

Cabinet Agenda

Monday, 6 July 2015 at 6.00 pm

Town Hall, Queen's Square, Priory Meadow, Hastings TN34 1QR

For further information, please contact Michael Courts on 01424 451764 or email mcourts@hastings.gov.uk

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1.	Apologies for Absence	
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	(Cabinet Decision)	
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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

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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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Agenda Item 5



Report to: Cabinet

Date of Meeting: 6 July 2015

Report Title: Boundary Review Council Size

Report By: Jane Hartnell
Director of Corporate Services and Governance

Purpose of Report

1. To advise Members of the current review of the Hastings and East Sussex County Council's electoral boundaries and to consider options for our council's size.
2. To present the findings of the all-member survey to inform our decision about Council size.
3. To note the recommendation of the Working Arrangements Group (WAG) meeting on 17th June 2015.
4. To make recommendations to Full Council in respect of council size, in order for this recommendation, if agreed, to be submitted to the Local Government Boundary Commission for England (LGBCE) by the final deadline of 7th August 2015.

Recommendation(s)

That Cabinet recommend to Full Council to maintain the existing number of members at 32 members, across 16 wards in respect of the council size, and that this recommendation is submitted to the LGBCE.

Reasons for Recommendations

To enable Cabinet to make recommendations to Full Council on council size as part of the boundary review, taking account of the findings of an all member survey and the recommendations of WAG in relation to the review.

Introduction

1. Members will recall that on the 24th March 2015, the Local Government Boundary Commission for England (LGBCE) presented to the Council information about the electoral review that has been instigated for East Sussex County Council and the boroughs and districts within the County; this has occurred due to their being an electoral imbalance in the wards and districts across the County.
2. In Hastings, 38% of our wards have an electoral variance of more than 10% from the average.
3. Essentially, there are 2 parts to the review, firstly we need to make proposals in respect of the size of the Council and secondly, we will make proposals in respect of ward numbers, boundaries and names. In both cases we will need to supply robust evidence in respect of electorate equality and forecasts and whether the wards reflect significant communities, themes and landmarks. This report solely considers the issue of Council size.
4. Due to simultaneous reviews being undertaken county-wide, consistency of approach is being overseen by a joint officer project team with representatives from all the authorities, each local authority is however, responsible for its own review.

Hastings Borough Council - Current Position

5. As members will be aware, Hastings Borough Council currently has 16 borough wards and 32 councillors as a result of the last boundary review undertaken in 2000. In addition, there are 8 county council divisions, and as a result of the last ESCC boundary review in 2003, we have coterminosity of our borough wards and county divisions.

The review – considerations

6. When considering the council size the Commission needs to be satisfied that the number of Councillors proposed must be sufficient to ensure that 3 specific functions can be undertaken, namely Governance, Scrutiny and Community Representation.
7. It is also useful to consider the Council size in light of likely future policy developments e.g. localism, transformation, the possibilities of further shared service and/or devolution powers, outsourcing and service delivery changes, corporate plan commitments and of course a future of continued financial constraint.
8. The Commission has also made it clear that Council size changes will only be considered if they are within specific representation ranges appropriate to the size and demographic of the borough. In the case of Hastings, the approved size range is a council membership of from 25-57, thus we are currently in the lower part of the recommended size range.

Analysis

9. As previously stated, the Boundary Commission must be satisfied that any proposed arrangements are sufficient to ensure that the 3 specific functions can be carried out - each of these are addressed below:

Governance

10. The following table set outs the Council's current governance committee arrangements and number of Members serving on each committee.

Committee	Number
Schedule A	
Annual Council	32
Council	32
Cabinet	9
Audit	5
Council Appointments	5 (as & when required)
Standards	5 (as & when required)
Employment/HR	4 (as & when required)
Environment & Safety	5
Overview & Scrutiny	14
Planning	10
Licensing	15 (4 for each meeting, as & when required))
Schedule B	
Museums	10
Charity	3
Discretionary rate relief	9 (as & when required)
Working Arrangements Group	7
Member training & Develop Group	4
Total Cttee places	100

11. Since the introduction of the executive style of governance in 2000, the Council has kept under review its decision making structure. With the introduction of new legislation we have increased the number of committees, increasing the demand on member's time.
12. With regard to regulatory committees, whilst a proportion of regulatory decisions are made by officers under delegated powers, there is a need for these committees to be maintained in their current form and meeting cycle.
13. In relation to Governance, all of the above assumes the future Council will operate with the existing committee structure - this is considered sound and effective with the current number of councillors. It is our belief that 32 members is minimum required to operate this structure effectively. No changes to committee structures are proposed at this time and members would be expected to explore and review option's for committee and meeting structures as part of the normal Council processes as required. It would be unusual if committee structures did not change again over the next 3-5 years.

Scrutiny

14. In terms of Scrutiny, there are 2 Overview & Scrutiny Committees (services & resources) which meet 4 times per year; in addition O & S undertakes a number of reviews per year. The work programme is planned at the beginning of the civic year. There is an informal work programming meeting for all Members of the Scrutiny Committees along with service managers and the Corporate Management Team, to identify areas for scrutiny reviews and policy review and development.
15. The Scrutiny Committees undertake most of their work through the formation of working groups/ task and finish groups which consist of a smaller number of members and other interested parties where appropriate.

All Member Survey/ Community Representation

16. All Members were invited to complete an online survey to ensure that Councillors had the opportunity to give their views on what size the Council should be in the future. The questions asked and analysis of the results of the survey can be seen in Appendix 1. Of the 30 members that were invited to complete the survey, 28 responded.
17. In summary, the majority of members (70%) consider that the Council size is 'about right' at the moment, with 30% considering there are too many members and one member stating there were not enough. In terms of attendance at meetings, 16 (57%) of members stated they spent between 3 and 7 hours per month in Council meetings and 11(42%) in non-formal council meetings. In addition, members advised they spend between 3 and 7 hours per month (35%) preparing for meetings and work associated with their committee responsibility with some spending (25%) over 10 hours per month.
18. The majority of respondents (87%) spent up to 10 hours a month dealing with constituents, the majority of contact being via email (96%), face to face contact (96%) and telephone (92%). The majority of members considered they had enough time to fulfil their councillor and political role effectively (74%), with 77% advising that their workload has increased since becoming a councillor.
19. At a recent seminar (8th June 2015) to which all members were invited, a number of reasons were also highlighted as to how Councillors roles have changed since the last boundary review, and in particular the following points were made:
 - a. Members were expected to be more accessible and play an active role as community leaders;
 - b. The reduction in staffing levels across the authority had meant that councillors were having to do much more 'ground work' that may in the past have been undertaken by officers;
 - c. There was an increased expectation that councillors would communicate electronically with residents and the council and that residents expect an instant response;

- d. There was a perceived difference in workloads and the type of work between the more deprived wards and communities within the borough and the more affluent areas of the borough;
 - e. There is a perceived misfit between the population, the population that have the right to register to vote and those that actually do register/vote – concern was voiced about how this could affect the LGBCE view of electorate to ward member ratio if this was based on those who have registered to vote only;
 - f. Electoral registration does not truly reflect those constituents that are actually asking members for help e.g. in Hollington Ward 30% of electorate are not registered but this is not reflected in the demands on members from ward constituents;
 - g. Concern that any reduction in member numbers would have an impact on the structure of the Council and officers, and members ability to serve their constituents.
20. With regard to changing the election cycle to 4 yearly rather the 2 yearly, 66% of members responded that they did not wish to change to a 4 year cycle, 33% would like to see a change to a 4-year cycle.

Timetable

21. With regard to the Boundary Review there is a very clearly outlined timetable set out by the Boundary Commission - see appendix 2. With regard to Council Size, we have to present draft proposals to the LGBCE by the 10th July and final proposals by 7th August.

Options Considered by WAG:

22. An analysis of the all member survey showed that over 70% (20) of members consider that the number of elected members is about right, 25% (7) consider that there are too many and 1 member considers that there are not enough. With this in mind and in conjunction with the other findings from our research the following options were presented to WAG on the 17th June 2015 for consideration as follows:

Option 1: To reduce the number of members to within the range of 25-57, with the final preferred number to be agreed by Council. If a reduction in members was to be agreed, this would have to be by a factor of 2 to account for our election cycle of every 2 years.

Option 2: To increase the number of members within the range of 25-57 members

Option 3: To maintain the existing number of members at 32 members, across 16 wards.

23. WAG agreed unanimously to recommend option 3 to Cabinet. The recommendations of Cabinet on Council size will be considered by Full Council on the 22nd July 2015, before being submitted to the LGBCE.

Policy Implications

24. Equalities and community cohesiveness - the electoral boundary review has been come about due to there being an electoral inequality across some of our wards; meaning that some councillors represent far fewer or far more electorate.
25. Organisational consequences - the members survey and review of our current governance structures, clearly demonstrates that there is a high work demand on members and any reduction is only likely to increase the demands on their time.
26. Local people's views - The review process includes 2 stages of public consultation where local people's views will be sought - this is carried out by the LGBCE.
27. Anti-poverty - the boundary review has no direct impact on increasing poverty in the Borough, but will help to ensure that there is a fair and equitable electorate to member ratio across all our wards, and thus some of the towns most deprived communities will continue to be well represented.

Appendix 2 – Propose Timetable, Boundary review – East Sussex 2015

Outline timetable Stage	Date
Establish local project team	January 2015
Workshops / briefings (on Council size) / data review	May – June 2015
Draft proposals for council size	10 July 2015
Feedback from LGBCE on draft	
Final proposals for council size	7 August 2015
Commission consideration of council size	15 September 2015
Publication of council size decision and start of consultation on warding/division patterns	22 September 2015
End of consultation on warding/division patterns	30 November 2015
Commission consideration of draft recommendations	February 2016
Publication and consultation on draft recommendations	15 March 2016
End of consultation on draft recommendations	16 June 2016
Commission consideration of final recommendations	August 2016
Publication of final recommendations	September 2016

Wards Affected

Ashdown, Baird, Braybrooke, Castle, Central St. Leonards, Conquest, Gensing, Hollington, Maze Hill, Old Hastings, Ore, Silverhill, St. Helens, Tressell, West St. Leonards, Wishing Tree

Policy Implications

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

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

Additional Information

Appendix 1 - Member Survey details

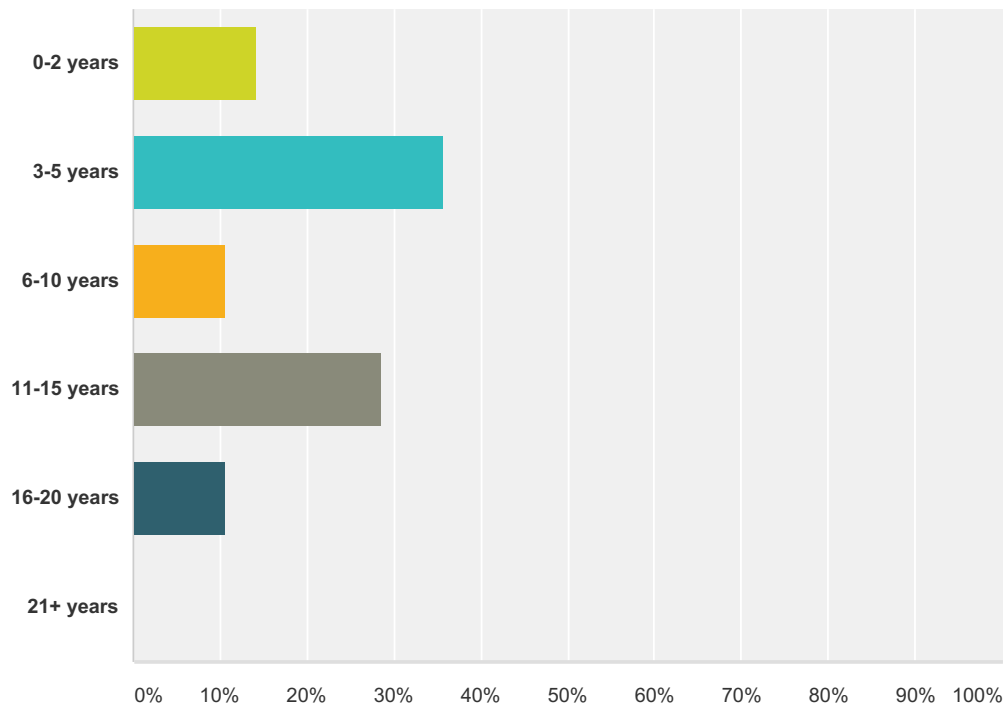
Officer to Contact

Officer Name: Chantal Lass
Officer Email Address: class@hastings.gov.uk
Officer Telephone Number: 01424 451483

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Q1 How long have you been a Hastings Borough Councillor in total?

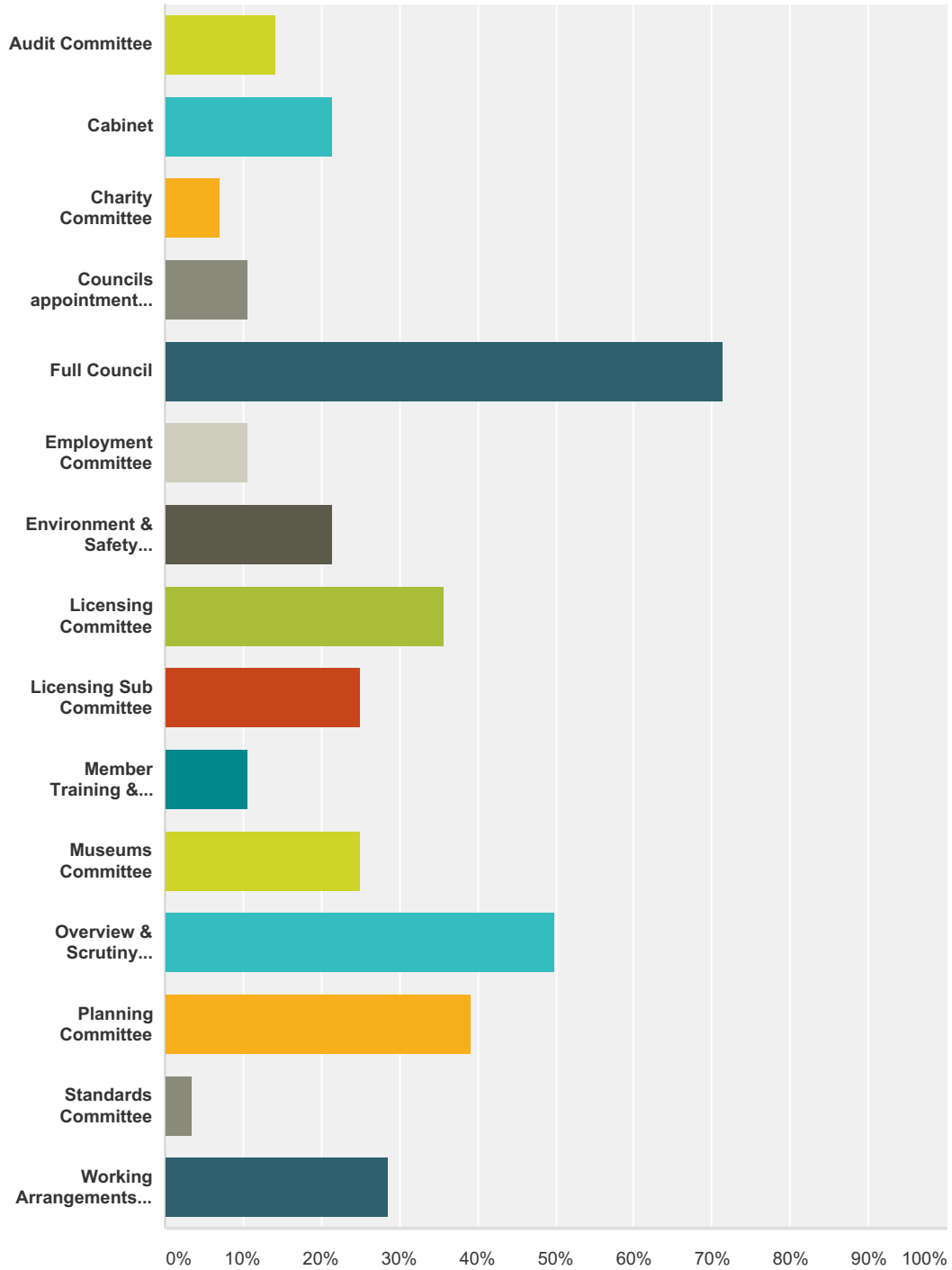
Answered: 28 Skipped: 0



Answer Choices	Responses
0-2 years	14.29% 4
3-5 years	35.71% 10
6-10 years	10.71% 3
11-15 years	28.57% 8
16-20 years	10.71% 3
21+ years	0.00% 0
Total	28

Q2 Please indicate which Council Committee (s) you are currently a member of (select all that apply):

Answered: 28 Skipped: 0

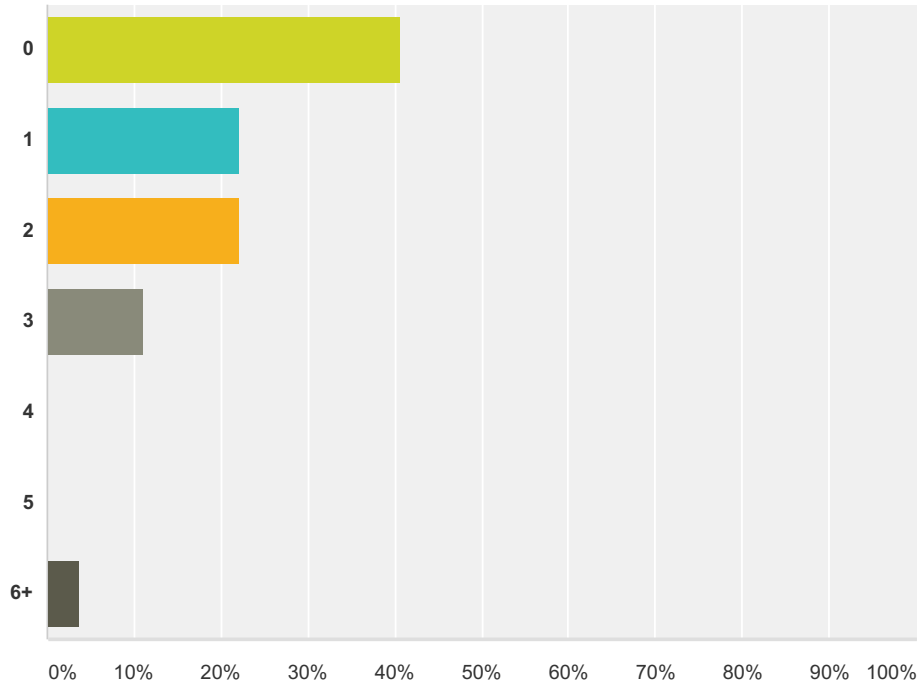


Answer Choices	Responses
Audit Committee	14.29% 4

Cabinet	21.43%	6
Charity Committee	7.14%	2
Councils appointment Committee	10.71%	3
Full Council	71.43%	20
Employment Committee	10.71%	3
Environment & Safety Committee	21.43%	6
Licensing Committee	35.71%	10
Licensing Sub Committee	25.00%	7
Member Training & Development Group	10.71%	3
Museums Committee	25.00%	7
Overview & Scrutiny Committee	50.00%	14
Planning Committee	39.29%	11
Standards Committee	3.57%	1
Working Arrangements Group	28.57%	8
Total Respondents: 28		

Q3 How many external appointments do you hold where you are appointed as a representative of the Council?

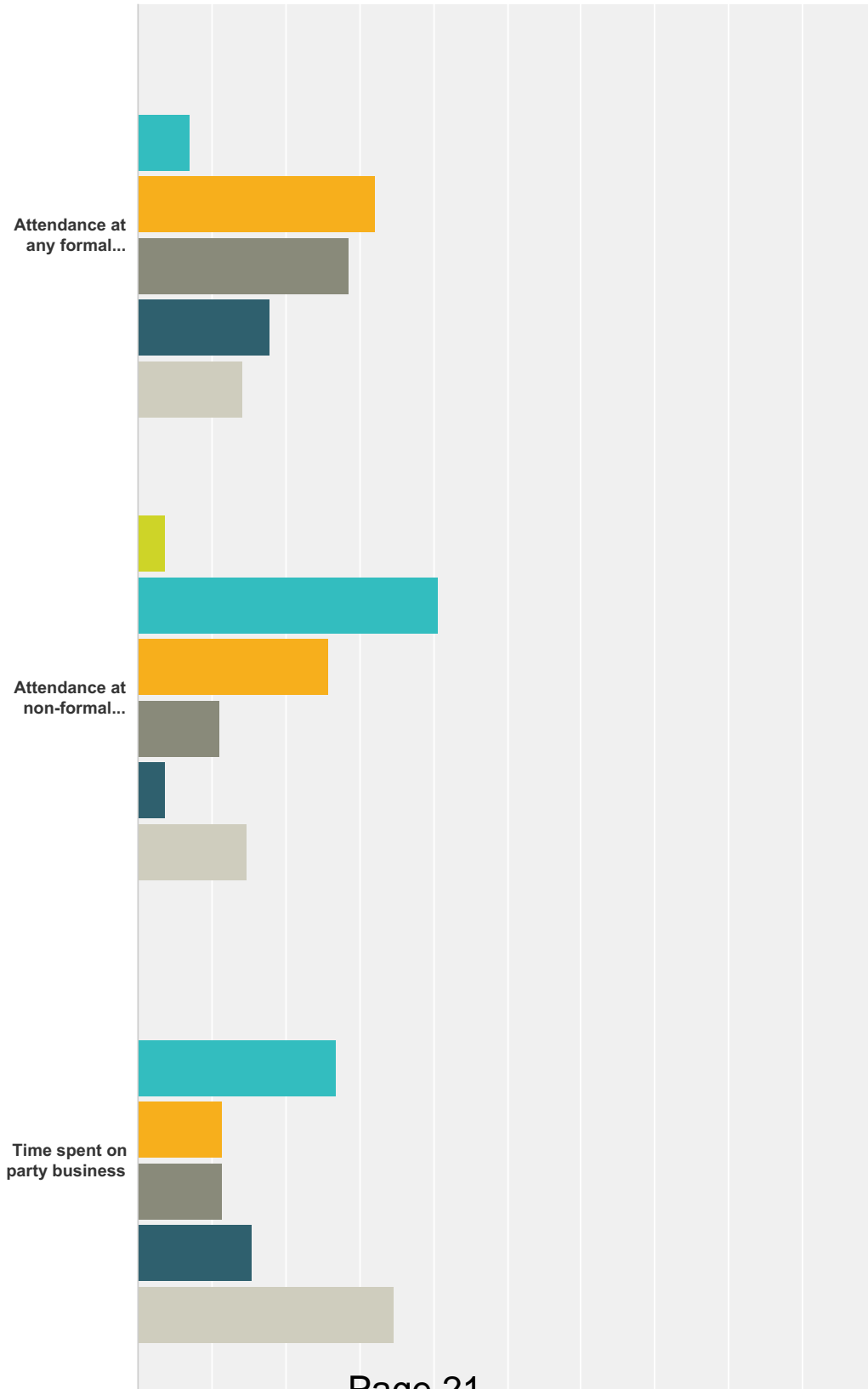
Answered: 27 Skipped: 1

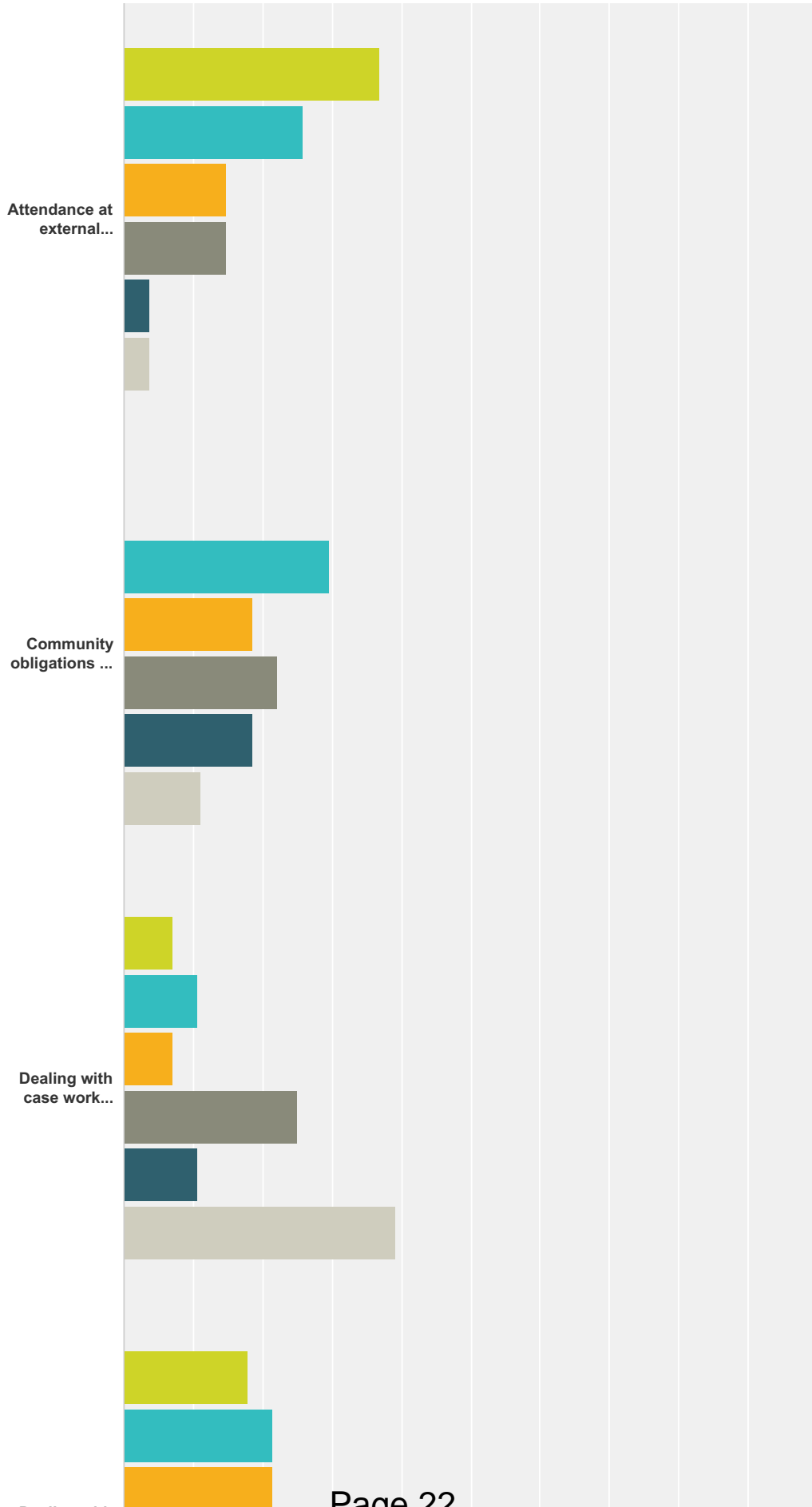


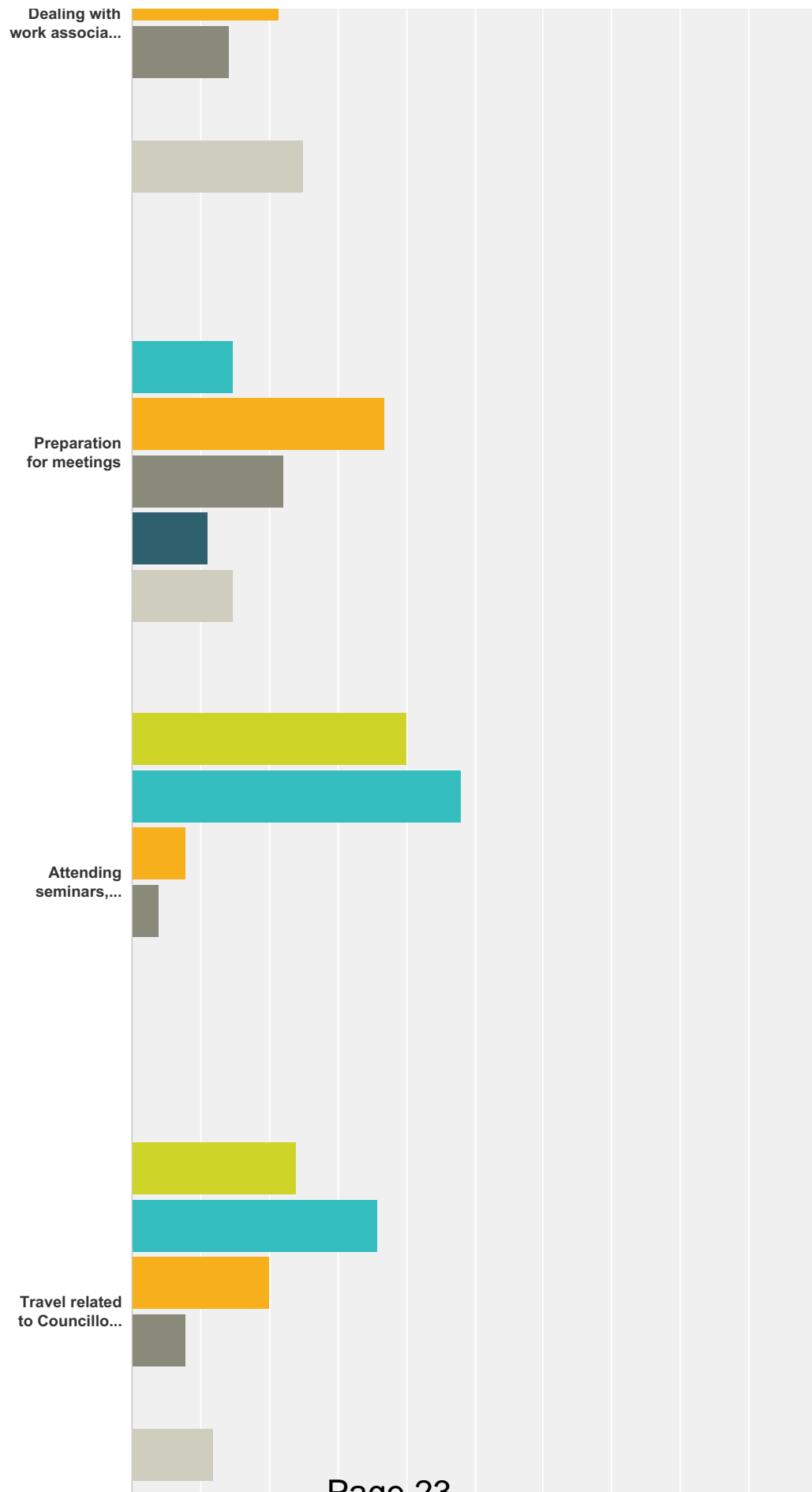
Answer Choices	Responses	
0	40.74%	11
1	22.22%	6
2	22.22%	6
3	11.11%	3
4	0.00%	0
5	0.00%	0
6+	3.70%	1
Total		27

