Facilities Strategy Refresh	Personal – he is a Director of the Combe Valley Countryside park Community Interest Company

74. MINUTES OF THE MEETING HELD ON 2 MARCH 2015

RESOLVED that the minutes of the meeting held on 2 March 2015 be approved and signed by the chair as a correct record

CABINET

30 MARCH 2015

RESOLVED the chair called over the items on the agenda, under rule 13.3 the recommendations set out in minute numbers 79 and 81 were agreed without being called for discussion

MATTERS FOR CABINET DECISION

75. REVIEW OF THE HASTINGS HOUSES IN MULTIPLE OCCUPATION ADDITIONAL LICENSING SCHEME

The Head of Housing and Development presented a report on the review of the additional houses in multiple occupation (HMO). Under the existing scheme, which was introduced in September 2011, landlords and freeholders of HMOs in Gensing, Castle, Braybrooke and Central St Leonards wards were required to licence their properties with the council. The scheme lasts for five years, unless revoked earlier.

Since the scheme was launched, 507 properties in the four wards had been licensed. Under the Housing Act 2004, the council was required to review the scheme against its original objectives. If a scheme failed to meet its targets then it may be revoked early. The report set out progress against the objectives and continued success of the scheme in ensuring HMOs met the standards required by legislation, and recommended a further exit review is carried out in the final year of the scheme.

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

RESOLVED (unanimously) that the success of the scheme is acknowledged and a further exit review is carried out in the final year of the scheme

The reason for this decision was:

The review demonstrates that licensing is working and achieving against the original objectives. However, it is clear that more work is needed and therefore the review sets objectives for the scheme going forward and recommends that a further exit review is carried out in the final year of the scheme.

76. PROPOSED DISCRETIONARY SELECTIVE LICENSING SCHEME FOR PRIVATE RENTED HOMES IN HASTINGS

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

The Head of Housing and Development presented a report on the proposed designation of a selective licensing scheme for private rented homes in seven wards around the borough. Under the Housing Act 2004, local authorities had powers to introduce an additional licensing scheme, which required all privately rented properties within a defined area to be licensed with the council. The approach was in keeping with the targets set out in the council's housing strategy to improve housing standards

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and management arrangements of privately rented properties and to tackle anti-social behaviour.

The seven wards selected in the borough; Braybrooke, Castle, Central St Leonards, Gensing, Old Hastings, Ore and Tressell, had above average levels of privately rented dwellings. The council's findings indicated that areas with a high density of private rented dwellings often had higher levels of anti-social behaviour. The designation would come into effect from 26 October 2015, for a period of five years.

The license for private rented properties in the seven wards included conditions in respect of the standard of accommodation, how the property is to be managed and the tenancy arrangements. Landlords would also be required to prove that they were a fit and proper person to hold the licence.

The proposed scheme had been subject to a public consultation between 20 October 2014 and 5 January 2015. The results of the consultation indicated that many residents supported the introduction of such a scheme; however, opposition had been received from many private landlords, managing agents, letting agents and landlords associations. Following the results of the consultation, a number of revisions were made to the council's proposals on selective licensing for example reducing the number of wards and reducing the level of fees. Discussion took place regarding the police report on anti-social behaviour, the legal implications of which are detailed in pages 21 and 22 of the supplementary agenda reports pack.

Discussion took place regarding the proposed fee structure for the scheme. Members were mindful of the additional legal implications to the report, regarding the dispensation of the fee for local charities. The legal implications are available to view on page 19 to 20 of the supplementary agenda reports pack.

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

Members voted on recommendation numbers 1, 2, 3, 4, 5, 6 and 8, as detailed below. Councillors Hodges and Poole, having declared a prejudicial interest in recommendation number 7, left the chamber during the vote on this item.