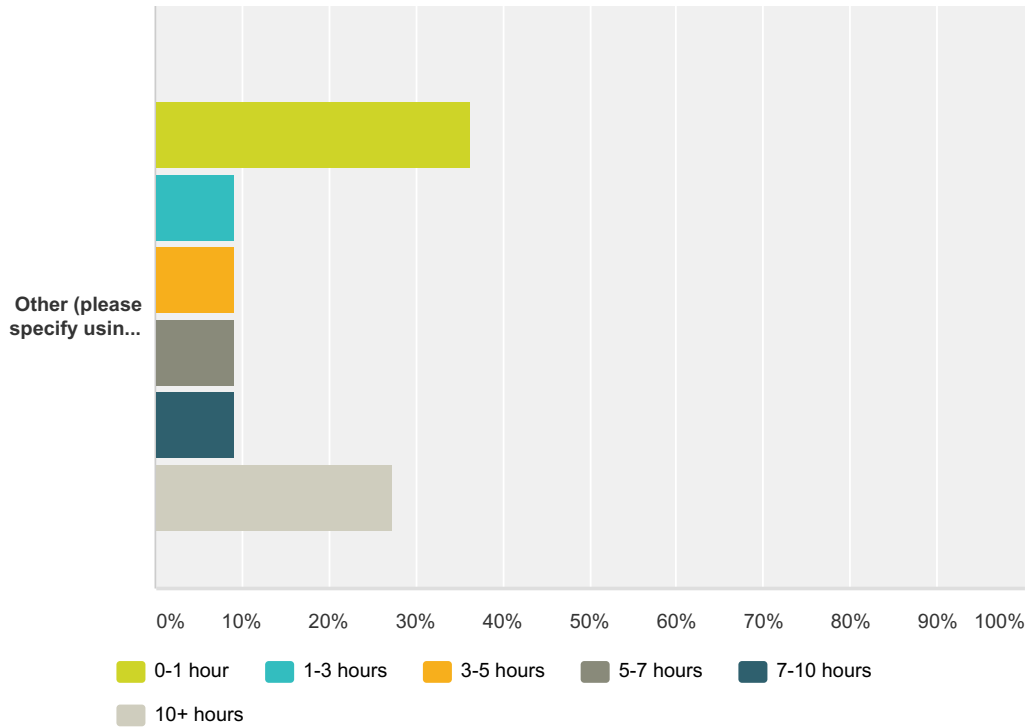
**Q4 On average, how many hours per month do you spend on Councillor business?
Please select one option in each row:**

Answered: 28 Skipped: 0









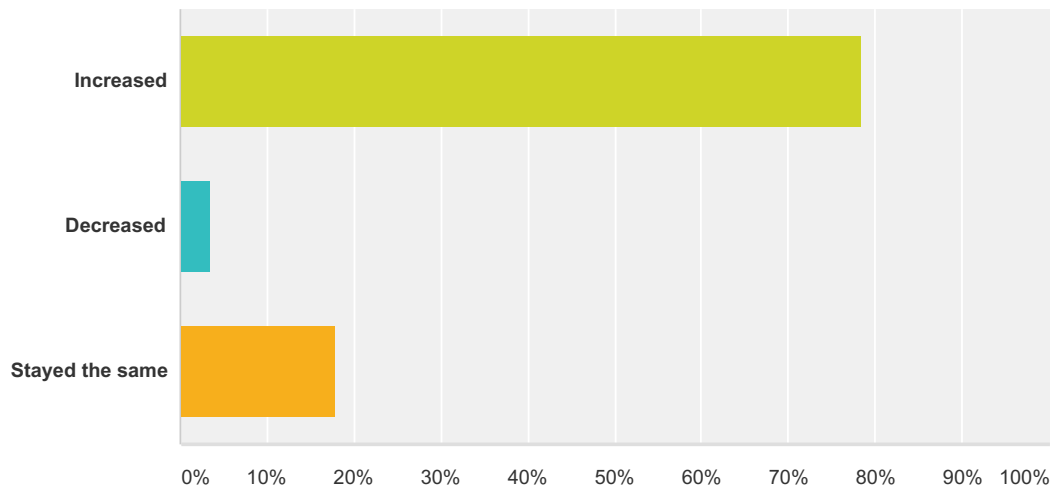
	0-1 hour	1-3 hours	3-5 hours	5-7 hours	7-10 hours	10+ hours	Total
Attendance at any formal Council meeting (Cabinet, full Council, Scrutiny etc.)	0.00% 0	7.14% 2	32.14% 9	28.57% 8	17.86% 5	14.29% 4	28
Attendance at non-formal Council meetings (meetings with officers, Chairmen's Briefings, Working Groups, Task & Finish Groups etc.)	3.70% 1	40.74% 11	25.93% 7	11.11% 3	3.70% 1	14.81% 4	27
Time spent on party business	0.00% 0	26.92% 7	11.54% 3	11.54% 3	15.38% 4	34.62% 9	26
Attendance at external meetings where you have been appointed as a representative of the Council rather than in your capacity as a Ward Councillor (Council appointed outside bodies etc.)	37.04% 10	25.93% 7	14.81% 4	14.81% 4	3.70% 1	3.70% 1	27
Community obligations in your capacity as a Ward Councillor (Ward Council Meetings, Community Forums)	0.00% 0	29.63% 8	18.52% 5	22.22% 6	18.52% 5	11.11% 3	27
Dealing with case work (telephone calls, emails, constituent enquiries, surgeries)	7.14% 2	10.71% 3	7.14% 2	25.00% 7	10.71% 3	39.29% 11	28
Dealing with work associated to particular responsibilities such as Cabinet (emails, reports)	17.86% 5	21.43% 6	21.43% 6	14.29% 4	0.00% 0	25.00% 7	28
Preparation for meetings	0.00% 0	14.81% 4	37.04% 10	22.22% 6	11.11% 3	14.81% 4	27
Attending seminars, conferences and training	40.00% 10	48.00% 12	8.00% 2	4.00% 1	0.00% 0	0.00% 0	25
Travel related to Councillor business	24.00% 6	36.00% 9	20.00% 5	8.00% 2	0.00% 0	12.00% 3	25
Other (please specify using hours here and use the box below to write the nature of the activity/ies and time spent on each)	36.36% 4	9.09% 1	9.09% 1	9.09% 1	9.09% 1	27.27% 3	11

#	If you have answered 'Other' to the question above, please tell us any further information	Date
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1	I am also Deputy Mayor and so the 'other' would refer to my duties but as with all the above it can vary from month to month	6/7/2015 11:00 AM
2	I am the Whip for the Labour group of Councillors.	6/2/2015 3:02 PM
3	Mayoral duties	6/1/2015 11:21 AM
4	Time spent reading emails and their attachments which contain information necessary to master to feel informed about council business.	5/30/2015 8:18 AM
5	delivering local ward newsletters	5/28/2015 8:03 PM
6	Gathering before and after pictures and information and creating a newsletter then delivering it to every property in my ward 3 times per year.	5/28/2015 7:33 PM
7	Other work as a ward councillor - door knocking, delivering local newsletters.	5/26/2015 1:53 PM

Q5 Since becoming a Councillor do you think your workload has:

Answered: 28 Skipped: 0

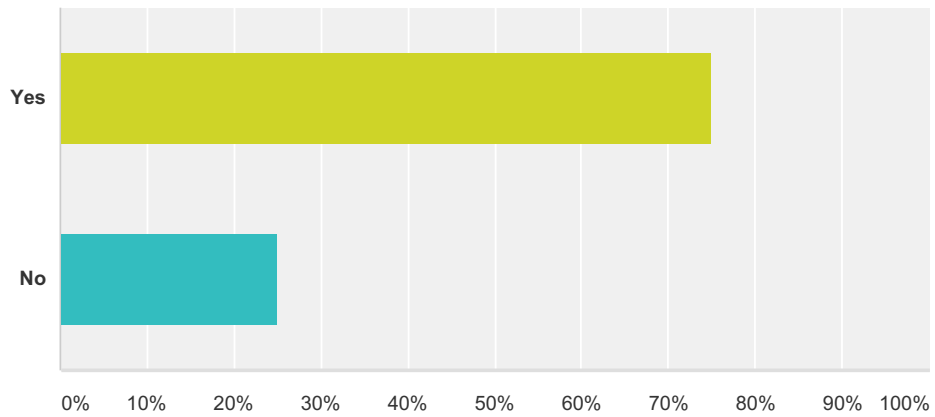


Answer Choices	Responses
Increased	78.57% 22
Decreased	3.57% 1
Stayed the same	17.86% 5
Total	28

#	Please let us know if you would like to provide any further comments to your response	Date
1	Baird is a very busy ward for a councillor. Since becoming a Councillor In 2010 my workload / casework has continued to increase. Baird Ward that I represent is the most deprived Ward in the Borough. Hastings is the most deprived Borough in the County of East Sussex and the seventeenth most deprived in the country. The Bromgrove area of my Ward has the largest social housing estate in the Borough and many of it's residents are very poor. In such a deprived ward often when residents contact me for help they are experiencing a number of problems. Legislative changes in benefit entitlement for example the Bedroom Tax which many residents find difficult to pay have significantly increased the number of requests that I receive from residents for assistance .In addition to this my workload as a Councillor has increased also by the number of large new completed housing developments in Baird Ward with more in the process of being built and others in the pipeline.	6/2/2015 3:02 PM
2	See above	6/1/2015 11:21 AM
3	I work fully to earn a living so everything I do on council business is extra and I assume it is the same for everyone, working or not. Perhaps I have misunderstood the question.	5/30/2015 8:18 AM
4	I cant see how one Cllr would be able to do all that we do presently and have a larger ward. As it is we have the time to meet the needs of our residents and our duties. If younger Cllrs are to become involved they will need to work to earn a living as well as carry out their role, allowances do not cover a persons living costs so doing this totally excludes them as a group. Thi ssi not r[presently a problem as we have a lot of retired Cllrs. I work part time and have a basic role as a Cllr at present and I can just about manage. If you where to change this it would be less feasible to continue as I have a mortgage to pay.	5/28/2015 8:03 PM
5	Due to the organisation shrinking in staff I have had to do more organising etc for myself.	5/28/2015 7:33 PM
6	My workload has increased significantly over the last few years, mainly because of changes in benefits and housing association rules	5/26/2015 12:49 PM

Q6 Do you feel that you have sufficient time to fulfil your Council and Political Roles effectively? Please select one option:

Answered: 28 Skipped: 0

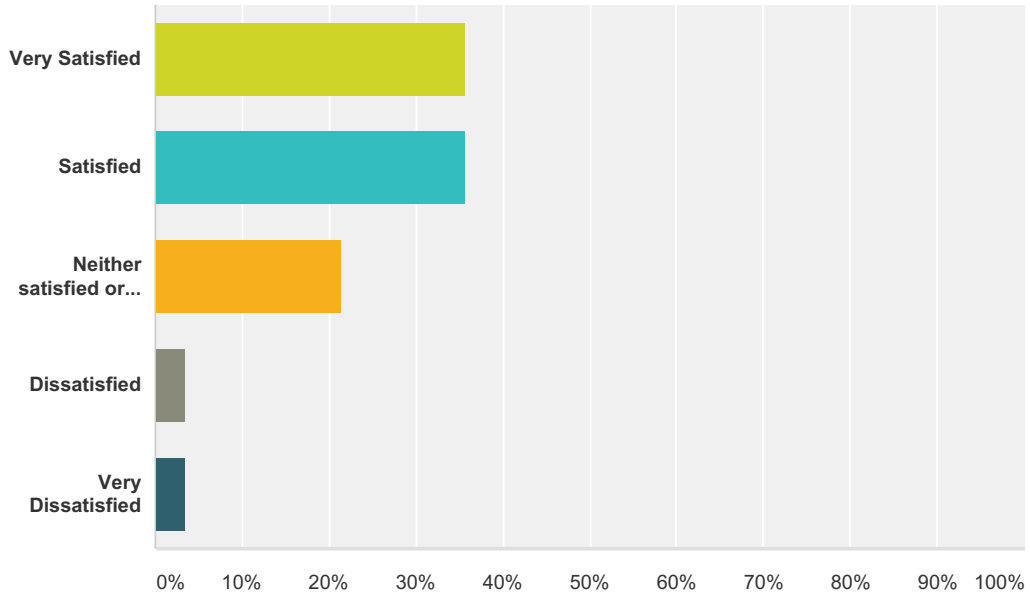


Answer Choices	Responses
Yes	75.00% 21
No	25.00% 7
Total	28

#	Please let us know if you would like to add any further comments to your response	Date
1	It does mean frequently working weekends and late evening to fit everything in and does impact on family life	5/31/2015 3:13 PM
2	Just about...it's always a balancing act and there's always more that could be done! It would be very difficult if I worked full time to cope with the demands of the role.	5/29/2015 9:37 PM
3	see comments above in regards to Cllrs that have to work.	5/28/2015 8:03 PM
4	If cllrs are expected to do the equivalent of a part time job then they should be remunerated as such. Some of us work a full time job on top, have little staff support and get high rate tax on the allowance which barley covers costs.	5/28/2015 7:33 PM

Q7 How satisfied are you with the level of support provided for you to undertake your role?

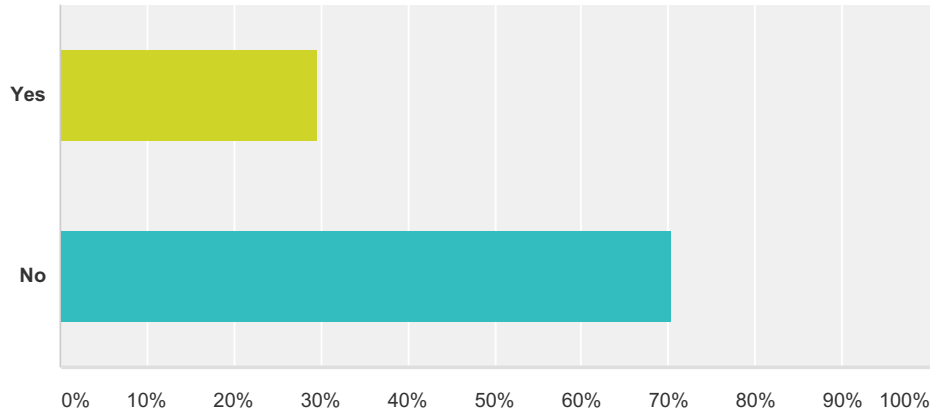
Answered: 28 Skipped: 0



Answer Choices	Responses
Very Satisfied	35.71% 10
Satisfied	35.71% 10
Neither satisfied or dissatisfied	21.43% 6
Dissatisfied	3.57% 1
Very Dissatisfied	3.57% 1
Total	28

Q8 Is there any further support that you would like provided in order to help you undertake your role?

Answered: 27 Skipped: 1

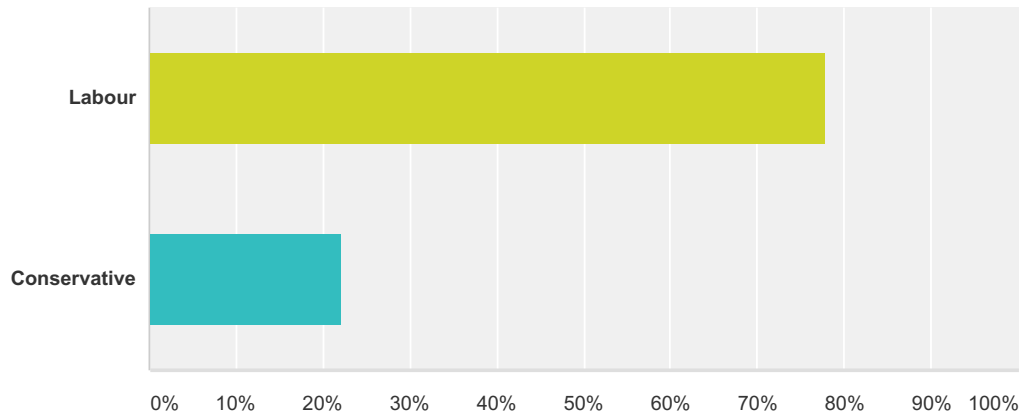


Answer Choices	Responses
Yes	29.63% 8
No	70.37% 19
Total	27

#	If you have responded 'yes' please give further information	Date
1	Better mentoring, meetings adjusted to accommodate those who work, shadowing schemes, quicker and more reliable responses from officers.	6/2/2015 12:20 AM
2	More training in the use of IT	6/2/2015 12:12 AM
3	I require greater I.t support and equipment	6/1/2015 12:35 PM
4	I have supportive colleagues but. I often say, I don't always know what I don't know. Which is why so much time is spent reading emails. After a year I am beginning to understand some of the protocols, and the personnel and their responsibilities, but is difficult to learn on the job as the job is so sporadic. I am not sure what would help though.	5/30/2015 8:18 AM
5	Still ignorant about the structure and who to approach. I rarely receive a response when writing to an officer.	5/29/2015 10:02 AM
6	Admin support for those in busy wards who can't always answer emails due to working 12 hour days.	5/28/2015 7:33 PM
7	Unfortunately, the staffing complement has been greatly reduced since I was first elected. This means that I sometimes do work which would have previously been done by officers. There is no longer any tailoring to individual councillor's needs. Additional support from Democratic Services, for example, research into topics of interest would be especially welcome.	5/26/2015 9:06 PM
8	All of my IT needs are met by the ESCC, the level of support has reduced over the years, including IT equipment and Officers Support with leaflet printing etc. Printing material would be helpful, Ward Budgets would be helpful. Where some IT equipment is supplied by ESCC it may be helpful if HBC could make available items that ESCC no longer do so.	5/26/2015 1:28 PM

Q9 Which party do you represent?

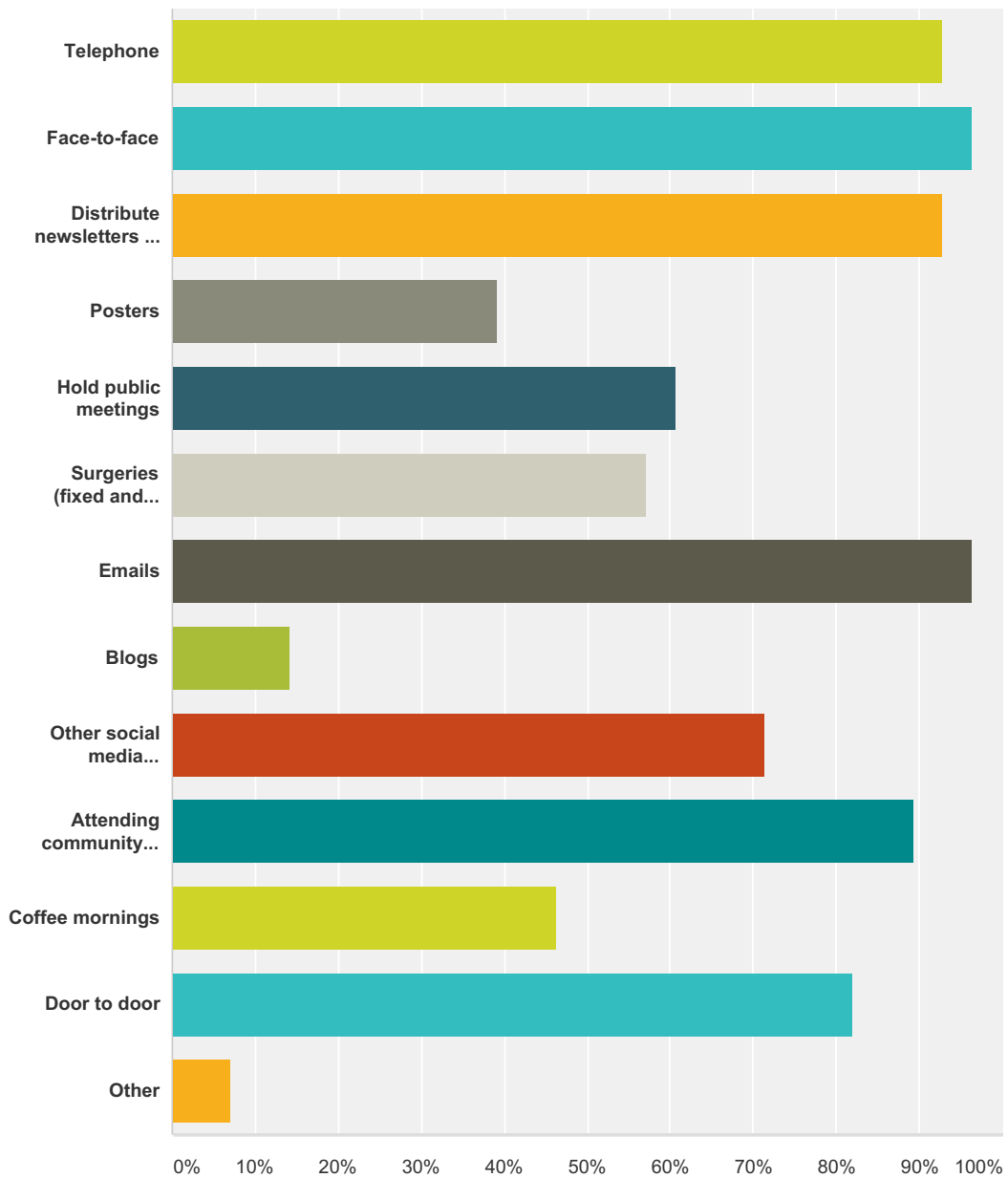
Answered: 27 Skipped: 1



Answer Choices	Responses
Labour	77.78% 21
Conservative	22.22% 6
Total	27

Q10 How do you engage with your Constituents? Please select all that apply:

Answered: 28 Skipped: 0



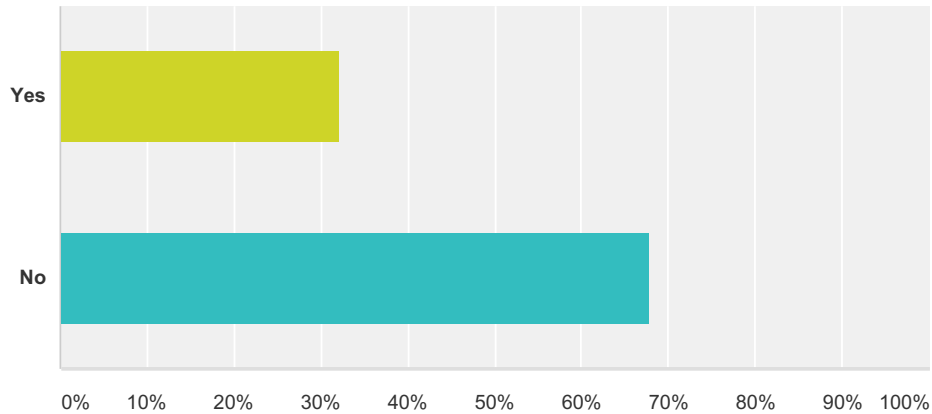
Answer Choices	Responses	Count
Telephone	92.86%	26
Face-to-face	96.43%	27
Distribute newsletters / flyers	92.86%	26
Posters	39.29%	11
Hold public meetings	60.71%	17

Surgeries (fixed and other)	57.14%	16
Emails	96.43%	27
Blogs	14.29%	4
Other social media (Facebook, Twitter)	71.43%	20
Attending community events	89.29%	25
Coffee mornings	46.43%	13
Door to door	82.14%	23
Other	7.14%	2
Total Respondents: 28		

#	If you have answered 'Other' to the question above, please tell us any further information	Date
1	Ward-specific website.	5/26/2015 1:53 PM

Q11 In time, do you think we should change from a 2 year cycle to 4 years to align our election cycle with other local authorities and to save money?

Answered: 28 Skipped: 0



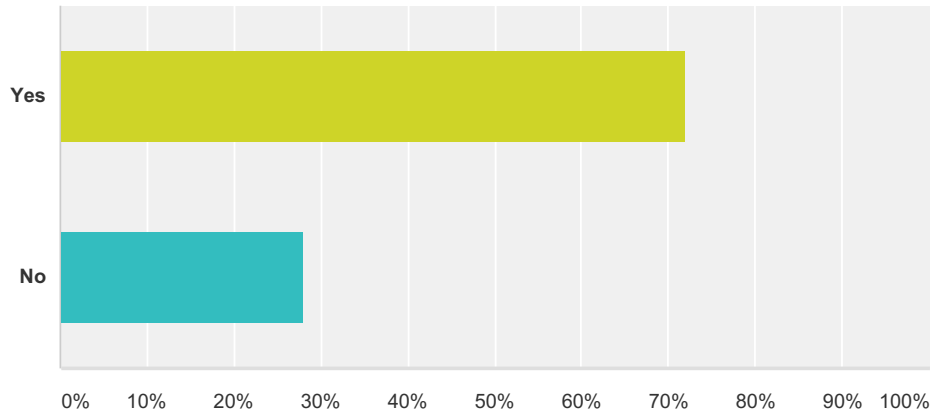
Answer Choices	Responses
Yes	32.14% 9
No	67.86% 19
Total	28

#	Any additional comment:	Date
1	I was a town councillor in Suffolk where the whole council was up for election every 4 years which meant that there was the risk if there was a political swing that you lost experienced councillors. For example the year I was elected we lost all the members of planning and I became vice chair of the committee - I had no experience and no knowledge. In this case town council had very limited powers but should this occur at borough level it could be a major problem.	6/7/2015 11:00 AM
2	I believe the current system makes us more democratically accountable	6/2/2015 12:20 AM
3	A 2 year cycle keeps elected representatives on their toes - it encourages them to remain engaged with constituents. It's also an inducement to political parties to stay in touch with and respond to the issues raised by local people. A longer election cycle would make this less likely to happen.	6/2/2015 12:12 AM
4	For the financial savings alone I also think it would help turnout if we were not constantly banging on doors for one election or another	6/1/2015 8:58 PM
5	You need some experience councillors after a election	6/1/2015 11:21 AM
6	As a new councillor it seems to me that a lot of energy has to go into campaigning and it would be better spent on the job. The skills required to get yourself elected are not necessarily those that make someone a good councillor.	5/30/2015 8:18 AM
7	it would save money and time	5/30/2015 12:26 AM
8	This system allows for consistency with residents and I don't think the saving is substantial enough to make that bigger difference to our budgets that it would be worth it. the cost savings would probably be less than is thought.	5/28/2015 8:03 PM

9	Given the knowledge base required if members are to carry out their roles in a professional manner, I think that the two year cycle ensures continuity and can help newer members learn from more experienced colleagues. All councillors retiring at the same time can cause real dislocation. As a retired local government professional of 30+ service in four large unitary authorities, I am aware of the pro's and con's of the various alternatives across the UK, but on balance, I prefer our current approach.	5/28/2015 7:37 PM
10	It is more consistent and keeps stability in the organisation to have 2 yearly elections.	5/28/2015 7:33 PM
11	Unfortunately the demands on councillor's time means that not all councillors are effective at keeping in touch with residents. Keeping to a 2 year cycle is a way of overcoming this matter.	5/26/2015 9:06 PM
12	It is important that we stick to the present 2 year cycle which is much more democratic as it allows all residents to pass judgement on their Council every 2 years. There are other arguments to support this, too. We should not reduce democratic accountability in order to save a small amount of money.	5/26/2015 4:09 PM
13	If all Councillors were 'up' at the same time there is a possibility that a Ward could end up with 2 inexperienced Councillors	5/26/2015 12:49 PM

Q12 Are there any other comments you would like to make with regard to being a Hastings Borough Councillor that might be relevant to the Council's submission on Council size?

Answered: 25 Skipped: 3



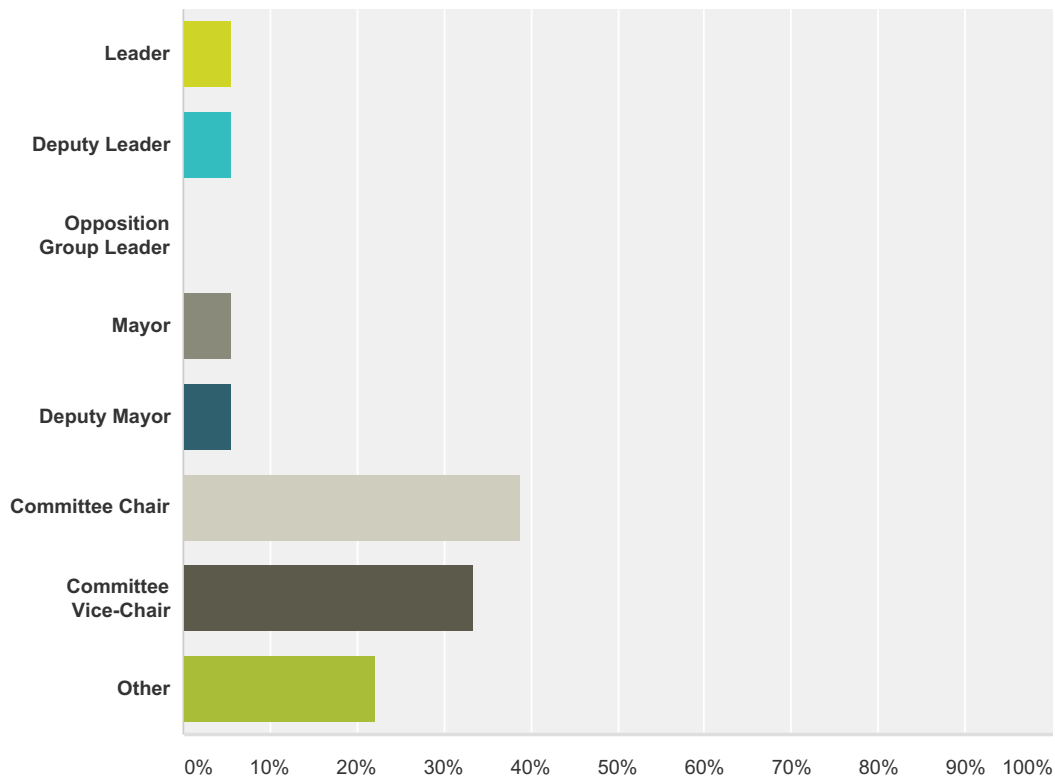
Answer Choices	Responses
Yes	72.00% 18
No	28.00% 7
Total	25

#	If yes, please tell us your further response	Date
1	As I have explained above, Hastings is the seventeenth most deprived Borough in the country and needs all the Councillors that it can get. Having had to reduce a significant number of officers because of a fifty eight % reduction of funding that Hastings Borough Council receives from central Government, has puts more pressure on both Officers and Councillors to meet residents expectations of a good standard of service to the town.	6/2/2015 3:02 PM
2	There appears to be a feeling that boundary changes are already a "done deal" and the councillor numbers will lessen. This is concerning. While agreeing that an equalisation process for wards may be appropriate I believe the current number of councillors is better democratically if residents are to be adequately represented.	6/2/2015 12:20 AM
3	A smaller Council (fewer wards) means each councillor would represent more constituents which, ipso facto, would mean a bigger workload particularly in respect of correspondence and casework. This would further discourage people who are in employment or who have caring responsibilities from standing for Council. That would be retrograde and a strong argument, I feel, for maintaining the Council at its current size	6/2/2015 12:12 AM
4	The wards need to be evened out so that each councillor has the same number of residents to deal with.	6/1/2015 9:24 PM
5	We have too many cllr's most councils of a similar size have less I think we could reduce by 4 cllr's quite easily	6/1/2015 8:58 PM
6	It is crucial that we reduce the number of cllrs	6/1/2015 12:35 PM
7	If the number were to be reduced it would lead to an increase of retired, financially secure men. Being a councillor who gets involved in the community takes up a lot of time, impacting on family and employment or studies, often meaning councillors suffer a loss in income to fulfill their role.	5/31/2015 3:13 PM
8	32 seems too many for a small town like Hastings.	5/30/2015 12:26 AM

9	Reducing the number of councillors would increase the workload. This would make the role even less attractive than it is perceived to be at the moment and would not help us attract people from diverse backgrounds and those with other work or caring responsibilities to become councillors.	5/29/2015 9:37 PM
10	The council should be reduced in size from 32 to 28 members in 14 wards.	5/29/2015 10:02 AM
11	It is my view that the Number of councillors can and should be reduced. If we retain two-member wards, or go to three-member wards, the workload should be bearable, no matter where in the Borough the ward is.	5/29/2015 12:01 AM
12	I often become aware of the awkwardness of the way Rother surrounds Hastings and is split on the two sides of Hastings, id there was ever a boundary review of this nature I would like to see some of the areas that fall over into Rother be taken on by Hastings Council. Especially areas that could benefit from an interventionist council.	5/28/2015 8:03 PM
13	Given the many complex issues affecting our borough and the growing population, I think that any move to reduce the number of wards and councillors would be a retrograde step and would oppose a proposal of that nature. This is particularly so since we have had to reduce our paid establishment, with our residents increasingly contacting elected members with regard to a whole range of matters.	5/28/2015 7:37 PM
14	Being a Cllr for a very deprived ward makes for more work. The demand is higher and the need is greater and this should be reflected in the decision making process.	5/28/2015 7:33 PM
15	I feel that having two councillors per ward has its advantages, it allows for residents to engage with another if response is not good enough or have no response. Due to personal issues or work commitments the other councillors in my ward have not been available for over 4 years so very pleased I was able to be there for residents.	5/26/2015 10:24 PM
16	Hastings is a very deprived borough. This creates an additional workload on councillors. There is a dislocation between county and borough services which requires additional effort to overcome.	5/26/2015 9:06 PM
17	Each if the Wards has a different type of make up, some Wards will generate more casework because of the complex type of social issues than others, I have spent a lot if time over the years looking at the Community Profiles in some of the more deprived and therefore challenging Wards, what is clear is that they need more than ever extra resources not less, that includes ensuring adequate representation.	5/26/2015 1:28 PM
18	I feel that the 'system' works the way it is at the moment with the Wards being the right size for the different problems the constituents have (each Ward has different problems) and also we have the correct number of Councillors to address those issues.	5/26/2015 12:49 PM

Q13 Do you hold any of the following positions? Please select all that apply:

Answered: 18 Skipped: 10



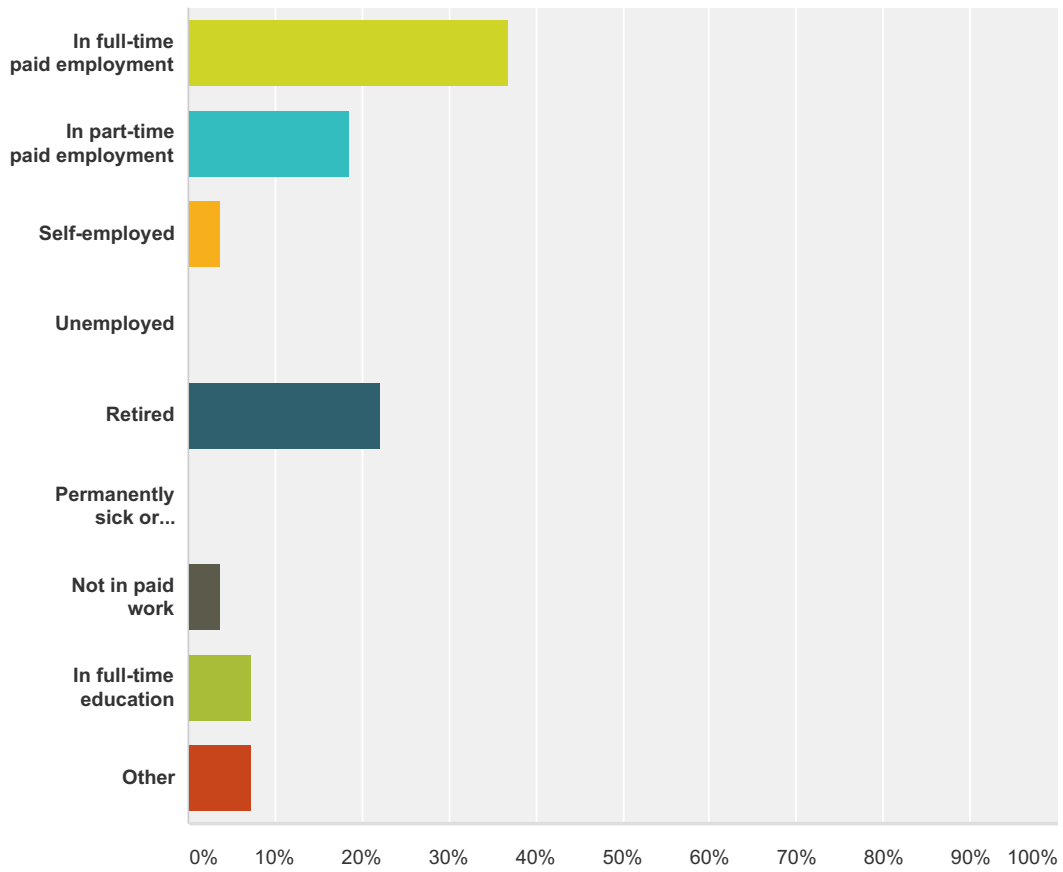
Answer Choices	Responses
Leader	5.56% 1
Deputy Leader	5.56% 1
Opposition Group Leader	0.00% 0
Mayor	5.56% 1
Deputy Mayor	5.56% 1
Committee Chair	38.89% 7
Committee Vice-Chair	33.33% 6
Other	22.22% 4
Total Respondents: 18	

#	If you have answered 'Other' to the question above, please tell us any further information	Date
1	Scrutiny chair	6/2/2015 6:56 PM
2	Whip, for the Labour Councillors Group	6/2/2015 3:02 PM
3	Deputy opposition group leader	6/1/2015 8:58 PM

4	HBC appointed Director on the new Combe Valley Countryside Park Board of Directors	5/28/2015 7:37 PM
5	Lead member.	5/26/2015 9:06 PM

Q14 What is your employment status?

Answered: 27 Skipped: 1



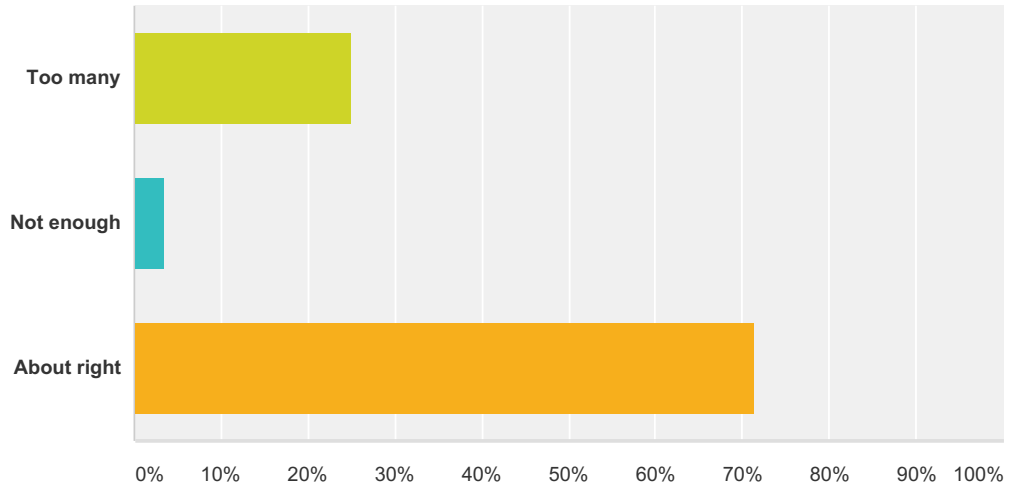
Answer Choices	Responses	
In full-time paid employment	37.04%	10
In part-time paid employment	18.52%	5
Self-employed	3.70%	1
Unemployed	0.00%	0
Retired	22.22%	6
Permanently sick or disabled	0.00%	0
Not in paid work	3.70%	1
In full-time education	7.41%	2
Other	7.41%	2
Total		27

#	If you have answered 'Other' to the question above, please tell us any further information	Date
1	My employment is effectively full time but the hours are flexible so usually I can fit it around council business.	5/30/2015 8:18 AM

2	I was Mayor for 4 years, and prior to that Deputy Mayor for two years. Resigned in 2010	5/30/2015 12:26 AM
3	I also study a degree at Open university in Leadership and management and work in our family business	5/28/2015 8:03 PM
4	Council leader!	5/26/2015 1:53 PM

Q15 Based on the information you have provided in this questionnaire, which of the following best describes, in your view, the number of Elected Members at Hastings Borough Council:

Answered: 28 Skipped: 0



Answer Choices	Responses
Too many	25.00% 7
Not enough	3.57% 1
About right	71.43% 20
Total	28

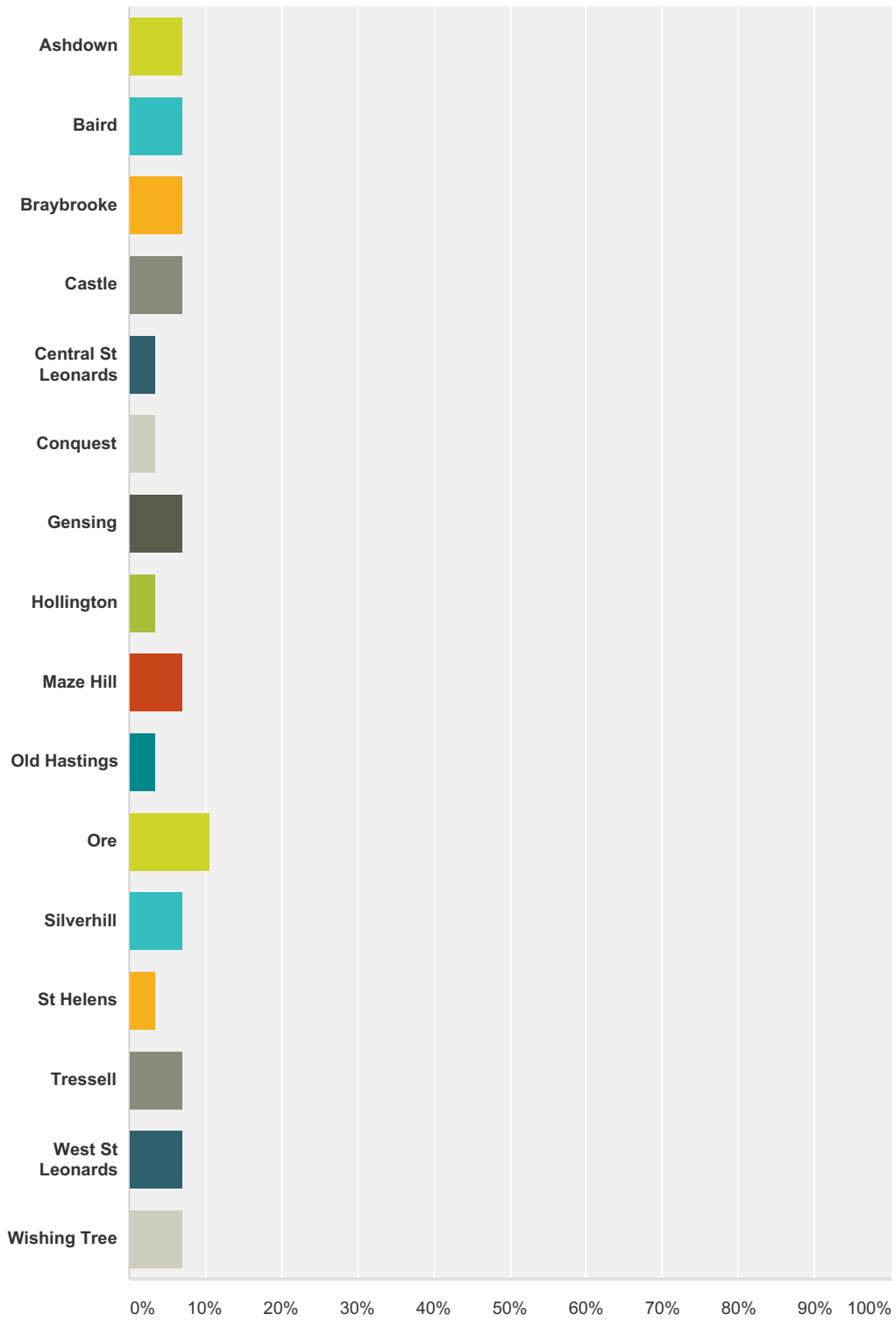
Q16 Name:

Answered: 22 Skipped: 6

#	Responses	Date
1	Judy Rogers	6/7/2015 11:00 AM
2	Nigel Sinden.	6/4/2015 10:03 PM
3	Trevor webb	6/2/2015 6:56 PM
4	Colin Fitzgerald	6/2/2015 12:20 AM
5	Dominic Sabetian	6/2/2015 12:12 AM
6	Matthew Beaver	6/1/2015 9:24 PM
7	Robert cooke	6/1/2015 8:58 PM
8	Rob Lee	6/1/2015 12:35 PM
9	Sue Beaney	5/30/2015 8:18 AM
10	Kim Forward	5/29/2015 9:37 PM
11	Michael edwards.	5/29/2015 10:02 AM
12	Peter Pragnell	5/29/2015 12:01 AM
13	Tania Charman	5/28/2015 8:03 PM
14	Emily Westley	5/28/2015 7:33 PM
15	Andrew Batsford	5/26/2015 10:24 PM
16	ANDREW CARTWRIGHT	5/26/2015 9:06 PM
17	Richard Street	5/26/2015 4:09 PM
18	Warren Davies	5/26/2015 3:13 PM
19	Peter Chowney	5/26/2015 1:53 PM
20	PHIL SCOTT	5/26/2015 1:28 PM
21	Councillor Alan Roberts	5/26/2015 12:49 PM
22	Michael Wincott	5/26/2015 12:39 PM

Q17 Ward:

Answered: 28 Skipped: 0



Answer Choices	Responses
Ashdown	7.14% 2

Baird	7.14%	2
Braybrooke	7.14%	2
Castle	7.14%	2
Central St Leonards	3.57%	1
Conquest	3.57%	1
Gensing	7.14%	2
Hollington	3.57%	1
Maze Hill	7.14%	2
Old Hastings	3.57%	1
Ore	10.71%	3
Silverhill	7.14%	2
St Helens	3.57%	1
Tressell	7.14%	2
West St Leonards	7.14%	2
Wishing Tree	7.14%	2
Total		28

Q18 Please tell us any other comments you may have

Answered: 7 Skipped: 21

#	Responses	Date
1	In terms of Castle Ward the size is about right and because of the geography of the ward is unlikely to grow very much larger in terms of population because of lack of space for new development. The major area of growth will be in the student population as the University and College grow but many of these choose to register their home address.	6/7/2015 11:00 AM
2	Sorry but this may be a little late. I thought that I had filled it in.	6/4/2015 10:03 PM
3	None	6/2/2015 12:20 AM
4	I believe we should move to four yearly elections and 28 councillors for borough we could also do this by moving to 7 county cllr's as well	6/1/2015 8:58 PM
5	I feel that my ward is not so demanding as others so my views may be skewed by that.	5/30/2015 8:18 AM
6	In my view twenty eight councillors, in fourteen two-member wards is a sensible number. It provides enough councillors to bear the workload. Eastbourne, a borough of similar size, functions perfectly well with twenty seven councillors.	5/29/2015 12:01 AM
7	I'm also the East Sussex County Councillor for Hollington & Wishing where I would deal with issues relating to the County Council such as Adult Social Care, Children's Services, Environment, Transport, Health, Etc. the hours I have put down earlier in the survey in terms if time commitment does not include my time spent on ESCC casework or other workloads associated with report reading, preparation, travelling to and fro to Lewes or Eastbourne. I am also an East Sussex Fire Authority member appointed by ESCC and that is in itself quite onerous in terms of report reading and attending meetings, travelling etc. I am a Group Leader of 5 Colleagues on the ESFRS CFA.	5/26/2015 1:28 PM

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Agenda Item 6



Report to: Cabinet

Date of Meeting: 6 July 2015

Report Title: Amendments to the Council's Constitution

Report By: Christine Barkshire-Jones
Chief Legal Officer

Purpose of Report

The Council's Constitution is the basis for the Council's Corporate Governance. It is necessary to amend and improve the document on an ongoing basis.

Recommendation(s)

- 1. Cabinet recommend to Council the approval of the changes to the Council's Constitution.**

Reasons for Recommendations

The Council's Constitution is the basis for the Council's Corporate Governance. It is necessary to amend and improve the documents on an ongoing basis.

-
1. The amendments to the Constitution have arisen from the Senior Management re-structure. Parts 7 and 8 have had to be completely re-drafted.

Whilst undertaking that process Part 8, Standing Instructions to Officers has been generally updated to ensure that officers can carry out their statutory functions.

There have been further minor amendments throughout.

2. The Leader of the Council suggested that the rule on Council motions be re-worded to:-

Motions must be about matters for which the Council has a responsibility or which affects Hastings and/or its residents. The ruling of the Monitoring Officer in consultation with the Mayor shall be final as to the relevance of the motion.

This will allow more motions to be discussed at Council in cases whereby the Council do not have functions or the responsibility to address.

3. This report has been to WAG on 17 June 2015. They approved the amendments subject to adding "and/or its residents" to the re-worded motion.

AMENDMENTS to Part 2, 3, 4 and 7 - please see Amendments to the Constitution 2015 Appended

Part 2 - Articles of the Constitution

Part 3 - Responsibility for Functions

Part 4 - Rules of Procedure

Part 7 - Management Structure

Part 8 - Standing Instructions to Authorised Officers

Appended

Wards Affected

None

Policy Implications

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

Equalities and Community Cohesiveness	No
Crime and Fear of Crime (Section 17)	No
Risk Management	No
Environmental Issues	No

Economic/Financial Implications	No
Human Rights Act	No
Organisational Consequences	Yes
Local People's Views	No
Anti-Poverty	No

Additional Information

Appendix 1 - Amendments to the Constitution 2015
Appendix 2 - Part 7 - Management Structure
Appendix 3 - Part 8 - Standing Instructions to Authorised Officers

Officer to Contact

Christine Barkshire-Jones
cbarkshire-jones@hastings.gov.uk
01424 451731

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AMENDMENTS TO THE CONSTITUTION 2015

PART 2 – Articles of the Constitution

Article 11 – Officers

Page 18

Replaced Head of Corporate Services – Monitoring Officer with **Chief Legal Officer – Monitoring Officer**

Replaced Head of Finance – Chief Finance Officer with **One of the Assistant Directors– Chief Finance Officer**

Page 19 – Functions of the Monitoring Officer

- f. deleted first line - Advising whether Cabinet decisions are within the budget and policy framework.

Now reads – **The Monitoring Officer will advise whether decisions of the Cabinet are in accordance with the budget and policy framework.**

Page 23

Changes to the Constitution

- 14.3 Changes to the Constitution will be approved by the Full Council. However, minor changes, not affecting the substance of the Constitution, such as correction of typographical errors or changes in job titles or the management structure, may be made by the Directors with the approval of the Monitoring Officer and in consultation with the Leader of the Council and the Chair of Working Arrangements Group **and the Chair of Working Arrangements Group** (has now been added)

PART 3 – Page 11 – g.(v)

Inserted - Monitoring the effectiveness of the authority's risk management arrangements.

Inserted on Page 13 – w - Scrutiny of the Treasury Management Strategy, Minimum Revenue Provision (MRP) Policy normal and the Investment Strategy and performance throughout the year before their submission to Cabinet and Council.

PART 4 – Rules of Procedure

14 Motions on Notice

Page 16

14.1 Deleted in the first line – Every motion shall be relevant to some matter in relation to which the Council has statutory powers, duties or functions.

Now reads - **Motions must be about matters for which the Council has a responsibility or which affects Hastings and/or its residents. The ruling of the Monitoring Officer in consultation with the Mayor shall be final as to the relevance of the motion.**

Page 24

23.4 Deleted – **No use of visual or audio recording equipment is permitted at meetings of the authority, other than that operated by the Council or another with the consent of the Mayor or chair for the meeting.**

PART 7 – Management Structure

Page 3 and 4

Heads of Service replaced with Assistant Directors Titles

Hastings Borough Council Constitution of the Council

Part 7 Management Structure

The Constitution, Part 7
Management Structure

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Hastings Borough Council Management Structure

Hastings Borough Council Directorate Structure

Director of Corporate Services and Governance (Head of Paid Service)

Services:-

Legal Services

Democratic Services

Personnel Services including Training and Development

Policy

Equalities

Contact Centre

Building Management

Information Technology

Contact Centre

Assistant Director of Financial Services and Revenues

Services:-

Financial Services

Revenues and Benefits

Estates

Internal Audit

Investigations

Procurement

Director of Operations

Assistant Director of Environment and Place

Services:-

Environmental Protection

Health and Safety

Food Hygiene

Licensing

Parking and Highways

Waste and recycling

Civil Contingencies and Emergency Planning

Cemetery and Crematorium

Community Safety

Assistant Director of Housing and Built Environment

Services:-

Housing Operations

Housing Strategy and Development

Housing Renewal

Development Management

Conservation

LLPG and Land Charges

Assistant Director of Regeneration and Culture

Services:-

Seafront services, Museums and Theatre

Leisure Development

Sports Centre

Regeneration

Economic Development and Neighbourhood Services

Community Services

Planning Policy (formerly known as Forward Planning)

External Funding

Marketing Communications

Hastings Borough Council Constitution of the Council

Part 8

Standing Instructions to Authorised Officers

The Constitution, Part 8

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Standing Instructions to Authorised Officers

Adopted by Council on 25 July 2007, revised 23 July 2008, 16 December 2009, 21 March 2012 and 21st June 2012. Amended Council July 2015.

Introduction

1. The Constitution Part 3 sets out delegations from the Council to Committees.
2. These Standing Instructions contain delegations from the Cabinet and Council to Authorised Officers.
3. This is not an exhaustive statement of all their individual duties, which are to be found in the job descriptions, Council and committee resolutions, instructions given or issued by the Directors from time to time, and this Constitution.

Definitions

4. The Chief Finance Officer for the purposes of the Local Government Act 1972 section 151 and the Local Government Finance Act 1988 section 114 is the Head of Financial Services.
5. The Monitoring Officer for the purposes of section 5 Local Government and Housing Act 1989 is the Chief Legal Officer.
6. "Chief Officers" are the Directors.
7. "Authorised officers" are the Chief Officers and Assistant Directors (and their nominees).
8. "Nominees" are officers that the Chief Officers or Assistant Directors have authorised to act on their behalf. Nominees may also be contractors, or officers of another authority acting on behalf of the Council.
9. The Lead member is the Cabinet Member nominated by the Leader of the Council for the purpose either generally or at a specific time or for a specific purpose. In the absence or unavailability of a Lead member, the Leader of the Council may act in place of the Lead member.
10. The discharging of functions means being ultimately accountable for decisions regarding a function under an Act of Parliament. It includes accountability under any Regulations, Statutory Instrument, other subordinate legislation, or byelaw, and any legislation re-enacting or amending the Act.

Assumption of full delegation

11. Authorised Officers discharge the functions delegated to them through appropriately qualified officers.
12. In relation to the delegations set out in these Standing Instructions, it is intended to delegate the Council's functions fully to Authorised Officers and, through them, to all other officers acting under these Instructions except where otherwise provided in statute, regulations, or this Constitution.
13. For the avoidance of doubt, delegations are particularised for identification purposes only and do not diminish or restrict in any way a general delegation by Council and

Cabinet to Authorised Officers and, through them, to all other officers acting under these Instructions.

14. The powers delegated to Authorised Officers and, through them, to all other officers acting under these Instructions in performance of those functions include, but are not limited to:
- a. The service of notices, including under Section 16 Local Government (Miscellaneous Provisions) 1976.
 - b. Carrying out work in default and recovery of the cost of such works.
 - c. The investigation of alleged offences and prosecution of offenders or issue of a formal caution with the approval of the Chief Legal Officer.
 - d. Exercise of powers of entry.
 - e. Application for warrants of entry.
 - f. Application for court orders with the approval of the Chief Legal Officer.
 - g. Determination of grant entitlement.
 - h. Exercise of any discretion on behalf of the Council.
 - i. The grant, renewal or variation of any licence, consent, permit, registration or other authorisation to be granted by the Council under any Act of Parliament or subordinate legislation, either with or without conditions (including standard conditions), and in accordance with any criteria approved by the Council or the Cabinet.
 - j. The refusal of an application except where there is a legal right for, or the Council policy permits the applicant to make representations in person; or if the application is a caravan site licence unless the Chief Legal Officer agrees.
 - k. Imposing non-standard conditions subject to the Chief Legal Officer approval or waiver of this requirement.
 - l. Any action reasonably required for the investigation or detection of offences or breaches of conditions including the appointment of investigating officers and disclosure officers under the Criminal Procedure and Investigations Act 1996 and the authorisation of directed and covert human intelligence source under Sections 28 and 29 Regulation of Investigatory Powers Act 2000.
 - m. Authorising any legal proceedings under any legislation, subordinate legislation, orders or byelaws in their respective areas of responsibility (including prosecutions and applications for injunctions) with the approval of the Chief Legal Officer.
 - n. Authorising the defence of any appeal to the courts or application for judicial review or the settling any such proceedings with the approval of the Chief Legal Officer.
 - o. Exercising any statutory rights of entry, and statutory rights to seize or impound any goods, food or animals or take samples, including authorising and making applications to magistrates for warrants or authorisations subject to any directions from the Chief Legal Officer.
 - p. Authorising and serving any notice authorised by the legislation in accordance with any guidance given by the Chief Legal Officer
 - q. Authorising other persons (including but not limited to officers) to act as an authorised officer, authorised inspector, inspector or proper officer to carry out any statutory function which the Authorised Officer is authorised to discharge.