RESOLVED (by 4 votes for, 2 against) that:

- 1. all privately rented dwellings in Braybrooke, Castle, Central St Leonards, Gensing, Old Hastings, Ore and Tressell wards are designated as subject to selective licensing under section 80(6) of the Housing Act 2004 on the grounds of persistent or significant anti-social behaviour associated from the private rented sector.**
- 2. officers are instructed to urgently explore the new legislative provisions relating to the implementation conditions required for selective licensing, which is likely to come into force on the 1 April 2015 and to report back to Cabinet about the potential to introduce licensing to other wards and the requirements involved.**

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3. the designation comes into force on the 26 October 2015 and lasts for a period of 5 years.
4. the licensing conditions proposed at Appendix five are agreed.
5. the proposed fee structure at Appendix three is adopted.
6. the reduced rates on licence fees offered through the Additional Houses in Multiple Occupation Licensing Scheme are harmonised to match the reduced rates offered via the proposed Selective Licensing.
8. the Director of Regeneration is given delegated authority to sign the Hastings Borough Council designation for an area for Selective Licensing 2015 from the 30 March 2015.

RESOLVED (by 2 votes for, 0 against with 2 abstentions) that:

7. charitable organisations that own and/or manage housing in the designated area are subject to licensing but exempted from paying a fee.

The reason for this decision was:

1. The Council recognises the contribution made by charitable housing providers in the Borough of Hastings and although cannot exempt charities from the requirement to be licensed, it is proposed to exempt charities providing housing from paying a licence fee.
2. In making this recommendation, officers have taken account of the fact that there will be some additional financial impact on other landlords who will be required to pay a licence fee, but we consider that this is justifiable in terms both of the additional impact and of the reasons for giving the exemption.
3. The licence fees for non-exempt landlords are set out at paras 22-24 of the main report The standard fee of £460 is already lower than the fee charged by many other authorities who have introduced selective licensing, and the discounts for those who apply early and/or those who are members of accredited schemes will make it possible for a landlord to obtain a licence for as little as £150. Phased payments (report para.28) over five years for larger landlords (more than 10 properties) will provide additional assistance. Officers consider these fees to be reasonable, proportionate and affordable by landlords, and that the reasons for exempting charities render it justifiable and desirable to do so.
4. The exemption is proposed for the following main reasons:
 - a. charitable landlords are not profit-making organisations;
 - b. their purposes in letting accommodation are charitable and generally for the purpose of providing decent accommodation for those on lower incomes, in some ways akin to social housing; charitable status and aims provide some assurance that the landlords are responsible landlord organisations that take their obligations seriously;

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- c. charitable landlords that are not registered providers of social housing are regulated by the Charity Commission; registered societies (formerly industrial and provident societies) are also regulated by the Financial Conduct Authority;
 - d. these factors together with officers' experience suggests that the licensing of charitable stock is likely to be less complex and expensive to process, for example because the standard of accommodation is already higher, tenant conduct is more appropriately dealt with, and the landlords are generally have a greater sense of responsibility.
5. Officers have also taken account of the fact that some housing provided by charitable landlords is exempt from licensing altogether (where the charity is also a registered provider (s.79(3)(a), 2004 Act) as is social housing provided by profit-making registered providers (s.79(3)(b)) and local authority housing (Selective Licensing of Houses (Specified Exemptions) (England) Order 2006/370)
 6. While those landlords are also regulated by the HCA, officers consider that charitable landlords in Hastings also provide accommodation that is similar to social housing in relation to the standard and management of the accommodation provided, by way of the charitable aims and objectives referred to above, e.g. the relief of poverty, and given that charities are subject to a substantive level of regulation beyond that of private sector landlords (even those who are accredited and who will be eligible for a significant reduction especially if they apply early).

77. MANAGEMENT RESPONSE TO THE OVERVIEW AND SCRUTINY REVIEW OF OUTSOURCED CONTRACTS

The Director of Corporate Resources presented a management response to a recent report on the Overview and Scrutiny review of outsourced contracts.

Councillor Roberts, as chair of the review, presented the recommendations to Cabinet. He explained that the review had originally been set up to examine whether the council was achieving best value from its procurement process, and the procedure for monitoring outsourced services.