- r. Authorising the making of any order (other than a compulsory purchase order) authorised by the legislation after consultation with the Chief Legal Officer and, if the Order confers a statutory right to compensation, with the consent of:
 - i. The Director with responsibility if the total estimated compensation liability is up to £50,000; or
 - ii. The Director with responsibility together with the Chief Finance Officer if the total estimated compensation liability is between £50,000 and £100,000; and
 - iii. The Director with responsibility together with the Chief Finance Officer and in consultation with the relevant Lead member if the total estimated compensation liability is over £100,000.

Limitations on powers to act

15. The power to act of the Directors or any other officer is subject to compliance with:
- a. Council policy and decisions;
 - b. Cabinet, Council Committee or Cabinet Committee decisions;
 - c. All relevant legal requirements;
 - d. The provisions of this Constitution including the Financial Rules.

Urgency provisions

16. In the event of urgency, which shall be determined by the Monitoring Officer, i.e. when due to time constraints it is not possible for the decision on a matter, which:

- a. is reserved to Cabinet under the Financial Rules; or
- b. is not in accordance with Cabinet policy;

to be taken by Cabinet in time, without convening a special meeting of Cabinet, the Director with responsibility or his/her nominee may take the decision, in consultation with the Leader of the Council, relevant Lead Member and Opposition Group Leaders. The decision and the reasons for urgency shall be reported to the next meeting of the Cabinet.

17. The Authorised Officers acting under these Instructions must ensure that the relevant Lead member is made aware of all issues of significant public interest or sensitivity before taking action.
18. The Authorised Officers acting under these Instructions are not obliged to exercise the powers delegated to them under these Instructions and may, whenever they deem it appropriate, consult the relevant Lead member or refer the matter to the Cabinet for decision.

Part 1: Matters Reserved to Council

19. The following matters are reserved to Council and cannot be delegated to Officers:
- a. Changes to major policy decisions of the Council;
 - b. Changes to the budget approved by the Council, except as provided for in the Financial Rules;
 - c. Changes to this Constitution (save for Part 3 Rule 14.3) of this Constitution.

Part 2: Matters Reserved to the Chief Legal Officer

Statutory Responsibilities

20. The Chief Legal Officer is the Council's Proper Officer and authorised for the following purposes:

Local Government Act 1972:-

Section 83 - Members Declarations of Acceptance of Office
Section 84 - Resignation of Members
Section 88 - Convening meeting of Council to fill casual vacancy in office of Chair
Section 89 - Receipt of notice of vacancy
Section 100B(2) – Designation of reports “not for publication”.
Section 210(6) and (7) - Charity functions
Section 225 - Deposit and safekeeping of documents
Section 229 - Certification of photographic copy documents
Section 234 - Authentication of documents
Section 236 and 238 - Byelaws
Section 248 - Roll of Freeman
Schedule 12 para 4(2)(b) - Summonses for Council meetings
Schedule 12 para 4(3) - Notices of addresses to which Council summons is to be sent
Schedule 14 para 25(7) - Certification of resolutions.

Local Government Act 1974:-

Section 30(5) - Giving Notice about Ombudsman's Reports.

Local Government (Miscellaneous Provisions) Act 1976:-

Section 41 - Evidence of resolutions and minutes.

Highways Act 1980:-

Section 321 - Authentication of documents.

21. The Chief Legal Officer is the Solicitor to the Council and is responsible for the provision of professional legal services and advice to the Council and the carrying out of the Council's legal transactions. The Chief Legal Officer is also responsible for the conduct of the Council's litigation before all courts and including public inquiries, tribunals, arbitration, and mediation.

22. The Chief Legal Officer is responsible for the safekeeping of the Council's Common Seal, its deeds and documents and for the signing and sealing of documents on the Council's behalf.

23. The Chief Legal Officer is responsible for professional legal work and advice in support of all regulatory functions including the conduct of appeals and prosecutions except where such legal work is carried out by or under the control another officer (e.g. collection of Council Tax and non-domestic rates which is the responsibility of the Head of Finance) under the general oversight of the Chief Legal Officer.

24. The Chief Legal Officer has co-extensive authority with the Director of Operations to appoint authorising officers under the Regulation of Investigatory Powers Act 2000.

25. The Chief Legal Officer is designated as the Monitoring Officer under Section 5 Local Government and Housing Act 1989 and the Proper Officer and Authorised Officer for the purposes of the following legislation:

Local Government and Housing Act 1989:-

Section 2 – Lists of Politically Restricted Posts

Section 5 – Monitoring Officer

Sections 15-17 Schedule 1 and Local Government (Committees and Political Groups)

Regulations 1990 – Political group and political group balance

Localism Act 2011, Part I and Regulations made under the act:

- a) Code of Conduct advice and deciding arrangements for investigating allegations of breach and action on breach of code including making the usual initial decision on whether complaints should be investigated consulting one of the independent persons as necessary
- b) Establishing, maintaining and publishing register of interests.
- c) Grant of dispensation for relief of interest restrictions.

Other Responsibilities

26. The Chief Legal Officer is responsible as Clerk/Secretary to certain charitable trusts administered by the Council.
27. The Chief Legal Officer or his/her nominee is authorised to take the action on behalf of the Council set out in the following paragraphs subject to the conditions or limitations shown:
- a. Signing and/or sealing any deed or document which is reasonably required to give effect to any decision of the Council, or of a committee or sub committee acting under delegated powers or any officer authorised to discharge the relevant functions on the Council's behalf.
 - b. Sign and/or seal any receipt, discharge or release on the repayment of monies due, the due performance of any contract, bond or obligation, or otherwise as authorised by the Council, a committee or sub committee or an officer authorised to discharge the relevant function on behalf of the Council.
 - c. To take any legal action to recover monies owed to the Council or to recover land or property belonging to the Council including registration of land charges, obtaining orders for possession and/or sale of land or distraint for rent.
 - d. Enforcing Orders for possession or sale or peaceably re-entering land:
 - i. where premises actually occupied by persons other than trespassers in consultation with the relevant Lead member;
 - ii. in all other cases.
 - e. To direct unauthorised campers to leave land within the Council's area and to take action for their removal under Sections 77-79 Criminal Justice and Public Order Act 1994.
 - f. To prosecute for contravention of byelaws.

Part 3: Matters Reserved to Authorised Officers

28. The following Authorised Officers have the regulatory responsibilities, and are authorised to discharge the functions of the Council described in these Standing Instructions to Authorised Officers:
- a. Assistant Director of Environment and Place;
 - b. Assistant Director of Housing and Built Environment;
 - c. Assistant Director of Regeneration and Culture
 - d. Assistant Director of Financial Services and Revenue;
 - e.
29. The powers and regulatory responsibilities of the Monitoring Officer, Chief Legal Officer, Chief Finance Officer and the Directors are set out in parts 2, 4 and 5 of these Standing Instructions. The authority of the Director of Operations to appoint authorising officers under the Regulation of Investigatory Powers Act 2000 is set out in paragraph 22 of Part 2 of these Standing Instructions.
30. Authorised officers acting under these Instructions are authorised to discharge any functions on behalf of the Council as set out in paragraphs 10 to 16 of these Instructions.

Part 3a: Assistant Director of Environment and Place

Statutory Responsibilities

31. The Assistant Director of Environment and Place is the Council's Proper Officer for the purposes of the provisions of the legislation described in these Instructions insofar as it provides for there to be a 'proper officer' or 'authorised officer' authorised to act for the Council including:

- a. Public Health Acts 1936 and 1961;
- b. Prevention of Damage by Pests Act 1949;
- c. East Sussex Act 1981;
- d. Building Act 1984;
- e. Public Health (Control of Disease) Act 1984;
- f. Food Safety Act 1990.

32. The Assistant Director of Environment and Place, (and certain subordinate staff) are appointed inspectors, authorised officers or duly appointed officers for the purposes of enforcing:

- a. Environmental Protection Act 1990; and
- b. Health and Safety at Work Act 1974.

33. The Assistant Director of Environment and Place is responsible for professional work and advice to the Council, the Cabinet, the Directors and Officers on public health, environmental control and regulation issues and the statutory regulation of licensing matters. The Assistant Director of Environment and Place is also responsible for professional work and advice to the Council and Cabinet the Directors and Officers on the Council's functions in relation to highways, traffic management and parking whether as agent for the highway authority or as principal authority.

34. The Assistant Director of Environment and Place (which may include contractors and officers of another authority acting on behalf of the Council) duly authorised in writing by him/her is authorised to discharge the Council's functions under the following legislation and any other legislation conferring powers and/or duties exercisable by the Council which bear upon his/her function including but not limited to:

A. Regulation of

A.1 Acupuncture, tattooing, ear piercing and electrolysis including:-

Part VIII Local Government (Miscellaneous Provisions) Act 1982
East Sussex Act 1981 (Section 27).

A.2 Animal welfare and management, including:-

Animal Boarding Establishments Act 1963
Breeding of Dogs Act 1973 and 1991
Dangerous Wild Animals Act 1976
Guard Dogs Act 1975
Pet Animals Act 1951
Riding Establishments Acts 1964 and 1970
Slaughterhouses Act 1974
Slaughter of Poultry Act 1967

Zoo Licensing Act 1981.

A.3 Betting, gaming and lotteries including amusements with prizes:-

Gambling Act 2005.

A.4 Boats, including:-

Part IV Public Health (Control Of Disease) Act 1984

Public Health Acts Amendment Act 1907

East Sussex Act 1981 (Section 10(2)).

A.5 Camping and caravan sites, including:-

Public Health Act 1936 (Section 269)

Caravan Sites and Control Of Development Act 1960.

Mobile Homes Act 2014

A.6 Charitable and similar collections, including:-

House To House Collections Act 1939

Police, Factories etc. (Miscellaneous Provisions) Act 1916;

Part III Charities Act 1992;

Charities Act 2006

A.7 Cinemas, including:-

Cinemas Act 1985

Licensing Act 2003.

A.8 Food premises, food production and sale, including:-

Food Safety Act 1990

Official Feed and Food Controls (EC) Regulations 2009

Food Safety and Hygiene (England) Regulations 2013

Regulations (EC) 178/2002

Regulations (EC) No – 852/2004

853/2004

854/2004

882/2004

Food Information Regulations 2014

A.9 Game:-

Game Act 1831

A.10 Late night refreshment houses, including:-

Licensing Act 2003.

A.11 Liquor licensing and regulated entertainment:-

Licensing Act 2003.

Police Reform and Social Responsibility Act 2011

A.12 Public and private entertainment licensing:-

Part IX East Sussex Act 1981
Licensing Act 2003.

A.13 Taxis (hackney carriages) private hire cars and horse drawn omnibuses, including:-

Town Police Clauses Act 1847 And 1889
Part II Local Government (Miscellaneous Provisions) Act 1976
Transport Act 1980 (Section 64)
Transport Act 1985 (Sections 10-16)
Local Services (Operation by Taxis) Regulations 1986
Disability Discrimination Act 1995.

A.14 Scrap metal dealers, including:-

Scrap Metal Dealers Act 2013
Motor Salvage Operators Regulations 2002

A.15 Security of industry, including:-

Licensing Of Door Supervisors
Private Security Industry Act 2001.

A.16 Sex establishments, including:-

Part II Local Government (Miscellaneous Provisions) Act 1982.
Policing and Crime Act 2009

A.17 Street trading, including:-

Part III Local Government (Miscellaneous Provisions) Act 1982
Children and Young Persons Act 1933 (Section 20)
Children and Young Persons Act 1963 (Section 35).

A.18 Sunday trading, including:-

Sunday Trading Act 1994.

A.19 Theatres, including:-

Theatres Act 1968
Licensing Act 2003.

A.20 Miscellaneous Activities, including:-

Self operated laundries and dry cleaners:-

East Sussex Act 1981 (Section 24).

Temporary markets:-

East Sussex Act 1981 (Section 37).

35. The Assistant Director of Environment and Place is authorised to act and to appoint alternative proper officers and authorised officers for the purposes of the following legislation:

B. Public Health and Environmental Protection

Public Health Acts

Public Health (Control of Disease) Act 1984

National Assistance Act 1948 and National Assistance (Amendment) Act 1951

B.1 Public Health Act 1936 Sections – including:-

Section 45 - Buildings with defective closets

Section 50 - Overflowing and leaking cesspools

Section 51 - Care of water closets/earth closets

Section 52 - Common water closets

Section 78 - Scavenging of common courts and passages

Section 83 - Cleansing filthy or verminous premises

Section 84 - Cleansing or destruction of filthy or verminous articles

Section 85 - Cleansing of verminous persons and clothing

Section 140 - Polluted sources of water supply

Section 268 - Statutory nuisance from use of tents, vans, sheds, etc.

B.2 National Assistance Act 1948 And National Assistance (Amendment) Act 1951:-

removal to suitable premises of persons in need of care and attention and to the Proper Officer also in the case of emergency applications under the 1951 Act.

B.3 Public Health Act 1961, including:-

Section 17 - Defective and stopped-up drains etc.

Section 22 - Cleansing and repairing drains

Section 34 - Accumulations of rubbish

Section 35 - Filthy or verminous premises

Section 36 - Fumigation of premises

Section 37 - Disinfecting or destroying household articles intended for sale.

B.4 Building Act 1984, including:-

Section 59 - Proper provision of drainage

Section 64 - Closets to be provided in buildings

Section 65 - Sanitary conveniences to be provided in workplaces

Section 70 - Food storage accommodation to be provided in houses

Section 72 - Means of escape in case of fire

Section 76 - Carrying out works in default

Section 93 - Requisition for information

Section 113 - Prosecutions.

B.5 Prevention Of Damage By Pests Act 1949, including:-

Section 4 - Notice to keep land free of rats and mice

Section 5 - Works in default

Section 6 - Notice to eradicate rats and mice.

B.6 East Sussex Act 1981 Sections, including:-

Section 17 - Dust from building operations

Section 19 - Urgent repairs to water pipes and fittings

Section 20 - Control of rats and mice
Section 21 - Rights of entry under Prevention of Damage by Pest Act 1949
Section 22 - Control of foxes
Section 23 - Control of brown tail moth
Section 32 - Touting, hawking and photographing etc.

B.7 Control of Pollution Act 1974, including:-

Section 60 - Control of noise on construction sites
Section 61 - Prior consent for work on construction sites
Section 62 - Loudspeakers in streets
Section 91 - Rights of entry
Section 93 - Requisitions for information.

B.8 Local Government (Miscellaneous Provisions) Act 1976, including:-

Section 16 - Requisitions for information as to ownership of land
Section 20 - Sanitary facilities to be provided/maintained at places of entertainment
Section 35 - Obstruction of private sewers.

B.9 Public Health (Control Of Diseases) Act 1984.

B.10 Public Health (Infectious Diseases) Regulations 1988:-

Schedule 3 - Notices re typhus or relapsing fever
Schedule 4 - Notices re food poisoning and food borne infection.

B.11 Food And Environment Protection Act 1985 (as Amended).

Environmental Protection

B.12 Environmental Protection Act 1990

Part I Integrated Pollution Control, Air Pollution including:-

Section 6 - To grant or refuse authorisation for prescribed processes and collect fees.

Section 7 - To decide what conditions (other than approved standard conditions) are to apply to individual authorisations.

Section 9 - To receive notices of transfers of authorisations from one holder to another.

Section 10 - To vary conditions on which authorisations have been granted whether following a direction from the Secretary of State or not, and serve variation notices. To give notice advising of requirement for substantial change in manner of carrying out an authorised process.

Section 11 - To issue determinations on proposals to change an authorised process. To refuse applications for the variation of an authorisation or to issue a variation notice.

Section 12 - To revoke a Section 6 authorisation for a prescribed process:

- a. where reason to believe authorised process not carried out at all or at any time during the last 12 months;
- b. upon the direction of the Secretary of State;

c. in any other case.

Section 13 - To serve enforcement notices for breach of conditions of authorisation or anticipated breach requiring remedial or preventative action to be taken within a set period.

Section 14 - To serve prohibition notices to prevent imminent risk of serious pollution from an authorised process requiring steps to be taken and suspending the authorisation until the notice is partly or wholly withdrawn.

Section 15 - To deal with appeals to the Secretary of State.

Section 16(6) - To appoint suitably qualified persons (including employees or consultants) as Air Pollution Inspectors to advise and carry out the functions of Inspectors under Part I of the Act.

Section 19 - To serve notice requiring specified information to be provided (Requisitions for Information).

Section 20 - To maintain the statutory public register of information about prescribed processes; applications, authorisations, variations, etc.

Sections 22(2) & (4) - To determine whether information provided in support of applications or otherwise obtained is commercially confidential (and should be excluded from the public register) or not.

Section 59 - To require removal of waste unlawfully deposited.

Part IIA Contaminated land

Part III Statutory Nuisances And Clean Air including sections:-

Sections 80/80A - Abatement notices

Section 81 - Abatement notices - supplementary provisions.

Part IV Provisions relating to litter as well as Refuse Disposal (Amenity) Act 1978

Schedule 2 in relation to the Act, and subordinate legislation including:-

Control of Pesticides Regulations 1986

Pesticides (Fees And Enforcement) Regulations 1989.

Clean Neighbourhoods and Environment Act 2005

Food Safety

B.13 Food Safety Act 1990, including:-

Section 7 - Rendering food injurious to health

Section 8 - Selling food not complying with food safety requirements

Section 9 - Inspection and seizure of food

Section 14 - Food not of the quality of substance demanded

Section 19 - Registration and licensing of food premises

Section 27 - Appointment of public analyst

Sections 29 and 30 - Procurement and analysis of samples

Section 32 - Power of entry, seizure etc.

Section 33 - Obstruction of officers.

B.14 Water Industry Act 1991, including:-

Sections 77 to 85 - Sufficiency and wholesomeness of water supply

Clean Air:-

B.15 Clean Air Act 1993.

B.16 Health Act 2006, Part I

Noise – see also Environmental Protection Act 1990 above:-

B.17 Noise And Statutory Nuisance Act 1993.

B.18 Environment Act 1995.

B.19 Noise Act 1996.

B.20 Anti-Social Behaviour Act 2003.

Clean Neighbourhoods and Environment Act 2005.

C. Health and Safety at Work

C.1 Health And Safety At Work Act 1974 (the Act), where the Council is the enforcing authority, including:-

Section 19 - Enforcement

Section 20 - Inspectors powers

Section 21 - Improvement notices

Section 22 - Prohibition notices

Section 25 - Action to deal with cause of imminent danger

Section 33 - Prosecutions

Section 39 - Prosecutions by inspectors.

And all health and safety regulations made under the Act and otherwise.

C.2 Control of Asbestos at Work Regulations 2002.

D. Regulation of Investigatory Powers Act 2000

Nomination of authorising officers for the purpose of directed surveillance or the use of a covert human intelligence source.

E. Anti-Social Behaviour

Including:-

Crime and Disorder Act 1998.

Anti-Social Behaviour Act 2003

Anti-Social Behaviour Crime and Policing Act 2014

E.1 Noisy premises, including:-

Anti-Social Behaviour Act 2003.

E.2 Graffiti and Flyposting, including:-

Town and Country Planning Act 1990

Anti Social Behaviour Act 2003

Clean Neighbourhoods and Environment Act 2005

E.3 Sale of aerosol paints, including:-

Anti-Social Behaviour Act 2003.

E.4 Anti-Social Behaviour, Crime and Policing Act 2014

F. Dogs

F.1 Control of Dogs:-

Clean Neighbourhoods and Environment Act 2005.

Anti-Social Behaviour Crime and Policing Act 2014

F.2 Control of stray dogs

Environmental Protection Act 1990

F.3 Control of Dangerous Dogs, including:-

Dogs Act 1871

Dangerous Dogs Act 1989

Dangerous Dogs Act 1991.

Town Police Clauses Act 1847

G. Civil Contingencies

Civil Contingencies Act 2004

H. Highways, Traffic and Parking

H.1 Regulation and control of use of highways, traffic management, and off street parking where a district council is authorized to act;

Town Police Clauses Act 1847

Highways Act 1980

Road Traffic Regulation Act 1984

Transport Act 1985 (Objections to applications to Traffic Commissioners) (after consultation with the relevant Lead member).

Road Traffic Act 1991

H.2 Nuisance parking, abandoned vehicles and illegally parked vehicles:-

Clean Neighbourhoods and Environment Act 2005

I. Seashore and Access

East Sussex Act 1981 including:-

Section 11 - Removal of boats from the highway or where obstructing access to the seashore.

Section 12 – Removal of boats from seashore.

36. In relation to the delegations set out above it is intended to delegate the Council's functions fully to the Authorised Officer and his/her nominees as described in paragraphs 10 to 16 above.

J. Abandoned Property, Litter and Waste

Including:-

J.1 Refuse Disposal (Amenity) Act 1978

J.2 Clean Neighbourhoods and Environment Act 2005.

J.3 Environmental Protection Act 1990, including:-

Section 33 - Prohibition on unauthorised or harmful deposit etc of waste

Section 34 - Duty of care as respects waste

Section 46 - Receptacles for household waste

Section 47 - Receptacles for commercial and industrial waste

Section 55 - Recycling waste

Section 59 - Removal of waste unlawfully deposited

Section 60 - Interference with receptacles for waste

Section 87 - Offence of leaving litter

Section 88 - Fixed penalty notices

Section 92 - Summary proceedings by litter authorities

Section 93 - Street litter control notices

Section 99 and Schedule 4 - Shopping Trolleys

Part 3b: Assistant Director Housing and Built Environment

Statutory Responsibilities

37. The Assistant Director Housing and Built Environment is responsible for professional work and advice for the Council, the Cabinet, the Directors and Officers on the provision of the Council's housing services and housing policies and strategies. The Assistant Director Housing and Built Environment is the Council's Proper Officer and Authorised Officer for the purposes of Part XVIII Housing Act 1985.
38. The Assistant Director Housing and Built Environment is responsible for operating the Council's homelessness and housing allocation functions and the enforcement of housing and landlord and tenant legislation relating to dwellings.
39. The Assistant Director Housing and Built Environment or officers (which may include contractors and officers of another authority acting on behalf of the Council) duly authorised in writing by him/her is authorised to discharge the Council's functions under the following legislation and any other legislation conferring powers and/or duties exercisable by the Council which bear upon his/her function and responsibilities including but not limited to:

A. Homelessness and Allocation of Housing

Including:-

Part XVIII Housing Act 1985
Parts VI And VII Housing Act 1996
Homelessness Act 2002
Localism Act 2011
Asylum and Immigration Act 2004

B. Private Sector Housing

B.1 Housing Act 1985, including:-
Section 265 – Demolition Orders
Section 289 – Clearance Areas
Sections 315 to 320 - Enforcement provisions
Section 331 - Overcrowded dwellings - action against landlord
Section 337 – Powers of Entry
Section 338 - Overcrowded dwellings - action against occupier
Section 340 – Powers of Entry
Section 358 - Prosecution - non-compliance with overcrowding notice
Section 364 - Requisition for information where overcrowding notice in force
Section 397 - Warrants of entry.

To charge for and recover the cost of enforcement action under Housing Act 1985 and Housing Grants Construction And Regeneration Act 1996.

B.1.1. Housing Act 2004:-
Part I - Housing conditions
Part II - Licensing of houses in multiple occupation
Part III - Selective licensing of other residential accommodation
Part IV - Additional control provisions in relation to residential accommodation.
Part VII:-
Register of licences and management orders

Enforcement of management regulations
Power to require and enforcement of power to obtain information.
Use of information obtained for certain other statutory purposes
Offence of supply of false or misleading information
Powers of entry and enforcement of the power of entry including prosecution for obstruction
Powers to require documents
Authorisations for enforcement purposes
House in multiple occupation declarations and revocation of declarations.

B.1.2 Public Health Act 1936 including:-
Section 45 - To put defective closets into repair
Section 287 - Notice before entry.

B.1.3 Public Health Act 1961, including:-
Section 17 - Remedying a defect in a stopped up drain, private sewer, water closet, waste pipe/soil pipe.

B.1.4 Local Government (Miscellaneous Provisions) Act 1976 – blocked private sewers

B.1.4 Building Act 1984, including:-
Section 59 - Repair or renewal of defective drainpipe, rainwater pipe etc
Section 76 - Remedying of defective premises
Section 84 - Notice requiring paving and drainage of yards
Section 95 - Notice before entry for the purpose of inspection.

B.1.5 Environmental Protection Act 1990, including:-
Section 80 - Abatement notice
Schedule 3 - Notice before entry.

B.2 Rent Act 1977, including:-
Sections 139 and 150 - Tenants to notify landlord of sublettings
Section 149 - Information for landlords and tenants
Part IX and Section 150 - Unlawful premiums etc.

B3 The Enterprise and Regulatory Reform Act 2013
Sections 83 – 88 – redress schemes: letting and property management agents

B4 Anti-Social Behaviour, Crime and Policing Act 2014

Part 4 – Community Protection
Chapter 1 – Community Protection Notices
Chapter 3 – Closure of premises associated with nuisance or disorder

B5 Prevention of Damage by Pests Act 1949 s.4

B.6 Rent Agriculture Act 1976:-
Section 20 - Unlawful premiums etc.

B.7 Landlord And Tenant Act 1985, including:-
Section 1 - Landlords failure to give name and address
Sections 2,6,7 and 34 - Non-disclosure of names and addresses of directors and secretary of residential landlord company
Sections 3 and 34 - Failure to notify residential tenant of assignment of landlord's interest
Sections 4,5 and 7 - Failure to provide rent book or information required
Sections 21,25 & 34 - Failure of landlord/lessor to provide summary of costs relating to service charges

Sections 22,23,25 and 34 - Failure to provide facilities for inspection of accounts relating to service charges

Sections 23(1), 25 and 34 - Failure of superior landlord to provide information requested re service charges.

B.8 Unlawful eviction and harassment
Protection From Eviction Act 1977 (As Amended)

B.9 Local Government (Miscellaneous Provisions) Act 1976, including:-
Section 33 - Restoration of private tenants' water, gas or electricity supply
Section 16 – Requisition for Information

B.10 East Sussex Act 1981, including:-
Section 19 - Urgent repairs to water pipes and fittings.

B.11 Accommodation Agencies Act 1953, including:-
Section 1 - Illegal commissions and advertisements.

B.12 Local Government (Miscellaneous Provisions) Act 1982 including:-
Sections 29-32 – Protection of buildings

C. Housing grants

Including:-
Housing Grants, Construction and Regeneration Act 1996
Financial Assistance Policy.

D. Renewal Areas Part VII Local Government and Housing Act 1989

Including:-
Section 93(5) - Financial assistance in renewal area
Section 97 - Powers of entry and penalty for obstruction.

40. In relation to the delegations set out above it is intended to delegate the Council's functions fully to the Authorised Officer and his/her nominees as described in paragraphs 11 to 18 above.

41. The Assistant Director of Housing and Built Environment (the Authorised Officer) is responsible for professional work and advice for the Council, Cabinet, the Planning Committee, the Directors and Officers on town and country planning, building control and engineering.

42. The Authorised Officer or officers (which may include contractors and officers of another authority acting on behalf of the Council) duly authorised in writing by him/her is authorised to discharge the Council's functions under the Planning legislation and any other legislation conferring powers and/or duties exercisable by the Council which bear upon his/her function and responsibilities including but not limited to the following:

43. Applications:

- a. Planning permission including approval or reserved matters;
- b. Listed buildings consent and conservation area consent;
- c. Consent for the display of advertisements;
- d. Hazardous substances consents;

- e. Approvals required under the Town and Country Planning (General Permitted Development) Order 1995 and determining whether prior approval is required;
- f. Approval of any matters required to be submitted pursuant to conditions imposed on any permission, consent or approval given under the Town and Country Planning Acts;
- g. All applications for prior determination for telecommunications apparatus.
- h. To enter into a Section 106 agreement where the application can be granted under delegated authority and to vary a Section 106 agreement whether or not the original application was determined under delegated authority. Where the original application was determined by the Planning Committee, the Head of Housing and Planning Services is authorised to amend the agreement in consultation with the Chair of the Committee.

44. This authority is subject to the following exceptions:

- a. The application has attracted three or more letters of objection from different households or businesses, or a petition as defined in Standing Orders where the Head of Housing and Planning Services or his nominee intends to recommend permission, consent or approval.
- b. The Chair of the Planning Committee has referred any application to the Planning Committee within 21 days after registration of an application or 21 days after any press advertisement whichever is the later giving clear planning reasons for the referral, or
- c. Any Member of the Council with the consent of the Chair or a Ward member, has given written notice to the Assistant Director Housing and Built Environment within 21 days after registration of an application or 21 days after any press advertisement whichever is the later requiring that application to be considered by the Planning Committee, giving clear planning reasons for the referral, or
- d. The application relates to or affects Council owned land and the application is submitted by or on behalf of the Council and there is one or more objectors to the application, or
- e. The application is submitted by, or on behalf of, a serving Member or officer of the Council where the officer is employed in a politically restricted post and/or within the Council's planning service, or
- f. The Planning Committee otherwise direct in respect of any particular application or reserved matter; or
- g. The Assistant director Housing and Built Environment has referred an application or matter to the Planning Committee within 21 days after registration of an application or 21 days after any press advertisement whichever is the later giving clear planning reasons for the referral, or
- h. Any proposal which has within the previous two years been refused by Planning Committee, including any revision or amendment to a previously refused scheme.

45. Any matters in the application of the:

- a. Town and Country Planning General Regulations 1992;
- b. Town and Country Planning (General Permitted Development) Order 1995;
- c. Town and Country Planning (Development Management Procedure) Order 1995;
- d. Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 1989;

- e. Town and Country Planning (Assessment of Environmental Effects) Regulations 1988;
- f. Town and Country Planning (Use Classes) Order 1987 including the conduct of appeals in consultation with the Chief Legal Officer.
- g. Town and Country Planning Act 1990.

List of relevant Acts:

- i Infrastructure Act 2015
- ii Growth and Infrastructure Act 2013
- iii Enterprise and Regulatory Reform Act 2013 Localism Act 2011
- iv Localism Act 2011
- v Local Democracy, Economic Development and Construction Act 2009
- vi Planning Act 2008
- vii Planning and Compulsory Purchase Act 2004
- viii Countryside and Rights of Way Act 2000
- ix Human Rights Act 1998
- x Planning and Compensation Act
- xi Town and Country Planning Act 1990
- xii Planning (Listed Buildings and Conservation Areas) Act 1990
- xiii Planning (Hazardous Substances) Act 1990
- xiv Environmental Protection Act 1990
- xv Caravan Sites and Control of Development Act 1960

List of relevant Statutory Instruments:

- xvi The Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2015
- xvii The Town and Country Planning General (Amendment) (England) Regulations 2015
- xviii The Town and Country Planning (Section 62A Applications) (Procedure and Consequential Amendments) (Amendment) Order 2015
- xix The Town and Country Planning (Environmental Impact Assessment) (Amendment) Regulations 2015
- xx The Planning (Hazardous Substances) Regulations 2015
- xxi The Town and Country Planning (Compensation) (England) Regulations 2015
- xxii The Town and Country Planning (Use Classes) (Amendment) (England) Order 2015
- xxiii The Town and Country Planning (General Permitted Development) (England) Order 2015
- xxiv The Town and Country Planning (Development Management Procedure) (England) Order 2015
- xxv The Town and Country Planning (Hearings and Inquiries Procedure) (England) (Amendment and Revocation) Rules 2015

- xxvi The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) (Amendment) (No.2) Regulations 2014
- xxvii The Town and Country Planning (Fees for Applications Deemed Applications, Requests and Site Visits) (England) (Amendment) Regulations 2013
- xxviii The Town and Country Planning (Appeals) (Written Representations Procedure and Advertisements) (England) (Amendment) Regulations 2013
- xxix The Planning (Listed Buildings and Conservation Areas) (Amendment No.2) (England) Regulations 2013
- xxx The Town and country Planning (Development Management Procedure) (England) (Amendment No.2) Order 2013
- xxxi The Town and Country Planning (Hearings and Inquiries Procedure) (England) (Amendment) Rules 2013
- xxxii The Town and Country Planning (Fees for Applications, Deemed Applications, Requests and Site Visits) (England) Regulations 2012
- xxxiii The Town and Country Planning (Tree Preservation) (England) Regulations 2012
- xxxiv The Town and Country Planning (Environmental Impact Assessment) Regulations 2011
- xxxv The Planning (Hazardous Substances) (amendment) (England) Regulations 2010
- xxxvi The Community Infrastructure Levy Regulations 2010
- xxxvii The Planning (Hazardous Substances) (Amendment) (England) Regulations 2009
- xxxviii The Town and Country Planning (Appeals) (Written Representations Procedure) (England) Regulations 2009
- xxxix The Town and Country Planning (Control of Advertisements) (England) Regulations 2007
- xl Town and Country Planning (Temporary Stop Notice) (England) Regulations 2005
- xli The Town and Country Planning (Enforcement) (Inquiries Procedure) (England) Rules 2002
- xliv The Town and Country Planning (Enforcement) (Determination by Inspectors) (Inquires Procedure) (England) Rules 2002
- xlvi The Town and Country Planning (Enforcement) (Hearings Procedure) (England) Rules 2002
- xlvii The Town and Country Planning (Enforcement) (Written Representations Procedure) (England) Regulations 2002
- xlviii The Town and Country Planning (Enforcement Notices and Appeals) (England) Regulations 2002
- xxl The Town and Country Planning (Appeals) (Written Representations Procedure) (England) Regulations 2000
- xxli The Town and Country Planning (Hearings Procedure) (England) Rules 2000
- xxliii The Town and Country Planning Appeals (Determination by Inspectors) (Inquiries Procedure) (England) Rules 2000

- xlix The Town and Country Planning (Inquiries Procedure) (England) Rules 2000
- I The Hedgerows Regulations 1997
- li The Units of Measurement Regulations 1995
- liii The Town and Country Planning (Crown Land Applications) Regulations 1995
- liv The Compulsory Purchase of Land Regulations 1994
- lv The Conservation (Natural Habitats) Regulations 1994
- lvi The Town and Country Planning (Modification and Discharge of Planning Obligations) Regulations 1992
- lvii The Town and Country Planning General Regulations 1992
- lviii The Planning (Listed Buildings and Conservation Areas) Regulations 1990
- lvix The Compulsory Purchase by Non-Ministerial Acquiring Authorities (Inquiries Procedure) Rules 1990
- lx The Town and Country Planning (Applications) Regulations 1988

46. All consents under the Tree Preservation Order Regulations.
47. All certificates of lawfulness of existing use or development or of proposed use or development.
48. To authorise enforcement action under the Town and Country planning legislation except:
 - a. Where the Chair of the Planning Committee has referred the matter to the Planning Committee or any Member of the Council has given written notice to the Head of Housing and Planning Services requiring the matter to be considered by the Planning Committee;
 - b. If the expenditure likely to be incurred by the Council as a consequence of the action is not provided for in the Revenue Budget or authorised in accordance with this instruction.
49. The making of emergency tree preservation orders and confirming them if no objections are received.
50. Service of notices in respect of dangerous trees (Section 23 of the Local Government (Miscellaneous Provisions) Act 1976).
51. The Council's functions in relation to high hedges under Part VIII Anti-Social Behaviour Act 2003.
52. Service of requisitions for information about ownership and planning contravention notices seeking information about breaches of development control.
53. Planning (Listed Buildings and Conservation Areas Act 1990 including building preservation orders and temporary listings.
54. Building control and land drainage: the Council's functions under the following legislation:
 - A.1.1 Building Act 1984, including:-

Section 8 - Determination of applications for relaxation of or dispensation with building regulations
Section 16 - Passing or rejection of plans
Section 18 - Building over sewer
Section 19 - Use of short-lived materials
Section 20 - Renewal of period for short-lived materials
Section 24 - Provision of exits
Section 25 - Provision of water supply
Section 32 - Building plans
Section 35 - Penalty for contravention of building regulations
Section 36 - Removal or alteration of offending work
Sections 77 and 78 - Dangerous structures
Section 79 - Ruinous and dilapidated buildings
Section 81 - Counter notice following notice of demolition
Section 91 – Duties of Local Authorities
Section 95 - Powers of entry
Section 97 – Power to execute work
Section 99 - Prosecutions for non-compliance with notices
Section 113 - Prosecutions for offences

A.1.2 Building Regulations 1991.

A.1.4 East Sussex Act 1981, including:-

Section 35 - Means of access to buildings for Fire Brigade - building plans.

A.1.5 Hastings Borough Council Act 1988, including:-

Sections 4 and 5 - Retaining walls.

A.1.6 Building (Approved Inspectors) Regulations 1985, including:-

Section 8 - Notice of rejection of initial notice.

A.2 Land Drainage and Miscellaneous:-

A.2.1 Land Drainage Act 1991, including:-

Section 25 - Maintaining flow in watercourses.

B. Anti-Social Behaviour Act 2003

Part 8 – High hedges.

C. Local Government (Miscellaneous Provisions) Act 1982

Sections 29-32 – Protection of Buildings

55. In relation to the delegations set out above it is intended to delegate the Council's functions fully to the Authorised Officer and his/her nominees as described in paragraphs 11 to 18 above.

D. Highways

Towns Improvement Clauses Act 1847 (Street Numbering)

Public Health Act 1925 (naming of streets to be subject to consultation with the relevant lead member)

Part 3c Assistant Director of Regeneration and Culture

The Assistant Director of Regeneration and culture is the Council's proper officer for the purpose of the provisions of the legislation described in these instructions insofar as it provides for there to be a 'proper officer' or 'authorised officer' authorised to act for the Council including:

List of relevant Acts

- a) Planning and Compulsory Purchase Act 2004
- b) Localism Act 2011
- c) Town and Country Planning (Local Planning)(England) Regulations 2012
- d) The Conservation of Habitats and Species Regulations 2010 (as amended)
- e) Planning (Listed Buildings and Conservation Areas) Act 1990 - special controls in respect of buildings and areas of special architectural or historic interest.
- f) Environmental Protection Act 1990 - to make provision for the improved control of pollution and hazardous substances arising from industrial and other processes
- g) Growth and Infrastructure Act 2013: use of infrastructure, the carrying-out of development, and the compulsory acquisition of land

List of relevant Statutory Instruments

Regulations

- a) The Town & Country Planning (Local Planning) (England) Regulations 2012
- b) The Conservation of Habitats & Species Regulations 2010 (as amended)
- c) The Planning (Listed Buildings and Conservation Areas) (Amendment) (England) Regulations 2015
- d) The Town and Country Planning (Control of Advertisements) (England) Regulations 2007: is the principal legislative framework that controls the display of advertisements
- e) The Town and Country Planning (Environmental Impact Assessment) (Amendment) Regulations 2015: raise the size thresholds for screening urban development and industrial estate projects
- f) The Planning (Hazardous Substances) Regulations 2015: amend planning procedures in relation to sites where hazardous substances are held and land near those sites.
- g) The Town and Country Planning (General Permitted Development) (England) Order 2015
- h) The Neighbourhood Planning (General) (Amendment) Regulations 2015: The Localism Act 2011 provided a statutory regime for neighbourhood planning; updates the version published in 2012 in relation to the designation of neighbourhood areas and the submission of neighbourhood development plan proposals to local planning authorities

Part 3d: Assistant Director of Financial Services and Revenues

Statutory Responsibilities

56. The Assistant Director of Financial Services and Revenues (the Authorised Officer) is responsible for collection of local taxation and for advising the Council, Cabinet, and Directors and other Officers on these issues
57. The Assistant Director of Financial Services and Revenues is designated as the Chief Financial Officer under Section 151 Local Government Act 1972 and the Proper Officer and Authorised Officer for the purposes of the following legislation:
- a. Collection of Taxation
 - b. Local Government Finance Act 1992
 - c. Council Tax (Administration and Enforcement) Regulations 1992
 - d. Local Government Finance Act 1988
 - e. Local Government Finance Act 1989
 - f. Non-Domestic Rating (Collection and Enforcement) Regulations 1989
 - g. Housing Benefit Regulations: determining claims for housing benefit; reviewing determination of claims; recovery of overpayments
 - h. Council Tax Benefit: determining claims for benefit.
58. In relation to the delegations set out above it is intended to delegate the Council's functions fully to the Authorised Officer and his/her nominees as described in paragraphs 11 to 18 above.

Part 4: Matters Reserved to the Assistant Director of Financial Services and Revenues as the Chief Finance Officer

Financial Responsibility

59. The Chief Finance Officer has responsibility for the financial administration services and activities, and audit of them. For these purposes, the Chief Finance Officer shall be responsible for:
- a. Implementing the Council's financial policies and for coordinating any corrective action necessary to further these policies;
 - b. Ensuring that detailed financial procedures and systems incorporating the principles of separation of duties and internal checks are prepared, documented and maintained to supplement these instructions;
 - c. Ensuring that sufficient records are maintained to show and explain the Council's transactions, in order to disclose, with reasonable accuracy, the financial position of the Council at any time;
 - d. The preparation and updating of Financial Rules for approval by the Council;
60. And, without prejudice to any other functions of Directors and employees to the Council, the duties of the Chief Finance Officer include:
- a. The design, implementation and supervision of systems of financial control; and
 - b. The preparation and maintenance of such accounts, certificates, estimates, records and reports as the Council may require for the purpose of carrying out its statutory functions.
 - c. The preparation and up-dating of the Financial Rules for approval by the Council.

Regulatory Responsibilities

61. The Chief Finance Officer has shared responsibility with the Director of Corporate Services and Governance for internal audit as set out in the Financial Rules.

Other Responsibilities

62. The Chief Finance Officer shall be responsible for financial administration and advice for any charities for which the Council has undertaken responsibility for their administration.

Discharge of Functions

63. The Chief Finance Officer is authorised to take action on behalf of the Council as set out below subject to any conditions or limitations shown:
64. Borrowing and Investment, including
- a. Carrying out borrowing of funds on the Council's behalf in accordance with the Council's strategy.
 - b. Management of the Council's investment of funds not required for immediate use in accordance with the Council's Strategy and Treasury Management Practices.
65. Financial Approvals: to decide whether or not to give any approval required under these instructions or Regulations.
66. Mortgage Interest Rates: to fix interest rates for the purposes of Part XIV Housing Act 1985.

67. Benefit fraud investigation: authorising individual officers under Section 110A Social Security Administration Act 1992:
- a. Section 109B and C: power to require information and rights of entry;
 - b. Section 111: offence of dishonest representation for obtaining benefit;
 - c. Section 112: offence of making a false representation for obtaining benefit;
 - d. Section 115A: administrative penalties as alternative to prosecution.
68. Authorising individual officers under Section 110A Social Security Administration Act 1992 to exercise any of the powers set out in Section 109(B) (Power to require information) and 109C (Powers of entry) is delegated to the Director of Corporate Resources and Chief Finance Officer only.
69. In relation to the delegations set out above it is intended to delegate the Council's functions fully to the Chief Finance Officer and his/her nominees as set out in paragraphs 10 to 16 above.

Part 5: General Delegation to the Directors

General Delegation to the Directors and his/her Nominees

70. All matters not reserved to Council, Cabinet, Committees, or other Officers of the Council are delegated to the Directors and their nominees, subject to the provisions of law and this constitution, including the Financial Rules. Whilst the general delegation is to all Directors, acting individually, it is usual that the Director with responsibility for the particular service area or his/her nominee exercises the delegated authority.
71. The Directors have overall executive responsibility for the Council's activities, but shall, as far as reasonably practicable, delegate the detailed responsibilities to others.

Statutory Responsibilities

72. The Head of Corporate Resources and Governance is the Council's Head of the Paid Service for the purposes of section 4 Local Government and Housing Act 1989.
73. The Head of Corporate Resources and Governance is the Electoral Registration Officer.
74. The Head of Corporate Resources and Governance is the Returning Officer and is the proper officer under the Representation of the People Act 1983.

Revenue Spending

75. The Directors and their nominees have full powers to spend money in the revenue budget and revenue reserves as agreed by Council subject to the provisions of the Financial Rules.

Capital Spending

76. The Directors and their nominees are authorised to spend money in a capital budget on schemes and projects subject to the provisions of the Financial Rules.

Contract Administration

77. The Directors and their nominees are authorised to invite and accept tenders and quotations, to place orders and enter into contracts subject to the provisions of the Financial Rules.

Personnel Management

78. All matters pertaining to the management of staff are delegated to the Directors and his/her nominees provided:
- a. Costs are contained within existing budget or authorised budget variations;
 - b. Council approved policies, procedures and guidelines are complied with, though exceptions are authorised in individual cases;
 - c. Matters relating to the terms and conditions of employment of the Directors are referred to the Employment Committee. The responsibility of those officers for the discharge of the authority's functions is referred to Cabinet.

Land and Property Management

79. All matters pertaining to the management of Council owned or managed land, including purchase, disposal by sale or by lease or any other transaction involving land or property, the grant or refusal of requests for consents, licences or waivers with or without conditions, conduct of rent reviews, service of statutory or other notice, reference to arbitration or mediation whether as landlord or tenant, hiring or use of

Council land (including public open space within the statutory limits), is delegated to the Director of Corporate Resources subject to the provisions of the Financial Rules.

Financial and Other Assistance

80. The Directors and their nominees are authorised to give grants, loans or other financial assistance in accordance with Council policy and criteria approved by Cabinet subject to the provisions of the Financial Rules.

Charges for Services

81. The Directors and their nominees are authorised:-

- a. To approve charges to be made by the Council for providing any service or supplying any goods or documents or hire of land and premises or the making of a grant of any application whatsoever where a fee may be charged but is not fixed by law, in accordance with Council policies and any criteria approved by Cabinet, including waiving or reducing charges in particular instances
- b. To approve or respond to consultation on charges made by others under service contracts (e.g. Sport and Leisure Management Contract) in consultation with relevant Lead member.

Protecting Council Property

82. The Directors and their nominees are authorised to prosecute, defend or settle any legal or other action to protect the Council's property or interests or to assert or enforce the Council's rights subject to the following limitations:

- a. Subject to the consent of the Chief Legal Officer.
- b. Settlement of any legal proceedings or threatened legal proceedings by or against the Council where the proposed settlement figure is over £50,000 to be with the consent of the Chief Finance Officer, Chief Legal Officer, relevant Head of Service, and in consultation with relevant Lead member. In cases of urgency the consent of the Chief Finance Officer and Chief Legal Officer only shall be required.

Authorisation under Social Security Administration Act 1992 (As Amended)

83. Authorising individual officers under Section 110A Social Security Administration Act 1992 to exercise any of the powers set out in Section 109(B) (Power to require information) and 109C (Powers of entry) is delegated to the Director of Corporate Resources and Chief Finance Officer only.

Fixing of Hackney Carriage Fares (Local Government (Miscellaneous Provisions) Act 1976

84. Fixing of hackney carriage fares is delegated to the Director of Operations or his/her nominees subject to:

- a. Where there are no objections, consent of the relevant Head of Service and prior consultation with the relevant Lead member;
- b. Where there are objections Cabinet must agree.

Closure Order Under Section 76 Anti-Social Behaviour, Crime and Policing Act 2014

85. Authorising closure of licensed premises is delegated to the Director of Operations and his/her nominees.

Responding to outside parties

86. Responding to consultation invitations from outside parties, and commenting on any matters on behalf of the Council.

General

87. In relation to the delegations set out above it is intended to delegate the Council's functions fully to the Directors and their nominees as set out in paragraphs 11 to 18 above.

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Agenda Item 7



Report to: Cabinet

Date of Meeting: 6 July 2015

Report Title: Cabinet Appointments to Committees, Working Groups and Partnerships

Report By: Christine Barkshire-Jones
Chief Legal Officer

Purpose of Report

To consider nominations received and to make appointments to committees, working groups and partnerships etc. Also to appoint the Chairs and Vice Chairs to the committees of Cabinet.

Recommendation(s)

- 1. To appoint members to committees, working groups, partnerships and representative bodies as set out in Appendix A and B, which will be circulated as soon as possible, and;**
- 2. To appoint the Chairs and Vice Chairs of Museums Committee, as listed in Appendix A**

Reasons for Recommendations

Members are required to serve on the committees, working groups, partnerships and representative bodies to which Cabinet appoints. Chairs and Vice-Chairs are required for the committees that report to Cabinet.

-
1. The Working Arrangements Group has recently undertaken a consultation with the outside bodies to which the council appoints, to ensure the list of appointments was up to date.
 2. The group leaders were circulated with updated schedules of the committees, working groups, partnerships and representative bodies to which Cabinet appoints. Nominations were sought to fill the places available. The schedules showing the nominations will follow.
 3. Like Cabinet, committees of Cabinet are not required to be politically balanced and this is a matter for Cabinet decision. The allocations shown are, therefore, advisory.
 4. Members are appointed until the Borough elections in 2016.

Wards Affected

None

Policy Implications

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

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

Additional Information

Insert a list of appendices and/or additional documents. Report writers are encouraged to use links to existing information, rather than appending large documents.

Officer to Contact

Christine Barkshire-Jones
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01424 451731

Agenda Item 8



Report to: Cabinet

Date of Meeting: 6 July 2015

Report Title: Corporate Plan 2015/16 Retrospective Report Back on 2014/15 and Performance Targets 2015/16

Report By: Jane Hartnell
Director of Corporate Services

Purpose of Report

1. To advise Cabinet of the year-end performance for 2014/15 and proposed performance indicator targets for 2015/16 to be published on the Council's website.
2. To receive comments from the Overview and Scrutiny committees on year-end performance for 2014/15 and proposed performance indicator targets for 2015/16.
3. To outline intentions to review the performance process and trial new ways of presenting performance information during the first half of 2015/16

Recommendation(s)

1. That the comments of the Overview and Scrutiny committees be considered.
2. That the year-end performance for 2014/15 and proposed performance indicator targets for 2015/16 be approved for publication (the 25th February Council delegated authority to the Cabinet to approve these).
3. That Cabinet support intentions to review corporate performance and planning arrangements in line with the transformation programme approved by Council on the 25th of February 2015.

Reasons for Recommendations

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

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

Introduction

1. The Council meeting on 25th February 2015 agreed the Corporate Plan for the period 2015/16 to 2017/18 – these documents set out the Council's strategic direction and outlines associated work areas for 2015/16.
2. Appendix A contains a report back against the milestones and targets set out in the previous year's Corporate Plan for 2014/15 and sets out draft performance indicator targets which are proposed for 2015/16.
3. The Cabinet has been given delegated authority by the Council to agree year-end performance for 2014/15 and proposed performance indicator targets for 2015/16 prior to publication on the Council's website.
4. Transforming the Council is a key focus within the Corporate Plan 2015/16 - 2017/18 and part of this agenda is concerned with ensuring our performance management arrangements reflect the changing nature of the Council. This report concludes by outlining intentions to review and test new ways of performance reporting in 2015/16.

Retrospective Performance Report Back – Appendix A

5. Appendix A provides a report back on performance during 2014/15 against the Corporate Plan targets and performance indicators.
6. The status of each target as at 31st March 2015 is described as either:
 - G = Green target achieved
 - A = Amber – target changed, affected by external circumstances or narrowly missed
 - R = Red - did not hit target – also includes description of how we will address this in 2015/16
7. At the end of each service area in appendix A the associated performance indicators are listed along with their prospective targets for 2015/16 (highlighted and underlined) to be approved by Cabinet.
8. Progress against performance indicator targets for the year is shown as either 'Met' or 'Not Met'.
9. 'Direction of travel' shows whether performance for the year is better, worse or same as the previous year. For different indicators better performance may be shown by higher or lower figures (e.g. recycling collection rates vs crime rates). All figures shown in the tables are for the full year from April 1st to March 31st.

Comments

10. The Overview and Scrutiny committees considered the year-end performance for 2014/15 and proposed performance indicator targets for 2015/16 at their meetings on 11th (Services) and 16th June (Resources). Associated comments are set out below.

Overview and Scrutiny Services

11. The Services committee discussed a variety of issues relating to end of year performance. The following comments were made and those that specifically relate to performance indicators are indented:

Comment: Members expressed concern over progress with the waste and street cleansing contract with Kierway.

Response: Members were told that Officers continue to monitor contract arrangements closely and apply rectifications where necessary. It was also noted that with the introduction of the 'My Hastings online' service, this would make it easier for residents to report issues directly to the contractor.

Comment: Members queried the progress of food hygiene inspections.

Response: Members were updated on how specialist contractors had temporarily been recruited to enable the Council to carry out food hygiene inspections, due to staff shortages. They were also informed that the service had been restructured and the staff shortages filled.

Comment: Members recommended that performance indicator target 2.1, the number of people attending White Rock Theatre performances, for March 2016 be increased from 75,000 to 77,000 given that the council had exceeded its target for March 2015 achieving audience figures of 76,743.

Response: Recommendation considered.

Comment: Members discussed the need to create a vibrant evening economy in the town for residents, students and visitors. They suggested a need to ensure that the Council's licensing and saturation policy complemented associated regeneration efforts.

Response: The Council intend to review and refresh its licensing and saturation policy over the coming months, to ensure these were appropriate for the changing nature of the evening economy in Hastings.

Comment: Members suggested that the Council might consider an additional policy to encourage live music and performances at the venues around the town.

Response: Suggestion noted.

Comment: Members were pleased to note the launch of the social letting agency pilot.

Response: The agency had let four properties, the tenants of which may otherwise have been unable to access affordable, high quality accommodation in the private rented sector.

Comment: Members welcomed the update that the target to determine major residential and commercial planning applications had been exceeded, 96.9% of applications had been determined within 13 weeks by March 2015.

Response: Noted.

Comment: Members discussed the amber status of the CCTV cross cutting target.

Response: The Council had recently upgraded its CCTV facilities and an all Member site visit to the CCTV control room would be scheduled, once the works had been completed.

Overview and Scrutiny Resources

12. The Resources committee discussed a variety of issues relating to end of year performance. The following comments were made and those that specifically relate to performance indicators are indented:

Comment: Members questioned the delay in the completion of the benefits review.

Response: The complexity of the review and unforeseen staff absence at Shelter (leading the review) had created delays in the original timescale and it was now anticipated that Shelter would present their recommendations in September 2015.

Comment: Members queried progress of the revised Anti-Poverty Strategy.

Response: The revised draft action plan is due to be submitted to the Local Strategic Partnership at its July meeting, presentations would also be given at the meeting on efforts to tackle family poverty and health inequalities.

Comment: The committee welcomed the update that the Council had received an unqualified audit opinion for the annual statement of accounts.

Response: Noted.

Comment: The committee questioned how the introduction of Universal Credit might impact the Council's grant settlement?

Response: The grant the Council receives to administer housing benefits may be reduced in the future, once a more significant number of claimants had transferred to Universal Credit (only one claimant at present).

Comment: Members raised concern about the local focus on fraud reduction given the transfer of responsibility to the Department of Work and Pensions.

Response: The Assistant Director of Finance continues to monitor this and has written to the Department for Work and Pensions regarding this matter to ensure that the requirements of the council's service level agreement with the Department for Work and Pensions are met.

Comment: The committee thanked the input from the East Sussex Procurement hub during the year.

Response: Thanks noted and will be forwarded to the hub.

Comment: Members welcomed the continued good performance in the collection of council tax and non-domestic rates (Performance Indicators 6.1 & 6.2).

Response: Noted.

Comment: Members queried the progress of Individual Electoral Registration (IER).

Response: IER is more complex than the previous registration system. It was therefore more difficult for electors to register in the run-up to an election. A canvass of electors will take place in the autumn to help maximise the number of residents on the register of electors.

Comment: Members queried the cascading of learning from the Future Cities and associated projects in the context of improving the town's housing stock.

Response: The Council would continue to explore options to improve the stock in Hastings, particularly by drawing on examples of good practice from other areas.

Comment: Members sought an update on the activities of the Council's legal team in relation to the number of cases that had not been defended at year end.

Response: Details would be circulated to the committee.

Comment: Members were pleased that levels of sickness had declined over the years and were keen to thank staff in the community contact centre for dealing with a range of complex enquiries in a sensitive and professional manner.

Response: Thanks would be extended to staff.

2015/16 Performance management arrangements

13. Members and officers are keen to ensure that as the Council changes, performance management arrangements adapt to reflect these changes. During the first half of 2015/16, work will be undertaken to review the performance process and support senior officers to test a suite of tools designed to assist in planning and presentation of existing and future targets and workloads.
14. It is intended that these tools where used and applicable, will give Members an alternative way of viewing performance information alongside the familiar format of recent years. Member's input on the effectiveness of new ways of presenting performance information will be much appreciated as we trial these approaches.

Policy Implications

15. The Corporate Plan details how the council meets its objectives. The values and vision are expressed in our commitments and policies, these underpin the way we work and prioritise activity. Individual projects and service delivery decisions will reference how we are addressing policy implications throughout the year. This retrospective review of performance identifies our progress across a range of policies and values.

Wards Affected

Ashdown, Baird, Braybrooke, Castle, Central St. Leonards, Conquest, Gensing, Hollington, Maze Hill, Old Hastings, Ore, Silverhill, St. Helens, Tressell, West St. Leonards, Wishing Tree

Policy Implications

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

Equalities and Community Cohesiveness	Yes
Crime and Fear of Crime (Section 17)	Yes
Risk Management	Yes
Environmental Issues	Yes
Economic/Financial Implications	Yes
Human Rights Act	Yes
Organisational Consequences	Yes
Local People's Views	Yes
Anti-Poverty	Yes

Additional Information

Corporate Plan Part II 2013/14 – 2015/16

Corporate Plan Part II 2015/16 – 2017/18

Available here:

http://www.hastings.gov.uk/decisions_democracy/how_we_make_decisions/policies_strategies/corporate_plan/

Officer to Contact

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RETROSPECTIVE REPORT BACK ON 2014/15 TARGETS AND PERFORMANCE INDICATORS:

The following report reflects achievements against the annual targets and performance indicators set out in the Corporate Plan 2014/15.

Status of annual targets at 31st of March 2015 is described as either:

G = Green Target achieved

A = Amber Target changed, affected by external circumstances or narrowly missed

R = Red Did not hit target, also includes (where relevant) description of how we will address this shortfall in 2015/16

Status of performance indicators at 31st March 2015 is shown as either 'met' or 'unmet.'

Exceptions

The following annual targets in Part II of the Council's 2014/15 Corporate Plan have been identified as exceptions that have not been achieved by year end.