East Sussex Procurement Hub had brought the review team up to date on the council's procurement arrangements and examples of good practice, particularly regarding achieving social value from outsourced services. The review team also considered the impact of recent reforms to procurement legislation. Members investigated potential barriers to engaging with a broad range of business through the procurement process, and how these obstacles might be overcome in the future.

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

RESOLVED (unanimously) that –

- 1) The review team be thanked for their report**
- 2) The three recommendations in the report be agreed**

The reason for this decision was:

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To ensure that the review findings and recommendations are reported and will be followed up.

78. LEISURE FACILITIES STRATEGY REFRESH

The Leisure Development Manager presented a report on the refreshed Hastings leisure facilities strategy.

In 2008, Hastings Borough Council, Rother District Council, East Sussex County Council and Sport England had commissioned a leisure facilities strategy for Hastings and Rother between 2009 and 2020. The strategy was key to future leisure facility development, as part of the council's broader aim to encourage a healthy lifestyle.

It was necessary to review and refresh the recommendations contained within the strategy against short term changes in leisure facility supply and demand information. An updated audit of local facilities had been carried out, using a Sport England model to measure whether existing facilities were capable of meeting local demand. The refreshed recommendations highlighted where a current surplus or deficit of a particular type of facility. A consultation had also been undertaken with a range of national governing bodies, local facilities and clubs.

The Leisure Development Manager said that the strategy would be revised to include the Combe Valley Countryside Park.

Rother District Council planned to commission an update of their assessments and recommendations in 2015/16.

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

RESOLVED (unanimously) that: -

- 1) The contents of the refreshed strategy be agreed, and;**
- 2) The proposed recommendations and actions be agreed**

The reason for this decision was:

The council and its partners are committed to the implementation of the Hastings and Rother leisure facilities strategy (2009 – 2020). The original assessments are now considered to be out of date. The refreshed version includes up-to-date recommendations for Hastings, which are founded on new assessments and stakeholder consultation.

79. CONTRACTING OUT PART VII HOUSING ACT 1996 FUNCTIONS

The Chief Legal Officer submitted a report to ensure the validity of decisions carried out by Independent Reviews Limited (IRL) or any other contractor.

In January 2008, the Head of Housing had signed an agreement with IRL to carry out part VII Housing Act 1996 on behalf of the council. Part VII of the act applies to S202 review investigations and decisions. Due to changes in personnel at the council, it

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had not been possible to verify whether Cabinet gave executive authority in January 2008 for these arrangements. It was therefore necessary for Cabinet give approval to contract out the function and ratify the decisions taken since January 2008.

RESOLVED that –

- 1) **Cabinet confirm the contracting out of a part VII Housing Act 1996 (as amended) function namely S202 review investigations and decisions by (IRL) or any other contractor, and;**
- 2) **Cabinet retrospectively ratify any S202 review decisions carried out by (IRL) from January 2008**

The reason for this decision was:

The council need to be able to resist any challenge to the contracting out of S202 Housing Act 1996 (as amended) decision with IRL (or any other contractor). The council need to retrospectively ratify any decisions carried out by IRL from January 2008.

80. **MINUTES OF THE MEETING OF MUSEUMS COMMITTEE HELD ON 16 MARCH 2015**

The minutes of the meeting of Museums Committee held on 16 March 2015 were submitted.

RESOLVED that the minutes of the Museums Committee meeting held on 16 March 2015 be received

EXCLUSION OF THE PUBLIC

RESOLVED that the public are excluded from the meeting during the consideration of 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 paragraph 3 of schedule 12A to the Local Government Act 192 referred to in the relevant report.

81. **4 STANIER ROAD**

The Head of Finance submitted a report which sought approval to settle the rent review of 4 Stanier Road.

RESOLVED that the rent review be settled for the amount specified in the Head of Finance's report

The reason for this decision was:

This will be increased revenue income to the council.

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

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