<i>Target no./Service</i>	<i>Target Status</i>
5. Financial Services - Implement the outcomes of the Revenues and Benefits 'Customer First and Efficiency' Service Reviews.	Amber
7. Financial Services - Continue to deliver the annual Audit Plan and report outcomes to the Audit Committee.	Amber
3. Environmental Services – Waste Contract (measures a - complaints & b - recycling rate)	Red
5. Environmental Services – Enforcement action (measure a – priority inspection programmes)	Amber
6. Amenities, Resorts and Leisure Services - Flood protection	Amber
8. Amenities, Resorts and Leisure Services - (measure a visitor figures)	Amber
12. Amenities, Resorts and Leisure Services – (measure b –signage & c – Sticks of Rock lighting)	Amber
2. Regeneration – (measure a – Cultural strategy refreshed)	Amber
1. Housing and Planning Services – future development plans for former Millennium Community land at	Red

<i>Target no./Service</i>	<i>Target Status</i>
Ore Valley	
4. Housing and Planning Services – publication of a new 5 year housing strategy	Amber
6. Housing and Planning Services – completion of the Townscape Heritage initiative	Amber
7. Housing and Planning Services – (measure a – complete improvements at Pelham Arcade & b – proposals for dealing with properties still at risk)	Amber
1. Marketing and Communications Services – communication service for the council (internal and external)	Amber
6. Marketing and Communications Services – further the town's infrastructure regeneration (measure b)	Amber
7. Marketing and Communications Services – Stage 2 bid for Heritage Lottery Funding for improvements to Hastings Castle	Amber
6. Cross Cutting - Anti Poverty and Welfare Reform a) The implementation of the Hastings & St Leonards Anti Poverty Strategy Action Plan.	Amber
7. Cross Cutting - Regeneration in St Leonards – (measure a – Coastal Space programme)	Amber
9. Cross Cutting - Hastings CCTV Scheme – implement new scheme by Q3 2014/15	Amber

Corporate Resources Directorate

Financial Services

2014/15 Targets/Milestones	Status (R/A/G)	Comments
<p>1. Achieve an unqualified audit opinion for the annual statement of accounts.</p> <p>Measure: Unqualified audit opinion gained by 30th September.</p>	G	Unqualified opinion obtained by 30 September 2014
<p>2. Maintain the high occupancy of industrial units against a background of an uncertain economic environment.</p> <p>Measures: Percentage of void industrial units and actual income versus the budget.</p>	G	<p>Occupancy figures at the end of Q4 are shown below (the figure in brackets is the comparative position at end of Q4 13/14):</p> <p>Factory Units – 62 units let. 0 units vacant. 0% void (3.2% void)</p> <p>Castleham Business Centre West – 18 units let. 2 units vacant. 5.9% void (25% void)</p> <p>Castleham Business Centre East – 16 units let. 1 unit vacant. 10% void (17.6% void)</p>
<p>3. Monitor developments in the potential rollout of the Government’s new ‘Universal Credit’ scheme and take appropriate preparatory action as necessary.</p> <p>Measure: Submit updates to Cabinet and Overview and Scrutiny Committees when further steps are clarified and detail the implications for the Council and the community.</p>	G	<p>We have worked closely with DWP since December 2014 following the announcement that Universal Credit for single people was going live on 20 April 2015 in Hastings & Rother.</p> <p>Training completed for:</p> <ul style="list-style-type: none"> • Frontline staff • Back office staff • Members • Voluntary sector

<p>4. Review the current Council Tax Support Scheme and consider implications for 2015/16 onwards. Measure: Current Council Tax Support System reviewed.</p>	G	<p>2015/16 - scheme remains unchanged 2016/17 – consultation preparation underway</p>
<p>5. Implement the outcomes of the Revenues and Benefits ‘Customer First and Efficiency’ Service Reviews. Measure: Both reviews to be completed in the early part of 2015 and subsequent actions implemented as timetabled.</p>	A	<p><u>Revenues</u> – review completed in September 2014 with recommendations being implemented <u>Benefits</u> - review start was delayed until January 2015 with a revised completion date of September 2015.</p>
<p>6. Give priority within the shared Fraud Investigation Service to more serious cases, working within the Single Fraud Investigation Service requirements. Measure: Number of serious cases investigated.</p>	G	<p>During the 6 month period 1 April – 30 September 2014, 18 serious cases totalling £207,204 were completed that have resulted in sanctions being imposed.</p> <p>The service successfully transferred to the Department for Work and Pensions Single Fraud Investigation Service on 1 November 2014.</p>
<p>7. Continue to deliver the annual Audit Plan and report outcomes to the Audit Committee. Measure: Comparison of audits completed against those on the published audit plan reported in the annual audit report.</p>	A	<p>The audit plan was completed except for the audit of employee expenses which was effectively rescheduled by a review of compliance with the Local Government Transparency Code 2015.</p> <p>All deadlines for completion of the Housing Benefit Grant Subsidy and International Auditing Standards work met.</p>
<p>8. Continue to maximise the benefits from the Council’s procurement arrangements, working in collaboration with other local authorities, the East Sussex Procurement Hub and other partners.</p>	G	<p>All tasks set out in the internally published Procurement Work programme 2014/15 achieved.</p>

Measures: Value for money contracts secured, savings achieved and procurement arrangements completed.		
9. Following the decision by the Cooperative Bank to terminate local authority banking services, identify a new bank for the Council's financial transactions. Measure: New banking arrangements established by March 2015.	G	New banking arrangements with Lloyds bank went live on 1 December 2014. Arrangements with the COOP bank continue where payments are made through the Post office or through Paypoint.

Performance Indicators

Any target changes proposed for 2015/16 from 2014/15 levels are highlighted in bold and underlined in the table below.

Name	Improvement Direction	Actual Mar 2014	Direction of Travel	Actual Mar 2015	Status Mar 2015	Target Mar 2015	Yearend Target Mar 2016
6.1 % Council Tax collected in year	Bigger is better	96.3%	Better	96.5%	Met	96.0%	<u>96.3%</u>
6.2 % Non domestic rates collected in year	Bigger is better	97.8%	Better	98.5%	Met	97.5%	<u>98.0%</u>
6.3 Average number of days to process new housing benefit claims	Smaller is better	12.8	Worse	14.4	Met	15.0	15.0
6.4 Average number of days to process changes to housing benefit claims	Smaller is better	3.8	Worse	7.2	Not Met	5.0	5.0
6.5 Average number of days to process new Council Tax Reduction claims	Smaller is better	12.6	Worse	14.9	Met	15.0	15.0
6.6 Average number of days to process changes to Council Tax Reduction claims	Smaller is better	3.4	Worse	6.4	Not Met	5.0	5.0

Corporate Services

2014/15 Targets/Milestones	Status (R/A/G)	Comments
<p>1. Continue to support local democracy by the effective delivery of electoral services activities. Measures:</p> <p>a) All statutory timetables and performance standards met in line with Electoral Commission requirements for:</p> <ul style="list-style-type: none"> • Successful management of the 2014 European Parliamentary and Borough Council elections. • Successful completion of annual absent voter Personal Identifier refresh in spring 2015. • Preparation for UK Parliamentary election in May 2015. 	G	<p>The 2014 European Parliamentary and Borough Council elections were successfully managed and completed, in line with the statutory timetable and Electoral Commission performance standards.</p> <p>The absent voter personal identifier refresh conducted in spring 2015 enabled all relevant postal voters to refresh their existing details in line with statutory requirements.</p> <p>Preparations for the 2015 UK Parliamentary election were made in accordance with our own project plans and as part of a wider network of East Sussex authorities, in order to maintain a consistent and joined up approach. We also worked in conjunction with our neighbouring local authority (within part of our constituency area) to ensure a successful outcome.</p>
<p>2. Prepare for a successful transition to Individual Elector Registration during autumn 2014. Measures:</p> <p>a) Meet the performance standards and timescales as determined and prescribed by the Cabinet Office.</p>	G	<p>The transition to Individual Electoral Registration has been completed successfully, as prescribed by Cabinet Office guidelines and statutory timetables. All Electoral Commission and Cabinet Office performance standards so far have been met completely.</p>
<p>3. Continue to facilitate the Local Strategic Partnership (LSP) to act as the principal strategic forum for collaboration between service providers, community representatives, the voluntary and private sectors. Measures:</p> <p>a) LSP Board supported to work effectively; work in partnership with key stakeholders to deliver services which respond to locally identified need,</p>	G	<p>The April LSP Board focused its attention on skills and employment. Zoe Jackson, Head of Community Development at Amicus Horizon gave a presentation outlining a range of initiatives they run to engage those who are out of work or on low incomes and help them gain vocational skills, particularly those in the 16 – 24 age group. Alison Jeffery, Assistant Director of Children’s Services at ESCC, also gave a presentation on the new Troubled Families Two Programme. This is a national,</p>

<p>and act as a collective voice with a shared vision for shaping the town.</p>		<p>Payment by Results based programme through which local authorities are able to claim Payment by Results for working successfully with and improving outcomes for families with complex needs and problems. ESCC achieved 100% of their target by working successfully with 1015 families during phase one which ended in March 2015. 37% of these families lived in Hastings. Phase Two will run for five years from 1st April 2015. The target for 2015/16 is to engage 757 families. Phase Two is very different from the first programme in that there are increased data requirements for evidencing impact and outcomes. Clive Cooke, Principal of SCCH, reported that a Mind The Gap Project Group is in the process of being set up to look at areas of potential opportunities for joint partnership working given the current landscape of reducing budgets.</p>
<p>4. Support the Council's transformation to a leaner, more resilient organisation which remains focussed on delivering outcomes for local people as well as supporting and valuing its staff. Measures: a) Support managers and staff to ensure the Council's workforce is equipped to meet new challenges and ways of working.</p>	<p>G</p>	<p>We have commissioned and delivered training programmes aimed at developing the skills required within the workforce to assist with the delivery of the Council services and transformation programme.</p> <p>We have continued to develop understanding of new ways of working in order to assist the promotion of change across the organisation through the development of guidance, policies and procedures for management and staff.</p> <p>Through learning and development initiatives including the Management Development programmes accredited by the ILM and CMI we promote continuous learning and that we all work for the 'one Council'.</p> <p>Retained our Investor in People accreditation.</p> <p>In conjunction with other partners within the Sussex Training Consortium (STC) we reviewed the Management Development programme and proposed changes to the</p>

		course programme which will help students develop skills which will enable to address challenges within the public sector in the long term.
b) Assist teams to undertake service process re-design and identify opportunities for efficiency, maintaining service quality and improving customer service.	G	We continually provide a wide range of advisory and consultancy services on employment related issues including service reorganisations, service process designs which help identify efficiencies and address capacity/resilience issues. The Senior Officer restructure is the most recent exercise which resulted in the reduction of three directors to two. The review of the next tier will be carried out during 2015/16.
c) Support staff throughout the change process, work with the Staff Commission and solicit regular staff feedback to inform strategic planning.	G	We ensured that senior officer restructure was communicated to all staff via the home page, trade unions and staff commission. All staff were encouraged to submit their comments on the proposed restructure through the employee consultative route, staff commission or individually via the consultation link.
5. Support and equip Members to effectively undertake their roles and responsibilities. Measures: a) Annual work programme of Scrutiny Reviews completed to time, cost and specification.	G	The overview and scrutiny committees have completed two scrutiny reviews on outsourced contracts and educational achievement in an academised context. A further piece of work on organisational transformation has been undertaken with the intention of extending this work into the 2015/16 scrutiny work programme subject to committee agreement.
b) Progress against Corporate Plan targets reviewed quarterly by Overview and Scrutiny Committees to aid transparency about Council performance.	G	The committees have consistently reviewed performance during the year and have used the quarterly meetings to receive a range of updates from across the council and with wider partners and service providers in the town. As part of their transformation work, scrutiny members have made some suggestions on enhancing the performance review process that will be piloted during 2015/16.

<p>c) Comprehensive programme of Member training and briefings delivered according to priorities set by the Training and Development Group.</p>	<p>G</p>	<p>A full programme of member training and briefings has been completed steered by the Members Training and Development Group. This group have reviewed training delivery and evaluation methods and as a result will continue to encourage the use of online training and evaluation tools where appropriate.</p>
<p>d) Following the conclusions of the i-pad trial and the roll out of the new Mod Gov committee administration system, support Members to contribute to the achievement of modern and paper-light working arrangements.</p>	<p>G</p>	<p>The vast majority of members use iPads or equivalent tablet devices to access their meeting papers and undertake web based communications. This has resulted in significant savings through the reduction of printing costs for meeting papers. The shift to mobile broadband and phones for members from more costly landline services compliments efficiencies realised through printing less.</p>
<p>6. Continue the rolling programme of reviewing the Council's Constitution with elected members, to make our decision making processes as transparent and accessible as possible. Measures: a) Working Arrangements Group (WAG) convened and recommendations made to Council for appropriate changes to the Constitution arising from practical experience, feedback, legislative requirements, and to make it more user friendly.</p>	<p>G</p>	<p>During the last year WAG has met on 3 occasions. The Constitution has been amended and improved and confirmed by Full Council. This is an ongoing process. Further amendments were made in April this year to accommodate the change in Directorship. It is likely that two further reports will go to Full council in July and October to comply with further changes necessary as a result of the senior manager restructure and changes in legislative requirements.</p> <p>WAG have been working on a thorough overhaul of members attendance. The review commenced in November last year and had proved a worthwhile undertaking.</p> <p>Future work will consider the boundary review, Financial Rules and Operating Guidance and the Contract procedure rules. The latter being a joined project with Wealden Rother and Eastbourne.</p>

<p>7. Facilitate and promote ‘Switched On Hastings’ to encourage local people to take part in collective energy switching, whereby bulk buying power at an energy auction may result in individuals saving money on their energy bills. Measure: a) Participate in at least two further energy auctions.</p>	G	2 winter rounds of collective switching were held in October 2014 & February 2015. The scheme was widely promoted and advertised locally. For example, adverts were placed in Hastings Observer & the Friday-Ad, posters were displayed by local community organisations and along the seafront. Over 350 people registered for the October auction & 440 for the February auction. Savings average at £168 per year in October & £192 per year in February, with some households saving as much as £221.
<p>8. Project manage the European-funded ‘Future Cities’ project to support climate change adaptation activities. Measures: a) Build upon the successful development of the ‘Adaptation Compass’ tool for developing climate-proof cities, by engaging with other local authority areas to assist them to understand and use the tools to visualise the social, economic and business benefits of adapting our towns and cities.</p>	G	Workshops were held in July 2014 with members of the Coastal Users Group, and local community representatives developing the Lewes, Newhaven & Seafood Neighbourhood Plans, the Environment Agency, Natural England and the South Downs National Park. The application of the compass will be used to inform the development of these policies and the National Park Authority annual adaptation report to Government.
<p>b) Work with European partners to build upon project delivery experience and excellent networks to develop environmental and low carbon project proposals for the Interreg V 2014 – 2020 regional development funding stream.</p>	G	Discussions continue with our European partners to build upon and develop new project ideas and bids for EU funding. Partners include those involved with the Future Cities, Ace & the Safe Ice projects.
<p>9. Contribute to the Council’s Customer First priority by delivering a high quality, effective and efficient Community Contact Centre and Tourist Information Centre. Measures: a) Continue to improve the quality and timeliness of personal and telephone caller’s experience of using our service, with a focus on ‘right first time’.</p>	G	(a) Despite fluctuating levels of demand, staff have continued to gradually reduce the call and face to face wait times. The service continues to work with service departments to even out peaks whenever possible and thereby enable a more consistent service for customers.

<p>b) Work with colleagues to continually refine and improve the whole customer journey, from first point of contact to resolution, based on intelligence gained from monitoring customer enquiries and feedback.</p>	<p>G</p>	<p>(b) Significant work has been undertaken this quarter in preparing for the implementation of the Firmstep which enables residents to undertake a wider range of functions on-line in the first phase of the Digital by Design Project. Process-mapping involving colleagues from the CCC, service departments and the transformation team has identified more efficient and customer focussed ways to meet demand and manage contact.</p>
<p>10. Promote a culture of transparency in everything the Council does. Measures: a) Details of Council assets, pay policy, senior management salaries, resources, decision making, contracts and spending published to aid transparency.</p>	<p>G</p>	<p>The Pay policy and other data relating to the workforce is reviewed and updated annually. The Council is meeting the requirements of transparency as determined by the Local Government Transparency Code 2014.</p>
<p>b) Freedom of Information and other data requests responded to within legislative timescales.</p>	<p>G</p>	<p>The Council has responded to 95% of FOI and other data requests within legislative timescales in line with high previous year responses.</p>
<p>c) Implement a refreshed corporate complaints process following a detailed review in 2013/14.</p>	<p>G</p>	<p>Following a refresh of the Council's corporate complaints policy, officers continue to respond appropriately to complaints. As part of the council's digital by design project, the council is looking to roll out a new online process in summer that will enable greater coordination of officer input and automation of departmental reminders that will further enhance the council's existing procedure.</p>
<p>11. Deliver an effective Legal Service that plays a key role in delivery of Council priorities. Measures: a) Provision of strategic legal advice for key projects, policies and procedures (including standards, Freedom of Information, Data Protection etc).</p>	<p>G</p>	<p>Legal Services have been key in delivering high profile projects such as White Rock Baths, the Social Lettings Agency, Selective Licensing and the re-drafting of all Byelaws in respect of the Foreshore and Promenade and 7 Nature Reserves. The team have been assisting with key issues such as Rocklands which has involved a huge amount of work in</p>

		<p>terms of complaints and FOI.</p> <p>We have also been involved in the drafting of the Environmental Enforcement and the Sexual Establishment policies and the ASBO and general social lettings policies.</p>
b) Activity to support enforcement and secure prosecutions; robustly defend the Council against actions brought against it.	G	<p>During the year the Council successfully obtained permission to appeal to the Supreme Court in respect of Hasting Pier and successfully argued for and received disclosure in the arbitration process although that has been adjourned until the decision of the Supreme Court.</p> <p>Legal services average between 20-25 prosecutions per quarter covering all the council's enforcement powers. We have not lost a defended action during this year.</p>
c) Activity to ensure the Council is appropriately protected in terms of contracts and property transactions and planning and is effective at collection of debts and charges against property.	G	<p>During the year legal services have drafted 85 contracts (14) leases. 11 S106's and 5 Tree Preservation Orders and 1 footpath diversion order.</p> <p>We have secured over a £100,000 against properties in respect of owed Council tax and arranged payment of over £100,000 in sundry debt.</p>
d) Ensure effective Corporate Governance – appropriate legal advice given to all to support decision making, including quasi-judicial committees and boards.	G	<p>Legal Services have given training to members on the Code of Conduct, Constitution, Planning, Licensing, Museums, Charity and Environment and Safety committees.</p> <p>We have successfully defeated every appeal against Licensing and Environment and Safety decisions.</p>

Performance Indicators

Any target changes proposed for 2015/16 from 2014/15 levels are highlighted in bold and underlined in the table below.

7.1 Overall proportion of days lost to sickness

7.1a and 7.1b - At request of O&S additional information is now shown setting out the proportion of days lost to sickness due to both short term and long term sickness. (No targets have been set for these indicators, they are simply provided for additional information and context.)

Name	Improvement Direction	Actual Mar 2014	Direction of Travel	Actual Mar 2015	Status Mar 2015	Target Mar 2015	Yearend Target Mar 2016
7.1 The proportion of working days/shifts lost due to sickness absence	Smaller is better	7.01	Better	6.41	Not Met	6.25	6.25
7.1a The proportion of working days/shifts lost due to short term sickness absence	Smaller is better			3.57			
7.1b The proportion of working days/shifts lost due to long term sickness absence	Smaller is better			2.84			

Environmental Services Directorate

Environmental Services

2014/15 Targets/Milestones	Status (R/A/G)	Comments
<p>1. Work with partners, licensees and residents to help improve public safety and the atmosphere of the town centres and reduce alcohol and drug related anti-social behaviour.</p> <p>Measures:</p> <p>a) Alcohol & drug related crime levels.</p>	<p>G</p>	<p>Overall alcohol and drug related crime levels have increased since last year, and as a result last September the Police attended the Council’s Overview and Scrutiny Committee to explain why crime reports had increased.</p> <p>They explained that it is due to the implementation of new Home Office guidance, which has resulted in the requirement for Police to convert many more incidents of this type into crime reports. The increase in reported crime is therefore not indicative of an actual increase in criminal activity.</p> <p>As one of only 20 Home Office designated local alcohol action areas, the Council has continued to work very productively with partners, residents, and licensees, to reduce the impact of street drinkers in Central St Leonards. As a result anti-social behavior associated with alcohol abuse has significantly reduced in this area.</p>
<p>b) Amendments to Licensing Act reviewed as they arise and implemented locally as appropriate</p>	<p>G</p>	<p>The most significant change to the Licensing Act was the removal of the requirement for the holders of 10 year personal licences to renew their licence on expiry. The Licensing Team successfully managed the transitional period in accordance with Government guidance.</p> <p>Government has still not announced the long awaited changes to the Licensing Act fee levels.</p>
<p>c) Level of participation by licensed premises in the ‘Reduce the Strength’ campaign.</p>	<p>G</p>	<p>A review of the innovative reduce the strength initiative, concluded that it had been a success, and as a result outreach work to help street drinkers had also become more effective, and anti-social behavior associated with street drinkers had reduced. The initiative has now been extended to Silverhill and</p>

		Bohemia.
<p>2. Operate a high profile Street Warden Service, helping to maintain good ‘streetscene’ standards by taking a proactive and robust enforcement approach to enviro-crime and dog laws, and enforcing parking rules in Council operated car parks.</p> <p>Measures:</p> <p>a) Number of Fixed Penalty Notices and Penalty Charge Notices issued per year.</p>	G	<p>The Warden Service has built on the success of 2013/14, when they adopted new ways of working such as a 7 days a week shift pattern, and a broader range of streetscene enforcement responsibilities, including for off street parking offences.</p> <p>We again met our target for fixed penalty notices relating to irresponsible dog ownership and enviro-crime offences, issuing 210 throughout the year. We also successfully prosecuted many cases in the Magistrates Court for associated offences. Underlining that the Council will not tolerate non-compliance with dog control and enviro-crime laws.</p> <p>The number of penalty charge notices issued for off street parking offences has decreased since 2013/14 (3391 compared with 4112) This is attributed to customers now using the new chip and pin payment facilities introduced in the Rock-a-Nore and Pelham car parks, as well as more residents purchasing parking permits for our Priory Street car park.</p>
<p>b) Results on improved street and environmental cleanliness.</p>	G	<p>This year the independently assessed street cleanliness results for litter, detritus, graffiti, flyposting and dog fouling were very good. On average 97% of the survey results were satisfactory.</p> <p>However we are not complacent, and after each survey we review the results with the street cleansing contractor so that they can address the areas that were unsatisfactory. We also prioritise enviro-crime hotspots for enforcement patrolling by the Warden Service.</p>
<p>3. Work with the East Sussex Waste Partnership and our new waste and cleansing contractor Kier Services to improve refuse, recycling and cleansing services across the borough.</p> <p>Measures:</p> <p>a) Low level of substantiated customer complaints;</p>	R	<p>The main cause for customer complaints regarding the waste and cleansing service is missed refuse, garden waste and recycling collections. Although performance within Hastings is generally better than across most of the East Sussex waste partnership area, our missed collections rate is still too high.</p> <p>Throughout the year we have worked closely with our waste and cleansing contractor to reduce the missed collections rate down to the levels experienced prior to the service changes</p>

		introduced through the new contract. This work will obviously continue, as although there have been periods of encouraging progress, it has not yet resulted in sustained improvement.
b) Improved recycling rate	R	<p>Unfortunately the recycling rate has not increased since last year. It is likely to be confirmed as 28% once all the data is available and has been ratified.</p> <p>The lower than expected recycling rate is also an issue across the rest of the East Sussex waste partnership, and reflects a general decline in recycling in Britain and abroad.</p> <p>The East Sussex Waste partnership is working to analyse the reasons for this trend and to identify the scope for reversing it in East Sussex. Waste stream analysis will be carried out across the partnership area by a specialist contractor in May to identify what sort of recyclable materials residents could be recycling rather than placing in their refuse. This work will help the partnership to develop a recycling action plan.</p>
c) Improved standards of 'streetscene' such as less litter and dog fouling, and improved public perception of 'streetscene', as measured by the modified BV195 indicator and public perceptions surveys specified within the new waste and cleansing contract.	G	<p>As mentioned in 2(b) above, the objective independently assessed modified BV195 indicator results for this year were very good. With an extremely low failure rate of only 3%.</p> <p>The recent separate commissioned public perceptions survey carried out by another independent contractor resulted in 74% satisfaction levels for Hastings in relation to standards of street cleansing.</p> <p>Whilst this is also good there is still room for improvement.</p>
<p>4. Improve the quality of life for residents by tackling statutory nuisances such as excessive noise, defective drainage, and common air quality issues such as inconsiderate use of bonfires and businesses operating inappropriate ventilation/extraction systems. Provide an effective emergency environmental health service to deal with serious statutory nuisances occurring outside office hours.</p> <p>Measures:</p>	G	<p>We continued to work with local residents and businesses to help resolve complaints about noise, smoke, odours, accumulations, and defective drainage. The emergency out of office hours environmental health service continues to play a key role in this work, as many offences occur at night and during weekends.</p>

<p>a) Residents contacting the Council in relation to statutory noise nuisance will receive a good service and where their complaint is substantiated it will be resolved.</p>		
<p>b) Notices served and prosecutions taken.</p>	G	<p>Throughout the year we have continued to work closely with complainants, assessing the evidence they provide us with, and gathering our own direct evidence in order to take robust enforcement action against anti-social neighbours. This has resulted in Abatement Notices, works in default, and the seizure of items such as stereos and TVs.</p>
<p>c) Participation in profile raising initiatives, such as noise awareness week and 'quality streets events'.</p>	G	<p>In May during National Noise Awareness Week we promoted our noise pollution enforcement work in Hastings town centre. Focussing on our power to serve noise abatement notices and to seize offender's stereos where they refused to abate the nuisance. This event attracted positive media attention.</p>
<p>5. Ensure that all local businesses where the Council is the enforcement agency for food hygiene and health and safety enforcement, take their hygiene and health and safety responsibilities for staff and customers seriously. Where appropriate take enforcement action to help achieve this. Measures:</p> <p>a) Achievement of our priority inspection programmes.</p>	A	<p>Despite a difficult year due to staff vacancies, with the temporary help of specialist contractors we completed 95% of the food hygiene inspections scheduled for the year (441 out of 465). The 24 inspections that were not completed are being carried out as a top priority in quarter 1 of 2015/16.</p> <p>In addition to the 465 inspections that were scheduled for the year, we also carried out 72 inspections of new food businesses, which is always a high priority for us.</p>
<p>b) Good performance maintained in relation to local 'broadly compliant' data for catering premises.</p>	G	<p>The percentage of food premises classified as broadly compliant was 93%, which is compatible with the average for Sussex authorities, and with our CIPFA nearest neighbours group of authorities.</p>
<p>c) Good food hygiene rating system scores maintained for the majority of local catering premises.</p>	G	<p>The national food hygiene rating system still appears to be a good incentive to local food businesses in Hastings to improve standards of hygiene. Overall the trend has continued to be positive for Hastings food businesses. This will have been helped by the hygiene training course that was facilitated for local businesses earlier in the year.</p>

<p>6. Work with partners in the Sussex Resilience Forum, such as the Police and Fire and Rescue Services, to ensure emergency planning management and response systems are able to respond effectively to issues such as severe winter weather. Measures:</p> <p>a) Adequate training/exercises completed by appropriate staff and management.</p>	G	As a member of the East Sussex emergency planning and resilience partnership we have good access to training for staff involved in our emergency on call rotas. Many of these staff have attended training courses throughout the year. Ranging from training for tactical and strategic response officers, to training for emergency rest centre managers and volunteers.
<p>b) Positive feedback from public and partners following incidents requiring an emergency response from the council.</p>	G	A number of incidents have required an emergency response from the Council, including the Marine Parade fire earlier this year. Positive feedback has been received from people involved in such incidents, which can be extremely challenging for Council staff working alongside the Police, Ambulance and Fire and Rescue services.
<p>7. Manage the smooth transition and continue to operate the Council's CCTV monitoring and out of hours call handling service from the existing facilities at Carlisle Base to new facilities at the Town Hall. Measure: A new cost effective service will be successfully established in the chosen location.</p>	G	<p>We have successfully continued to operate the CCTV monitoring service from the aging existing facilities, and will shortly be moving to the new modern control room which is now to be located in the lower ground floor of Aquila House.</p> <p>The overall CCTV upgrade project, of which this is part, is now scheduled to be completed during the summer, and will result in more reliable modern camera systems, and better CCTV coverage of key locations such as George Street.</p>
<p>8. Play a lead role in the Safer Hastings Partnership, and work with partners to help reduce crime and improve neighbourhood safety, including commissioning and delivering a range of dedicated community safety initiatives. Measures:</p> <p>a) Run monthly Multi-Agency Tasking Team meetings and coordinate resulting interventions.</p>	G	The Community Safety Manager attends a range of multi-agency meetings with other agencies operating within Hastings and the rest of East Sussex. A good example being the monthly multi agency street community case conferences. The most frequent is the weekly Hastings Community Safety Hub referred to below.
<p>b) Host the Hastings Community Safety Hub.</p>	G	The weekly Hastings Community Safety Hub multi-agency meetings continue to focus on supporting high and medium risk victims of antisocial behaviour and hate crime. It is frequently hosted by the Council. However, our 2 main social landlords are also actively involved in these meetings and have hosted

		several of them. The meetings are also used as the review mechanism for cases emerging from the new Community Trigger process.
c) Commission targeted interventions to reduce anti-social behaviour and crime against business, to support the evening economy.	G	<p>The Council commissioned Barwatch scheme and linked Shopwatch initiative were supported by the Council in obtaining the Safer Business Award. The Barwatch scheme oversaw the distribution of additional body worn videos to Security Industry Authority [SIA] door supervisors at key licensed premises in the town, and the Barwatch and Shopwatch radio systems have also been upgraded.</p> <p>A great deal of work was undertaken during the last year to reduce the impact of street drinkers on residents and businesses. This work included:-</p> <ul style="list-style-type: none"> • Running a street community hub where 58 clients were triaged and care/ support plans developed to ensure ongoing support was given to them. • Holding monthly multi agency street community case conferences. • Funding rough sleeper outreach work from the Seaview Centre. • Engaging with clients at Snowflake winter night shelters and holding mini hubs at the Seaview Centre. • Commissioning a street community activities project engaging members of the street community in positive activities. • Funding a drug and alcohol outreach service in Central St Leonards which has now been sustained by the Hastings and Rother Clinical Commissioning Group. <p>As a result incidents of street drinking reported to the Police in the town over the last year have reduced by 61%.</p>
d) Provide additional support to victims of hate crime and domestic violence	G	Late last year the Council was successful in achieving White Ribbon Town Accreditation status. The national White Ribbon organisation described the Hastings application as exemplary.

		A successful, Council led White Ribbon Day event was held on 25th November 2014 with around 3,000 pledges being signed. More recently a network of domestic violence ambassadors has been established, including a group of youth ambassadors. The Council has continued to fund a hate crime service, delivered by Hastings Voluntary Action (HVA). The service has continued to actively encourage the reporting of hate crimes, and this has doubtless contributed to the significant increase in reports over the last year.
e) Play a full part in the Sussex Police and Crime Panel scrutiny arrangements.	G	The Lead Member for Environment and Community Safety chairs the Safer Hastings Partnership, and is well placed to continue to provide effective representation on the Sussex Police and Crime Scrutiny Panel, which oversees the work of the Sussex Police and Crime Commissioner.
f) Contribute to the achievement of the Hastings Community Safety Plan targets.	N/A	Overall rates of reported crime have increased since last year, and as a result last September the Police attended the Council's Overview and Scrutiny Committee to explain why this was the case. They explained that it is simply due to the implementation of new Home Office guidance, which has resulted in the requirement for Police to convert many more incidents of this type into crime reports. The increase in reported crime is therefore not indicative of an actual increase in criminal activity. Similar increases are being seen across the county and in other Police Forces areas after they adopt the new crime recording standards.

Performance Indicators

Any target changes proposed for 2015/16 from 2014/15 levels are highlighted in bold and underlined in the table below.

1.1, 1.2, 1.4, 1.6 – the targets for these indicators have been set based on what was agreed and published in the 2015/16 Corporate Plan. The target published in the 2015/16 Corporate Plan for 1.6 (missed waste and recycling collections) is to be less than the rate for 2014/15. It is anticipated that the rate for 2015/16 will be less by a larger margin than the target set in the table below, but it is not possible to anticipate by how much.

1.5 Overall crime rate - This indicator will be removed from 2015/16 because the Council has very limited direct influence over crime rates.

Name	Improvement Direction	Actual Mar 2014	Direction of Travel	Actual Mar 2015	Status Mar 2015	Target Mar 2015	Yearend Target Mar 2016
1.1 Improved street and environmental cleanliness (levels of litter, dog fouling, detritus, graffiti and flyposting)	Smaller is better	6%	Better	3%	Met	5%	5%
1.2 Percentage of household waste sent for reuse, recycling and composting	Bigger is better	28.0%	Same	28.0%	Not Met	30.0%	30.0%
1.3 % statutory nuisance and public health complaints responded to within 5 working days (bonfires, noise, drainage, accumulations etc).	Bigger is better	88%	Better	89%	Not Met	95.0%	95.0%
1.4 % of food establishments which are broadly compliant with food hygiene law	Bigger is better	94%	Worse	93%	Met	93%	<u>92.0%</u>
1.5 Overall crime rate / 1,000 population	Smaller is better	71.4	Worse	86.2	Not Met	70.7	To be removed
1.6 The average number of failed bin collections (per 100,000 collections) (L020)	Smaller is better	76	Worse	133	Not Met	60	<u>130</u>

Amenities, Resorts and Leisure Services

2014/15 Targets/Milestones	Status (R/A/G)	Comments
1. Maintain and improve standards of safety, quality and cleanliness in our parks, playgrounds and open spaces. Measures: a) Green Flags retained at Alexandra Park, Hastings Country Park and St Leonards Gardens.	G	All Green Flags retained.

b) Increased membership of the Green Dog Walkers Scheme	G	Year-end total of 528 members from a start of 515
c) Maintenance and renewal schedule of park assets developed	G	Renewal schedule developed and all identified projects implemented.
2. Develop the grounds maintenance and arboriculture contracts signed with partners Rother District Council and Amicus Horizon. Measures: a) Structures and protocols developed for jointly monitoring the performance of the Grounds Maintenance partnership contract effectively.	G	Governance structure in place and officers meeting regularly. Client officers meet monthly, Senior Officers quarterly and Directors and Lead Members annually.
b) The action plan to maximise benefits resulting from the new contract implemented with partners.	G	Annual Service Improvement Plan (SIP) for 2014 completed and a new SIP for 2015 agreed by the Executive Group. We will continue to forge a close working partnership with TLG to explore ways that they can do more for HBC.
c) Continue to explore opportunities for joint parks management with Rother District Council	N/A	We are no longer pursuing shared management as it is not currently considered viable by either Council.
3. Manage and develop Hastings Country Park (HCP) Nature Reserve and Combe Valley Countryside Park with partners and stakeholders. Measures: a) HCP Interpretive Centre proposals worked up and partnership funding explored with project completion timelines agreed.	G	Planning permission has been granted and preparations for tendering have begun through the East Sussex Procurement Hub. The Project Board which includes our partners Groundwork South, Friends of Hastings Country Park and elected Members monitoring progress. Project plan milestones are being met.
b) Future management arrangements for Combe Valley CP implemented.	G	The preparations for a new Community Interest Company have been completed and filed with Companies House. The first meeting of the new company will take place in June. Groundworks Trust continues to act as the managing body for the park although HBC is heavily involved as the majority landowner.
c) Structures for managing and monitoring the new higher level stewardship regime at HCP established and implemented.	G	Monthly review and monitoring meetings established. Management plans for all Stewardship works completed and agreed. All planned works for 2014 completed and available

		grants received.
<p>4. Maintain standards of safety and cleanliness on Hastings & St Leonards Seafront and Foreshore; pursue opportunities to enhance the seafront.</p> <p>Measures:</p> <p>a) Quality Coast Awards retained</p>	G	We have successfully achieved Quality Coast Awards for Pelham and Marina beaches for 2015. A new cycle hire service was introduced during 2014 which we plan to develop this summer. Access was improved at Rock a Nore and railings replaced at Marina and Rock a Nore. Additional outdoor exercise equipment has been installed and enhancements have been made to the play areas. The byelaws for the seafront and promenade have been renewed and will be introduced as soon as central government approval is received.
b) Annual groyne refurbishment programme completed	G	Seven timber groynes were refurbished as part of the annual planned maintenance capital programme. Additional responsive repairs were carried out but fortunately these were minimal this year as we didn't have any significant storms or damage. Routine maintenance of these assets, although relatively straightforward, is critical to maintaining beach levels and our standard of protection from wave overtopping and flooding.
c) Coast protection schemes delivered as DEFRA funding allocated	G	Major capital funding (£2.8m) has been allocated to Hastings for 2016/17 and 2017/18 for coast protection scheme to construct two additional rock groynes at Carlisle Parade and to raise beach levels. Repairs and enhancements to the Harbour Arm will also be included. We are currently developing the business case and producing the technical designs for appraisal in November 2015.
d) Fisheries Local Action Group (FLAG), Stade Hall and beach projects delivered	G	<p>The Stade Development Officer has been in post since October 2015 and has had a positive impact in both the operation of the Stade Hall and Open Space, encouraging new users and generating income for the Foreshore Trust.</p> <p>High tendered prices and changes to the specification have meant delays, now overcome, in the FLAG Big Beach Projects. The Winch Shed repairs and Winch Road resurfacing are both expected to start by the end of May. The new fuel tanks have</p>

		been delivered and fishermen have started to install them.
<p>5. Work with partners to ensure that our bathing water meets the new EU water quality standard in 2015. Measures:</p> <p>a) Ensure that through the executive group the partnership action plan is delivered effectively and on schedule.</p>	G	The Executive Group has overseen the delivery of our action plan, with major projects undertaken and completed during the year by Southern Water and by HBC working in partnership with the Environment Agency.
<p>b) All HBC Year 1 Bathing Water actions plan targets met</p>	G	All targets in the action plan have been met. Highlights include the Southern Water investment in sewer system investigations and rectifications, following on from initial HBC/EA programmes, the extensive investment in natural filtration throughout the Alexandra Park watercourse and a powerful communications programme delivered by the Clean Seas Please campaign.
<p>6. Work with partners to implement flood protection measures throughout the town. Measures:</p> <ul style="list-style-type: none"> • Actions from the Strategic Flood Risk Assessment action plan are delivered • Participation in the County-led structures for flood resilience planning results in flood prevention activity in Hastings and Rother. 	A	<p>A delay in the appointment of a County Coordinator has meant reduced opportunities for participation in County-led structures for flood resilience planning.</p> <p>We are currently in the process of reviewing the Bulverhythe Flood Plan. It is now likely that this will be extended to form a multi-agency plan for the whole town based on increased number of properties identified at risk.</p> <p>A review of the Surface Water Management Plan will be undertaken on 2015/16 and actions integrated with the ESCC Strategic Flood Risk Assessment.</p>
<p>7. Enhance the environment at Hastings Cemetery and Crematorium to provide an excellent service and protect the Council's income. Measures:</p> <p>a) Chapel enhancements designed and delivered.</p>	G	The conversion of the flower room into an overflow chapel has been completed with a new doorway, furnishings, sound system and TV monitor installed. The outdoor pergola which will become the new flower and memorial area is awaiting finishing touches with an anticipated completion by the end of April.
<p>b) New welfare funeral arrangements agreed.</p>	G	The new welfare funeral contract is in place.

<p>8. Provide a Museum exhibition and education programme for visitors. Develop proposals for the long-term sustainability of the service in light of financial constraints.</p> <p>Measures:</p> <p>a) Visitor targets achieved.</p>	<p>A</p>	<p>Visitor figures at John's Place narrowly missed the new target. The Old Town Hall figures also missed, but the website figures exceeded their target.</p> <p>There was a full programme of exhibitions, related activities and other events throughout 2014-15. Weekly Play and Learn sessions continue to be held in term-time in partnership with Hastings & St Leonards Children's' Centre, In2Play and Hastings Children's' Library. School holiday free family activity days have been particularly popular with over 800 attending in October half-term.</p>
<p>b) Collection and storeroom comprehensive cleaning completed.</p>	<p>G</p>	<p>Progress has been made on the collection and store cleaning, although resources have had to be redirected to allow for the Old Town Museum to be closed and emptied. Training on conservation cleaning for staff and volunteers has taken place. All works on paper and archives have been sent to The Keep for specialist treatment. Space has now been identified for storage and more volunteers recruited. It is now anticipated that this project will be completed by March 2016.</p>
<p>c) Feasibility of enhanced wedding offering assessed.</p>	<p>G</p>	<p>An enhanced wedding offering has been offered since the Wedding Fair in September 2014. An assessment of its success will be made in September 2015.</p> <p>The Museum has been awarded £33,000 in Resilience Funding by the Arts Council. Part of this project, which will run to March 2016, will be to explore all aspects of income generation, including wedding offering.</p>
<p>d) First year of World War One commemoration programme delivered.</p>	<p>G</p>	<p>The first year of the project has been delivered. The 'Hastings Remembers' exhibition 26 July – 16 November 2014, was accompanied by 3 talks. 9 volunteers have been working on research themes and have had oral history training. Recording of oral history stories has started.</p> <p>Community project partners in Year 1 have been Eggtooth Project and Hastings Seniors Forum.</p> <p>'Young Curators' is a project led by HMAG, in partnership with Culture Shift and the Hastings & Rother Arts Education</p>

		<p>network, to give 14-19 year olds practical work experience of the Museum sector. This is part of the Museum's 'Hastings Remembers ...' project with additional funding from Culture Shift. Several sessions have now been held.</p> <p>Exhibition panels have been taken to 4 branch libraries. Twitter and Facebook accounts have been set up and WWI stories delivered.</p>
e) Create an Action Plan to increase Museum sponsorship and income	G	The Museum's Forward Plan was completed for the Accreditation deadline in January 2015. It includes actions around income generation. However, it is anticipated that the plan will be updated following the ACE Resilience funded project in 2015-16.
<p>9. Continue to deliver the Active Hastings and Active Streetgames programmes; deliver the objectives of our sports and physical activity strategy.</p> <p>Measure:</p> <p>a) External funding sourced and secured.</p>	G	External funding has been sourced to sustain and develop Active Hastings and Street Games throughout 2015/16. This includes an 'in principle' repeat contribution from Public Health, amount yet to be finalised. Successful bids this year have included a Sport England grant of £58k to fund a three year disability sport project in partnership with charity Grace Eyre, a further £15k was raised to help support residents with mental health conditions into activity and a £20k grant to develop neighbourhood community sports clubs via the Street Games project.
b) All programme targets met.	G	External funding requirements achieved. We continue to liaise with our funders and provide monitoring reports as agreed.
c) Sports and Physical Activity Strategy actions implemented.	G	Hastings Sport and Physical Activity Strategy targets achieved.
d) Usage targets for Summerfields and Falaise met.	G	Year-end attendance figures for Summerfields Leisure Centre (271,813) and Falaise Fitness Centre (124,502) are in line with the previous year, no significant difference. Q4 has proven to be particularly busy, highlights include an improved swimming lesson package, increased day time hall use and busy fitness classes.

<p>10. Implement the new Play Hastings Strategy and action plan to ensure quality play opportunities and a regular programme of activities for children and young people town wide. Measures: a) Play development year 1 action plan targets met with input from play partners and service users.</p>	G	Year 1 actions achieved. Highlights include regular Street Play sessions in targeted areas, facilitation of regular Play Forum, young volunteers' project, two large scale Play Days, crèche service to enable residents to access leisure initiatives and support for numerous local events.
b) Identify need for new or improved play areas delivered in areas of deficiency or low quality and work in partnership with residents' groups and other public agencies to identify means for delivery.	G	The refreshed Play Space Strategy has enabled us to review and plan for playground improvements (11b). This year consultation events have been held at Halton flats and Chiltern Drive. Officers have supported residents regarding proposals at Hughenden Road pocket park and Coombe Valley CP. A new playground was opened at Ore Valley Road and enhancements took place at Shornden and Alexandra Park.
c) Adventure Playground management arrangements negotiated and funding secured for 2015/2016 onwards.	G	In2play continued to operate the adventure playground. The regular programme includes a variety of offers including targeted work and free daily afterschool sessions for local young people, which operate at near capacity. Children in Need have recently agreed to extend their funding of 2 posts for a further two years (includes inclusion work). The People's Health Trust has agreed to fund a post which includes a Forest Schools focus, for 18 months. In2play are confident of providing the expected service throughout 2015/16. Further funding will be sought in order to sustain and develop the service.
<p>11. Develop plans for sustaining and enhancing leisure facilities across the town in cooperation with other providers and users. Measures: a) Reassess and refresh the leisure facilities strategy with partners</p>	G	The refreshed Hastings Leisure Facilities Strategy was completed and adopted at March 2015 Cabinet.
b) Reassess and refresh the play facilities strategy with Amicus Horizon and Orbit	G	The refreshed Hastings Play Space Strategy was completed and adopted at March 2015 Cabinet.

<p>c) Sustain existing HBC facilities and pursue funding bids for refurbishments as opportunities are identified.</p>	<p>G</p>	<p>The refresh of the Leisure Facilities Strategy has helped to inform local need and highlights some potential funding opportunities. Discussions continued throughout the year with organisations such as Horntye, Falaise Indoor Bowlers, William Parker Community Athletics Arena, Robsack Primary School, Summerfields Gymnastic Club and numerous sports clubs and national governing bodies including Sport England.</p>
<p>12. Deliver refurbishment of public realm assets, particularly where justified by energy efficiency and reductions in maintenance liabilities. Measures: a) Delivery of our annual programme of public convenience maintenance</p>	<p>G</p>	<p>Public conveniences have been routinely maintained. Sale of Rock a Nore was completed earlier in the year. External improvements carried out at Falaise Road and West Marina Gardens. Awarded top local authority public toilet provider at the annual Loo of the Year Awards.</p>
<p>b) Car parks and pedestrian signage schemes implemented.</p>	<p>A</p>	<p>Pedestrian signs installed in St. Leonards. Designs completed for Hastings and extended seafront signage. Implementation has been delayed whilst design changes were tested to address problems on seafront signs. Expected completion is now July – August.</p> <p>First intelligent highways signs installed in early April. Teething problems in the communications protocol have now been resolved. Further additions to the system are being discussed.</p>
<p>c) Sticks of Rock extended to Marina (west) and Harold Place (east).</p>	<p>A</p>	<p>Works to extend Sticks of Rock LED lighting display westwards were ordered through ESCC in October and have been delayed until Colas complete the replacement of seafront lighting columns for ESCC. This replacement programme has also provided an opportunity to convert our promenade floodlights to LED as the columns are replaced.</p>
<p>13. Monitor the quality and popularity of programming at the White Rock Theatre and its role in the delivery of the Cultural Regeneration Strategy. Measures: a) Attendance targets met.</p>	<p>G</p>	<p>Audience figures have continued to increase with an additional 4351 attendees at 13 more shows than the previous year, during the final quarter. The newly promoted Theatre Manager continues to focus on improving the quality of performances and user experience and also encouraging wider community use.</p>

<p>b) Actions from the Cultural Regeneration Strategy implemented.</p>	<p>G</p>	<p>The venue has been improved by the introduction of a new sound system, replacement seating and decoration to public areas. Programme improvements are delivering larger audiences as is the growing community use of the Sussex Hall.</p>
<p>14. Deliver building works projects to maintain and enhance the Council's assets Measures: a) 2014-15 Repairs & Renewals works schedule is delivered on time and within budget</p>	<p>G</p>	<p>Delivery of 2014-15 repairs & renewals programme works completed. Has included repair, redecoration and alteration works to various built assets including, lift shaft strengthening and new lift, roof alterations, new fire alarm system, new contact centre lighting and minor redecorations at the Town Hall. Redecorations include Johns Place Museum, South Lodge and Falaise Hall Fitness Centre, East and West Hill Stations, repairs to St Mary in the Castle and Hastings Castle and electrical supply separation to Marina Pavilion.</p> <p>Tendering of the council's 5 year minor works building repair contract successfully completed. The new contractor (DCB (Kent) Ltd.) is in place from 1 April 2015. The contract has been extended to encompass the new housing initiative repair requirements.</p> <p>Annual programme of statutory and cyclical inspections and testing completed for 2014-15 and ongoing. Includes; asbestos and remote legionella management, fire risk assessments, air-conditioning maintenance, display energy certificates, reservoir inspections, cliff surveys, retaining wall monitoring, promenade concrete safety inspections, decorative lighting maintenance, electrical testing, safety anchor testing and automatic door maintenance progressing as planned.</p>
<p>b) Deliver scheduled inspections of HBC estate and conditions</p>	<p>G</p>	<p>Schedules of dilapidations and schedules of condition to support the council's lease arrangements along with other technical inspections and reports prepared as required for Estates. Recent reports include dilapidations on 24-28 Theaklen Drive and Units 1, 2 and 3 Castleham Road and schedule of condition for St Mary in the Castle. Ongoing monitoring of the operator's repair and maintenance regime at the White Rock Theatre.</p>

c) Deliver refurbishment projects as identified	G	Technical, surveying, tendering and contract administration support provided on a number of projects. Examples include; ACE I and II projects to improve the industrial estate, FLAG project to improve The Stade winch road, lighting and winch sheds and tanks. Conversion of the White Rock Baths into a BMX venue, new Aquila CCTV Room, New LED lighting to Pier underground car park, new flower pergola, chapel doorway and extended disabled parking to Crematorium. Condition survey of seafront promenade railings and replacement of the two worst sections, resurfacing of Country Park main access road, relief pipe from Harmers reservoir and de-silting of Buckshole settlement pond.
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Performance Indicators

Any target changes proposed for 2015/16 from 2014/15 levels are highlighted in bold and underlined in the table below.

Name	Improvement Direction	Actual Mar 2014	Direction of Travel	Actual Mar 2015	Status Mar 2015	Target Mar 2015	Yearend Target Mar 2016
2.1 Number of people attending White Rock Theatre performances	Bigger is better	65,925	Better	76,743	Met	70,000	<u>75,000</u>
2.2 Number of visitors to Hastings Museum and Art Gallery	Bigger is better	39,179	Better	43,686	Not Met	44,000	<u>45,000</u>
2.3 Total attendances at Council Leisure Centres	Bigger is better	394,394	Better	396,874	Not Met	400,000	400,000

Regeneration, Homes and Communities Directorate

Regeneration

2014/15 Targets/Milestones	Status (R/A/G)	Comments
<p>1. Support the growth of jobs and businesses to increase the economic opportunities for local people. Measures:</p> <p>a) Inward investors and indigenous business growth supported through the provision of information, and links to financial and specialist business support and workforce development opportunities.</p>	G	<p>Regeneration officers provided direct advice and other support to 369 (awaiting Q 4 figures) businesses in 2014/15. The Council continued to support Locate East Sussex in the provision of inward investment and business advice to 85 companies considering Hastings as an investment location.</p> <p>Council investment has successfully levered additional funding to bring White Rock Baths into use as a world class BMX and skateboarding facility by a local company. This project will bring new visitors to the town and increase tourism spends in seafront businesses.</p>
<p>b) Facilitation of the Evening Economy steering group and delivery of agreed action plan.</p>	G	<p>In the latter part of 2014, the steering group agreed that a newly established Business Improvement District (BID) steering group would provide the way forward for town centre improvements during day and nighttime. A BID loan application has been submitted to the government funded agency promoting BIDs, and a decision is awaited.</p>
<p>c) Continuation of Green Business Forum.</p>	G	<p>There are a number of networks which support businesses to adopt environmentally sustainable technologies and approaches to business operations. These include the Green Growth Platform (hosted by Brighton University), the Sustainable Business Network, and Energise Sussex Coast. The work started by the Green Business Forum has now been taken on by these groups and the Forum disbanded.</p>
<p>d) Completion of building improvements and carbon reduction guidance policy framework, subject to EU approval of ACE (Answers in the Carbon Economy) project extension.</p>	G	<p>ACE contract modification approved by the European Commission for additional funding for Theaklen Drive improvements. All ACE funded works completed to time and on budget. Defects period now in effect to deal with minor</p>

		snagging issues.
e) Delivery of RGF (Regional Growth Fund) funded SUCCESS programme	G	Programme is on course to disburse full grant amount of £2.2m by May 2015 to 51 businesses (23 in Hastings), exceeding job targets to date and private investment target over the monitoring period (to 2018). The success of this scheme has been recognised by the South East Local Enterprise Partnership.
f) To continue work with partners to pursue Assisted Area Status and to seek to take advantage of this status if awarded to the area.	G	Assisted Area Status granted in May 2014 until 2020. The Council will continue to explore opportunities that this designation will afford to support jobs and business growth in Hastings.
2. Pursue a cultural regeneration strategy and a programme of cultural activity that attracts people into the town and strengthens the position of Hastings as a cultural hub. Measures: a) Cultural strategy refreshed	A	The Council's Cultural Development Specialist was appointed in the latter half of 2014 and planning for a major festival in 2016 commenced. A successful meeting was held to identify opportunities for creative activity in conjunction with the 950 th anniversary of the Battle of Hastings, and attracted approximately 120 people from cultural and community organisations. Five further meetings with approximately 200 artists from all disciplines took place which drew out further strategic priorities. It was agreed that, rather than a refresh of the current strategy, a high level plan to develop the role of culture in the regeneration of the town is required and the timeframe for this has been extended to 2015-16.
b) Hastings-Rother Cultural steering group established and action plan agreed.	G	The Cultural Leaders Group continues to meet regularly. A focused workshop in July revealed consensus that a successful cultural programme in 2016 will be a starting point for the repositioning of Hastings as a key cultural destination.
c) Continuation of programme of cultural events initiated through the successful Stade Saturdays programme.	G	A successful season of events was delivered, with audience numbers exceeding targets and positive feedback on the quality of the performances.
d) Continued support for cultural events that celebrate the diversity of the town's population.	G	Please see item 5C

<p>e) Working with cultural, business and other partners to prepare plans for the celebration of the 950 anniversary of the Battle of Hastings in 2016 and maximise its economic and cultural benefits.</p>	<p>G</p>	<p>Planning for the festival, now called ROOT1066, is well underway and includes work with key local cultural sector partners Jerwood Gallery, De La Warr Pavilion and Glyndebourne Opera. Our funding application to Arts Council England has been submitted for £150K. We are also part of an Interreg V Channel Programme bid.</p>
<p>3. Continue to develop the Local Plan and supplementary planning policies, responding to national planning policy developments and assisting in the delivery of planning policy targets. Measures: a) Respond to the outcome of the public consultation on the Development Management Plan.</p>	<p>G</p>	<p>Significant public representations to the final consultation process was considered and responded to in the second quarter of the year and preceded submission of the final Development Management Plan to the Planning Inspectorate.</p>
<p>b) Undertake the necessary work for an Examination in Public of the draft Development Management Plan.</p>	<p>G</p>	<p>The examination in public (EIP) of the Council's Development Management Plan commenced on 18th November '14. The Inspector requested the Council's formal submission to a number of key Matters, Issues and Questions (MIQs). The Council's submitted its formal response on all seven of the Matters raised by the Inspector by the due dates. Hearing sessions took place in November, December and January. In February 2015 the Inspector issued his Preliminary Findings which included a number of proposed Main Modifications to the draft Plan. These were subject to a 6 week public consultation period. The Council responded to these proposals by the due date. Subject to any further work considered necessary by the Inspector, his final report is now awaited.</p>
<p>c) Full compliance with the duty to cooperate in the development of the Local Plan.</p>	<p>G</p>	<p>Full compliance with the duty to cooperate was been set out in a report which formed part of the DMP submission documents.</p>
<p>4. Continue to support the provision of apprenticeships, work experience, and employability skills for local people. Measures: a) Regular meetings of the Employability Forum</p>	<p>G</p>	<p>The Council facilitated regular meetings of the Employability Forum which brought training providers together to coordinate services and identify gaps in provision. An evaluation of the future effectiveness of the forum will be conducted in 2015/16</p>
<p>b) Successor action plan to Own Grown campaign agreed and implemented.</p>	<p>G</p>	<p>2014 campaign successfully completed Q3, with pledges exceeding target (2014).</p>

		East Sussex wide pledge campaign (running March – August 2015) continues to be supported.
c) Secure new funding stream to support apprenticeships and/or employability skills development.	G	Secured contribution (ESCC &RDC) to run employability skills development programme for Hastings and Rother Schools in quarter 4. Successfully secured Talent match funding for an Employment and Skills Coordinator, to start in 2015-16. East Sussex Apprenticeship campaign support has secured further funding to support apprenticeship placements in Hastings and Rother extending into 2015-16. EU Interreg bid concept note submitted with partners from England, France, Belgium and Netherlands. Focussed on cross border initiatives to support youth employability, including placements, training and skills development. Outcome of this is anticipated in first quarter 2015-16.
5. Work with partners to deliver the revised Community Cohesion strategy, focusing available resources on actions that tackle exclusion and build greater understanding and appreciation of the town's diverse population. Measures: a) Facilitate regular meetings of the Community Cohesion steering group.	G	Meetings of the Community Cohesion steering group continue to focus on measures to increase coordination of agency activities and services in promoting community cohesion. Hastings Community Network and the Council organised a Community Cohesion Conference in March 15. This reviewed the current cohesion challenges facing the town with a report to be submitted with the outcomes of the conference to the LSP in April 15.
b) Develop a coordinated partnership approach to community cohesion and hate crime prevention activity.	G	The Hate Crime Coordinator is a member of the Community Cohesion steering group and provides regular reports.
c) Support events and organisations which celebrate diversity and which bring different groups of people together in positive activities.	G	Two projects were delivered: 1) Hastings Mother Language Day in Feb 15. This was hosted by Hastings Intercultural Organisation and partners at the White Rock Theatre; 2) Eat Global returned with a series of indoor and outdoor events focused on the cultural offer of many BME businesses in the town 9 March 15).
d) Dedicated officer support for young people, seniors and disabled groups.	G	The Youth Council has continued to strengthen under the guidance of dedicated support, and met regularly throughout the year. The youth council held a meeting with Sussex police

		<p>to discuss youth issues. The final round of the Youth Cash Grant of £3,975 was delivered successfully.</p> <p>Support was provided to the Hastings seniors forum to establish a dementia action alliance group and monthly free benefits advice for seniors. A crime and safety event was held at the town hall (6th March) for seniors to attend and raise issues with the local police, HBC officers and councillors.</p> <p>The Youth and Seniors Participation officer continued to provide support and advice to the Disability Forum and the Access For All steering group, which meets regularly.</p>
<p>6. Continue to drive the implementation of the Hastings-Rother Task Force's 6-Point Plan for growth. Develop and maintain partnership structures that support the procurement and management of new and existing funding streams for area-wide regeneration.</p> <p>Measures:</p> <p>a) Facilitation of the Hastings and Rother Task Force.</p>	G	<p>The Task Force contributed to the development of strategic priorities which have been included in the South East Local Enterprise Partnership's Growth Plan, and supported the successful case for wards in Hastings and Bexhill to be included on the UK Assisted Area map for 2014-2020.</p>
<p>b) Development of a Community Led Local Development (CLLD) partnership structure and business plan.</p>	G	<p>The Council led the submission of a further update to the South East Local Enterprise Partnership for a CLLD in Hastings and Bexhill, reaffirming the strategic fit of local priorities with CLLD principles. An initial Local Action Group has been established and we are awaiting further announcements about CLLD guidelines and funding calls in 2015.</p>
<p>c) Active participation in the Local Enterprise Partnership (LEP) and its thematic and geographical structures.</p>	G	<p>The Council continues to lead a number of aspects of work for the Coastal LEP group, including a successful Growth Fund bid for housing improvements pan-LEP, and is a member of Team East Sussex, part of the federated LEP structure.</p>
<p>d) New funding opportunities for economic development identified and pursued.</p>	G	<p>The Council submitted a successful bid under the 2014-15 Coastal Communities Fund for a range of measures to support job creation and business growth in the tourism/cultural sector and improvements to the promenade and associated structures which will attract visitors to the seafront.</p> <p>We also were successful in securing £2.3m from the Regional Growth Fund to deliver a grants scheme supporting creative sector jobs and business growth in Hastings, Thanet and</p>

		Tending.
e) Provide administrative support and management of the Foreshore Trust grants regimes.	G	Support provided to the Charity Committee's Grants Advisory Panel resulted in successful and timely advice to the Charity Committee, and support for 32 organisations through the Foreshore Charitable Trust's Small Grants and Events Grants scheme.
f) Manage the delivery of a number of funding programmes including:: <ul style="list-style-type: none"> o Coastal Communities Funding o SAFE-ICE cluster programme o Community Partnership Fund and small grants funding. o Other external regeneration funds the Council may attract. 	G	<p>The rebuilding of the Pier restaurant and training for potential recruits to the hospitality and tourism is supported through the Council's successful first bid to the Coastal Communities Fund. Final completion report is due to be submitted to the government in June 2015.</p> <p>SAFE-ICE cluster programme activity has finished on schedule delivering results such as a green procurement toolkit that can be implemented by partners and businesses. A strong partnership has developed which will be useful for future funding bids.</p> <p>Effective management of the Council's Community Partnership Fund supported successful delivery of a range of services by 19 community based organisations, and levered in a further £49,500 from the Department for Work and Pensions employability and digital inclusion initiatives.</p> <p>We provided the leadership and accountability for the highly successful grants scheme funded by Regional Growth Fund (SUCCESS), which has been acknowledged as a highly successful pan-LEP programme.</p>
7. Support the Pier's renewal and the programme of activity which will give it long term sustainability. Measures: a) To support fundraising efforts, particularly further bids for external funding.	G	Council support for Hastings Pier is comprehensive, and includes the renovation and provision of space for the Pier's community hub in the White Rock Baths, direct financial investment in the rebuilding works, and leveraging other funds to secure long term sustainability (eg Coastal Community Fund, RGF funding via SUCCESS).
b) To support the Pier Charity in bringing forward its longer term plans for the leisure, community and commercial activity which will support the economic life of the Pier and seafront.	G	See 7a. A grant from the SUCCESS grants scheme will deliver new jobs and business growth on the newly restored Hastings

	Pier in spring 2016.
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Performance Indicators

The following indicators were reported in the 2013/14 Corporate Plan, and are updated with the latest data available below. These indicators give useful information about the economic conditions in the town, but are not areas the council can directly influence enough to set targets for. They will therefore be reported to show change over time, but without targets set. Figures for the majority of these indicators are only available annually and give information for the previous year due to processing and publication timeframes.

Performance Indicator description	Improvement Direction	Previous data	Latest data available at 2014/15 Yearend	2014/15 data Source and date
Earnings by residence (Median avg gross weekly pay)	Bigger is better	412.4 (2013)	454.2 (2014)	NOMIS - (from ASHE)
Earnings by workplace (Median avg gross weekly pay)	Bigger is better	413 (2013)	452.9 (2014)	NOMIS - (from ASHE)
3-year business survival rate	Bigger is better	63.2 (2009)	52.1 Dec 2010 (latest data available)	ESIF
Percentage of households in poverty	Smaller is better	31.2 (July 2013)	35 (published Jul 2014)	ESIF (from CACI Paycheck data)
Percentage of those who are unemployed and seeking a job	Smaller is better	28.4 (Jul'12-Jun'13)	18.6 (Jul 13-Jun 14)	NOMIS (from ONS Annual Population Survey)
Ratio of jobs to the working age population	Bigger is better	0.64 (2011)	.65 (2012)	ESIF
Monthly average number of people claiming JSA benefit	Smaller is better	2,687 (Mar'13-Feb'14)	2,275 (Jun '13 - May '14)	ESIF
Number of live enterprises (NEW Indicator)	Bigger is better	2,310 (2013)	2365 (2014)	NOMIS (UK Business counts-enterprises from IDBR)

Housing and Planning Services

2014/15 Targets/Milestones	Status (R/A/G)	Comments
<p>1. Work with partners to bring forward viable plans for the future development of the former Millennium Community land at Ore Valley. Measures: Support partners in the marketing of development land on the former Mount Pleasant hospital sites, including securing funding and other action that may be appropriate.</p>	R	Site 4 on the former Mount Pleasant Hospital Site at Frederick Road was recently marketed by Seachange with only very limited interest shown. This was considered the most marketable of the former Millennium Community sites. With so little development interest in any the remaining land at present, a further re-evaluation of options will need to take place with Seachange in early 2015/16. The Head of Finance will bring forward a paper for Members in due course outlining the financial challenges the Council might face if further development does not take place in the foreseeable future.
<p>2. Through our zero tolerance approach to neglected and derelict buildings and land , take tough measures, including Compulsory Purchase if necessary , to remove eyesores and bring back empty homes or buildings to use. Measures: a) Return a minimum of 70 empty dwellings (long term 2+ years) to use and improve 50 neglected/derelict buildings.</p>	G	<p>a) A total of 97 long term empty homes have been brought back into use at year end b) A total of 55 neglected or derelict dwellings have been improved through S215 planning enforcement powers</p> <p>Both targets have been achieved</p>
<p>b) Bring forward a further programme of compulsory purchases orders in respect of long term empty homes.</p>	G	A further programme of 27 long term empty homes was approved for compulsory purchase by Cabinet on the 7 July 2014. These are now being actively pursued
<p>3. Build on the success of the existing HMO licensing schemes and publicly consult on proposals to introduce selective licensing of all privately rented property in specified areas of the town where there is evidence to support its introduction. Measures: a) License a minimum of 250 Houses in Multiple Occupation in the four wards of Gensing, Central St Leonards, Braybrooke and Castle.</p>	G	At year end 250 licenses had been issued, achieving the target for the year.
<p>b) Undertake a public consultation exercise with regards to the possible introduction of selective licensing.</p>	G	A consultation exercise on the proposed selective licensing scheme took place in Q3 and the Council's Cabinet approved a

		scheme in Q4 on the 30 March 2015, the commencement date for the scheme is the 26 October 2015.
<p>4. Publish a new 5 year housing strategy for the town incorporating the councils approach to identifying and addressing the housing needs and aspirations of current and future residents - be that through access to new housing, the regeneration and improvement of existing property and neighbourhoods or support for vulnerable people, including those who find themselves homeless. Measure: Prepare, consult and adopt a new strategy by Nov. 2014</p>	A	A new strategy is in preparation and consultation events with stakeholders have been carried out. However, the need to target staffing resources into delivering the two key corporate targets of establishing a social lettings agency and finalising the case for selective licensing of private rented accommodation means that the final document will not be published now until late summer 2015.
<p>5. Build upon the success of the Council's Letstart scheme and further develop the Council's approach to improving access and management of privately rented accommodation. Measure: Bring forward proposals for the setting up of a social lettings agency</p>	G	The social letting agency pilot was launched in April 2015. The Council is to lease accommodation in the private rented sector to help meet the housing needs of local people in the Borough.
<p>6. Complete the Townscape Heritage Initiative for the conservation and repair of specific buildings in the Central St. Leonards Renewal Area. Measure: Completion of grant works by September 2014.</p>	A	Work has slipped because of delays on two schemes, but it is anticipated that the grant programme will be completed in 2015.
<p>7. Complete the current grant funded improvements to the Pelham Arcade. Deliver with English Heritage opportunities to bring about further improvement to those properties not yet substantially improved. Measure: a) Explore with English Heritage and property owners to ensure that the current programme is fully completed by December 2015.</p>	A	<p>Successful meetings have taken place with English Heritage and they are continuing to support the scheme.</p> <p>Works are continuing to be progressed on site on several properties. The Councils property has been fully completed and more schemes are due to start on site.</p>
<p>b) Bring forward proposals for dealing with those properties still at risk.</p>	A	The Conservation Grant officer has concentrated on those THI grants on site and nearing completion. With other owners now indicating that they would like to take up grant, it is less likely that the council will need to pursue enforcement on many properties. Priority is being given at present to those showing wiliness to take up EH grants.

<p>8. Convene pre-application consultation forums where appropriate bringing together developers, councillors and the community to consider significant planning developments in advance of planning applications being submitted.</p> <p>Measure: Number of pre-application forums held in respect of all planning applications received for 30 dwellings or more.</p>	<p>G</p>	<p>4 in total. Queensway Gateway Q2 West St Leonards Primary School, Country Park Visitor Centre & The Grove School Q3</p>
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Performance Indicators

Any target changes proposed for 2015/16 from 2014/15 levels are highlighted in bold and underlined in the table below.

Name	Improvement Direction	Actual Mar 2014	Direction of Travel	Actual Mar 2015	Status Mar 2015	Target Mar 2015	Yearend Target Mar 2016
4.01 Number of homelessness acceptances	Smaller is better	104	Worse	138	Met	145	145
4.02 Number of homelessness cases prevented	Bigger is better	2,095	Better	2,179	Met	1,800	<u>2,000</u>
4.03 Number of private sector dwellings (units) brought in line with the current statutory standard	Bigger is better	134	Better	228	Met	175	<u>200</u>
4.04 Number of affordable homes delivered	Bigger is better	88	Better	129	Met	75	75
4.05 Long term (2+ years) empty properties returned to use	Bigger is better	115	Worse	97	Met	70	70
4.06 % major residential & commercial planning applications determined within 13 weeks or as agreed with the applicant	Bigger is better	67.6%	Better	96.9%	Met	70.0%	<u>90.0%</u>
4.07 % minor residential & commercial planning applications determined within 8 weeks or as agreed with the applicant	Bigger is better	80.3%	Better	82.7%	Not Met	85.0%	85.0%
4.08 % householder planning applications determined within 6 weeks	Bigger is better	66.3%	Worse	62.4%	Not Met	65.0%	65.0%
4.09 Net number of new homes built	Bigger is better	167	Better	167	Not Met	200	200
4.10 Number of neglected and derelict buildings improved	Bigger is better	54	Better	55	Met	50	50

Target 4.01 Number of homelessness acceptances:

The increase in homelessness reflects a national trend with the homelessness acceptance rising in Hastings by 30%.

Target 4.07 & 4.08

Planning indicators relating to determination of minor residential and commercial applications and householder planning applications fell just short of the targets and were not met due to staffing sickness.

Marketing and Communications Services

2014/15 Targets/Milestones	Status (R/A/G)	Comments
<p>1 Provide a comprehensive communications service for the Council (internal and external) Measures: Web visits increased year on year, increase number of twitter and facebook followers by 20%.</p>	<p>A</p>	<p>During this period our websites had 397 060 visitors, compared to 334 795 for the same period last year, a rise of 19%.</p> <p>During 2014/15 our websites had 1,601,957 visitors, compared to 1,337,311 for the same period last year, a rise of 20%.</p> <p>Our Facebook friends fell slightly, from 3461 to 3378 (down 2.4 %) during this quarter, as Facebook automatically cleared out 'non-active' profiles; our Twitter followers from 3233 to 3397 (up 5%).</p> <p>Over the year 2014/15, our Facebook friends increased from 2180 to 3378, up 55, and our Twitter followers from 2933 to 3397, up 16%.</p>
<p>2 Produce a tourism marketing plan for Hastings & 1066 Country for implementation in the 2015 season, and deliver the associated work programme Measures: Plan completed by September 2014 and subsequently delivered.</p>	<p>G</p>	<p>Our 2015 marketing plan is now being delivered; it focuses on new product development (including Hastings pier, and the skateboard/BMX development at the White Rock Baths site, of course), our cultural offer, and the preparations for 2016. The emphasis on e-marketing will continue.</p>

<p>3 Support Hastings' different festivals and events, and organise the Seafood & Wine Festival, and the 'fish events' on behalf of the Fisheries Local Action Group, to attract visitors and make the town a better and more inclusive place to live</p> <p>Measures: All HBC-supported events delivered successfully in partnership with their respective organisers, acknowledging that the support for and delivery of these events may be different, and the 2014 Seafood and Wine Festival, and fish events, delivered successfully.</p>	G	<p>The Jack in the Green event on Monday, 4th May was a great success with c15,000-16,000 people on site on the West Hill. The revised site layout generally worked well and the event management plan and safety advisory group arrangements were successful.</p> <p>Detailed planning is now underway for our Midsummer Fish Fest over the weekend of 20th/21st June, and also for Seafood & Wine in September</p>
<p>4 Continue to develop, and use, the new 'Famously Hastings' brand and website, ensuring appropriate 'buy-in' from partners</p> <p>Measures:</p> <p>a) More partners using 'Famously Hastings' branding in their marketing, and further content added to the 'Famously Hastings' website, ensuring it is the 'go to' website for those living in, visiting, or wanting to study or invest in Hastings.</p>	G	<p>As noted previously, a number of shops, particularly independent retailers, are now carrying 'Famously Hastings' window stickers in their windows. We continue to add content to the Famously Hastings website.</p>
<p>b) Raised awareness of the branding</p>	G	<p>The Famously Hastings schools 'transition' project (primary to secondary school) which was so successful last summer is being repeated this year, and work is already well underway with local schools through the Education Futures Trust.</p>
<p>5 Implement the Information & Communications Technology (ICT) review, ensuring that it delivers the planned outcomes (including additional work generated by other service reviews, etc.), develop and introduce a more user-friendly, and transactional website, continue to maintain the Council's IT network, and provide IT support to enable the smooth running of the Council.</p> <p>Measures:</p> <p>a) ICT review implemented on time and on budget.</p>	G	<p>The 'business transformation' work is continuing to take up much of the ICT team's time, as is the CCTV project and, now, the Aquila House refurbishment.</p>
<p>b) Website content streamlined</p>	G	<p>We continue to 'strip out' and streamline web content in conjunction with each area's 'owners'.</p>
<p>c) 95% of all Helpdesk calls within target time resolved</p>	G	<p>96.6% of Helpdesk calls were resolved within target during the year</p>

d) Network availability of 99% achieved	G	Network availability of 99.97% was achieved.
<p>6 Contribute to a number of partnerships to further the town's infrastructure regeneration efforts by lobbying for improvements to road transport links in light of link road build (and pressing the case for the A21 to be re-branded 'Route 1066') and campaigning to retain, improve and develop rail links to serve the town.</p> <p>Measures:</p> <p>a) To continue to support the Baldslow Link as a first order economic and transport priority.</p>	G	<p>Development, and some preparatory, work continues on the 'Queensway Gateway' (the road formerly known as the Baldslow Link) with the planning application agreed by planning committee in March.</p> <p>Work is now well underway on dualling a further section of the A21, the 'missing link' between the Tonbridge and Pembury bypasses.</p> <p>Hastings Borough Council, Rother District Council and East Sussex County Council are continuing to lead on work to develop a regeneration case for the electrification of the 'Marshlink' line between Hastings and Ashford; this is being done in parallel with Network Rail's more narrowly focused business case.</p> <p>Thameslink work means that no Hastings/Charing Cross trains are calling at London Bridge until August 2018 (except on occasional weekends when they are diverted via Tonbridge/Redhill)</p>
b) Route 1066 principle endorsed by DfT	A	This is a matter for some dialogue within the DfT, concerning the A1066 and potential confusion.
<p>7. Work up a high quality Stage 2 bid for Heritage Lottery Funding for improved access (physical and intellectual) to Hastings Castle and improved visitor and staff facilities if Stage 1 bid is successful (decision expected March 2014)</p> <p>Measure: TBC</p>	A	<p>As noted previously our HLF bid was unsuccessful. We met senior representatives of HLF during this period, and also visited Nottingham Castle; the recent recipient of a major HLF bid, to see what lessons could be learnt from them. Officers are now developing further plans for the castle.</p> <p>Modest improvements to Hastings Castle will be made in preparation for the anniversary year of 2016, the money for this being agreed in the capital budget for 2015/16.</p>

Performance Indicators

Any target changes proposed for 2015/16 from 2014/15 levels are highlighted in bold and underlined in the table below.

Name	Improvement Direction	Actual Mar 2014	Direction of Travel	Actual Mar 2015	Status Mar 2015	Target Mar 2015	Yearend Target Mar 2016
5.1 Visits to the Borough website	Bigger is better	1,203,628	Better	1,433,604	Met	1,205,000	<u>1,600,000</u>

Cross Cutting Targets

1. Delivering Services into the Future: Prepare for further significant reductions in Council spending in the future whilst prioritising the activities and projects the Council has capacity to deliver.

2014/15 Targets/Milestones	Status (R/A/G)	Comments
a) Undertake a programme of Customer First and Efficiency reviews, prioritising those with the potential for biggest gains in efficiency, cost savings, and/or resilience.	G	The Revenues and the Housing Options reviews have both been completed and the recommendations and action plans are being implemented. A review of the Benefits Service should be completed by September 2015.
b) Deliver a programme of consultation to test local priorities with local people and staff.	G	Consultation on the draft Budget and Corporate Plan was launched on 16 January, and informed the documents agreed by Council in February 2015.
c) Seek out and explore opportunities for new service delivery models, including shared services where this will provide efficiencies or resilience.	G	Shared Service discussions are explored whenever opportunities arise. However, there is no significant progress to report this year.
d) Complete a Priority Income Efficiency Review process to inform the 2015/16 budget.	G	The corporate PIER process commenced significantly earlier this year and led to a balanced budget for 2015/16 being produced.
e) Produce and publish a Medium Term Financial Strategy.	G	The Medium Term Financial Strategy was agreed by Cabinet on 3 November 2014.
f) Agree a significantly revised Corporate Plan and a Budget for 2015/16 onwards in February 2015.	G	Agreed by Council in February 2015.

2. Corporate Risk Assessment: To maintain an environment where risk management is an integral part of planning and performance management processes and the general culture of the Authority.

2014/15 Targets/Milestones	Status (R/A/G)	Comments
a) To maintain an overview of Corporate and Operational risks to the Council.	G	The Corporate Risk management Group met regularly during 2013/2014 and there were 2 concerted reviews of the Corporate and Operational risks to the Council (June 2014 and December 2014).
b) To formally review the Corporate Risk Register and report to Audit Committee during 2014/15.	G	Reported 26 June 2014
c) To formally review the Operational Risk Register and report to Audit Committee during 2014/15.	G	Reported 26 June 2014
d) To maintain an overview of the Council’s Health and Safety Risk Management Policy and procedures.	G	Staff and Management Safety Group meets three times a year to review corporate health and safety.

3. Environment and Sustainability: To provide strategic coordination and advice to the Council’s policy and forward planning processes, ensuring the Council is maximizing opportunities to tackle climate change and make Hastings more environmentally sustainable.

2014/15 Targets/Milestones	Status (R/A/G)	Comments
a) Oversee and coordinate the implementation of the 2014/15 actions in the HBC Environmental Policy and Climate Change Action Plan.	G	Completed the final financial claim and monitoring report for Future Cities – final claim payment received. Progress continues with the projects under the Fisheries Local Action Completed round 3 of ‘Switched on Hastings’ – average local savings were £192 or more. Over 445 households registered to take part, of which 31% switched supplier. Group (FLAG) programme with work on the ‘BIG Beach

		Project' expected to start in May including refurbishment of the winch sheds, and replacement of the winch road surface.
b) Review opportunities for exploiting external funding to support corporate environmental objectives.	G	Continued discussions with our European partners to develop project ideas for future rounds of EU funding and considering the key priorities for funding for HBC and the town. Concept notes have been developed for submission to the 2 Sea's programme in February 2015, outcome expected in May 2015.
c) Deliver our 2014/15 Climate Local Commitments.	G	<ul style="list-style-type: none"> • The scheme to install a rapid charging point suitable for recharging two electrically powered vehicles in the Marina Public Car Park is now in its construction phase. Works are expected to be completed site during Summer 2015. • Low energy lighting has been installed above the Town Hall contact centre mezzanine office to replace incandescent desk lamps and poorly arranged wall lights to provide a more energy efficient and effective staff working environment. • The Town Hall's recently installed electric traction passenger lift is a significant improvement over the original old hydraulic powered lift. The new installation is expected to require substantially less energy to operate and light. • Dimmable LED lighting has been installed in the new CCTV Control Room on the lower ground floor of Aquila House. The possibility of installing low energy / LED lighting as part of the landlord's refurbishment of Aquila House is also being explored. • A new low energy lighting installation along Bottle Alley to replace the existing life expired fluorescent system is now at the preliminary design stage . • A sustainability site audit report has been carried out by The Sustainable Business partnership CIC on the Hastings Museum as part of the South East Museum

		<p>Development Programme which identifies areas where energy savings may be made including the addition of LED lighting and the management of energy tariffs.</p> <ul style="list-style-type: none"> • The potential for installing magnetic fuel conditioning devices on the Council’s building’s gas supply pipes which are claimed to be capable of delivering annual gas consumption savings in excess of 8% is being considered for a trial installation. • Overall estimated Co2 emissions from the Council’s buildings for 2013-14 were estimated to have been 1.13 million tons, down approx 11% from 1.27 million tonnes in 2012-13. The Council’s Co2 emissions from its buildings have dropped by over 30% from 1.68 million tonnes in 2008-09 when the first figures were compiled. • During 2013-14 several energy saving measures were installed in council buildings including Sabien Technology Ltd. boiler optimisation at St Johns Place Museum, an LED lighting scheme in the Pier Car Park, a ‘Powerperfector’ Voltage regulator unit in both Pelham Place and Harold Place PCs.
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4. Corporate Equalities: Put the needs of service users at the heart of delivery so that we are responsive to the needs of people with protected characteristics. NB Under the Equality Act 2010 the Council has a duty to:

- Eliminate unlawful discrimination.
- Advance equality of opportunity between people in our town.
- Foster good relations.
- Identify priority actions for each year.

2014/15 Targets/Milestones	Status (R/A/G)	Comments
Our equality objective is to: <i>“To provide high quality services that meet the needs and improve the quality of life of all our citizens, promoting equality of opportunity</i>	G	The Equalities Steering Group received the findings of work undertaken across all services to review any areas

<p><i>through a culture of openness, fairness and transparency, enabling local people to hold us to account”</i></p> <p>Specific 2014/15 actions include:</p> <p>a) The Corporate Equalities Steering Group to oversee how well services are meeting the needs of our communities.</p>		<p>of possible inequality and was content the council is acting appropriately and following good practice.</p> <p>Since the organizational restructure, the two Directors have had an opportunity to discuss any new areas of work that need to be considered and this has informed the updated the Equality Impact Assessment Timetable for 2015/16 accordingly. The Corporate Equality Steering Group will be reconvening in late spring.</p>
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<p>b) Carry out Equality Impact Assessments on major new Council policies to make sure that where possible, policies and services do not disadvantage any one part of the community more than the rest.</p>	<p>G</p>	<p>A revised process for capturing assessments of impact on poverty in Council decision-making reports has been developed and will be implemented for all reports from the start of the 2015/16 municipal year.</p>
<p>c) To comply with the specific duties of the Equality Act 2010, and produce an annual equality statistical report which includes statistical information on our workforce including recruitment, promotions and staff turnover (by 31st January each year).</p>	<p>G</p>	<p>Achieved</p>
<p>d) Ensure our workforce profile reflects best practice in recruitment, and that through open and honest dialogue with staff we develop a culture of inclusion and openness.</p>	<p>G</p>	<p>We have an establishment of 360 actual heads (March 2014). The gender split is 54% female and 46% male. There has been an increase in requests for reduced hours, secondary employment as staff are preparing themselves for future changes within the workplace e.g. they are seeking other opportunities outside the Council to enhance their skills or make a career change through further education.</p>
<p>e) Ensure HBC continues to be an employer that pays a 'Living Wage' and work with our contractors to enable them to achieve this accreditation over appropriate time periods.</p>	<p>G</p>	<p>The living wage has been adopted by the Council and all staff directly contracted to work for the Council receive a living wage hourly rate or higher. O & S have previously been advised that responses from contractors who employ staff to work on HBC awarded contracts has been poor.</p>
<p>f) Promote communications which celebrate diversity and showcase residents' contributions to their community and to cohesion on an ongoing basis.</p>	<p>G</p>	<p>The review of our accreditation to display the Two Ticks positive about disability logo was completed, as was the DisabledGo updates to information regarding accessibility in the town's venues.</p>

5. Organisational Development Group: To oversee the transformation of HBC to a 'Customer First' Council that operates as 'One Team'

2014/15 Targets/Milestones	Status (R/A/G)	Comments
a) Develop a Customer First Strategy for HBC setting out our vision and approach to customer service across HBC, and publish a Customer Charter clarifying the level of service our service users should expect.	G	The principles of the Customer First Strategy are set out in the 2015/16 Corporate Plan. The detailed strategy and implementation plan is being delivered as a work package within the Transformation and Efficiency Programme over the next two years.
b) Develop and manage a programme of culture change and improvement activity (including the incubation of new ideas and innovations).	G	The culture change towards a one team approach is being assisted by the range of transformation projects which include Digital by Design and Accommodation and Smarter Working practices. The staff engagement processes are capturing ideas, comments and innovations and staff are being credited with these when successfully implemented. The work colleagues are inputting to service re-design is really constructive and has been very motivating for those involved.
c) Maximise opportunities for the efficient use of office floor space in parallel with smarter working including flexible, mobile and home working, where possible release space for sub-letting to third parties	G	The project work packages for implementing new working layouts, furniture and technology in parallel with the refurbishment of Aquila House are progressing well. The expanded use of home working is expected during the worst of the noise disruptions and colleagues have been equipped with technology, workshops and guidance to facilitate this. Steps are in place to support those for whom homeworking is not appropriate.
d) Maximise use of electronic communications and technology to assist smooth service delivery and customer care.	G	The implementation of the Firmstep platform has been reported above in Corporate Services target 9b)

e) Receive and respond to feedback from staff engagement including the Staff Commission.	G	Staff are being engaged on an on-going basis with key decisions and choices regarding the refurbishments to Aquila House and new working practices. The Commission also met to give comments on the senior management restructure.
f) Oversee complaints and compliments trends and ensure learning points are shared.	G	See 10c above

6. Anti Poverty and Welfare Reform: Continue to monitor and co-ordinate HBC and partnership activity in response to the impact of welfare reform on our local residents

2014/15 Targets/Milestones	Status (R/A/G)	Comments
a) Take forward with statutory and voluntary sector partners the implementation of the Hastings & St Leonards Anti Poverty Strategy Action Plan.	A	The Council and partners continue to work jointly to tackle issues relating to poverty in the Borough. Work is underway to refresh the current strategy to ensure it reflects local priorities and provides a framework for partners to tackle new emerging challenges brought about through changes to Government Policy and Legislation. In reviewing the strategy officers will need to differentiate between longer term actions aimed at supporting economic regeneration and employment growth within the town and specific actions aimed at addressing the impact of the further welfare reforms announced by the new government.
b) Continue to assess and monitor the impact of welfare benefit changes upon inward migration and proactively work with partners to develop adequate responses to emerging trends.	G	The Council and partners continue to work jointly to share information about the impact of the Welfare Reform Act, particular with regards to under occupation in social housing, the benefit cap and the introduction of Universal Credit. The Council continues to engage with other Local Authorities (including London Authorities) to encourage the sharing of information about households relocating to

		Hastings.
c) Review progress and adjust the action plan accordingly by September 2014	G	Action plan progress is continuously monitored and reported to the anti-poverty steering group. A new action plan will be produced in 2015 as part of the revised strategy.

7. Regeneration in St Leonards: Continue to support the delivery of a broad programme of regeneration activity in central St Leonards in partnership with Amicus Horizon, the local community, Town Team and other partners.

2014/15 Targets/Milestones	Status (R/A/G)	Comments
(a) Acquire and improve a minimum of 51 units of privately let or vacant dwelling over the period 2011-14 through the Coastal Space programme with AmicusHorizon.	A	This target was amended in the year to reflect the extension of the Programme to 2018. A total of 38 units were completed by AmicusHorizon at year end but funding was secured for a further 30 units by AmicusHorizon under the HCA Affordable Housing Programme 2015-18. Further Council investment was also approved at Budget Cabinet in Q4 to extend the scheme. This will deliver a total of 68 homes by the end of 2018.
(b) Continue to lobby and press for area based investment and intervention in deprived coastal neighbourhoods such as St Leonards.	G	The Council has lobbied successfully with Tendring and Thanet Councils for the inclusion of housing interventions within the South East LEP Growth Plan. Initial investment for the partners totalling £2m has been secured through the second round of growth bids, subject to the submission of a detailed business plan. The investment will allow for the further extension of the Coastal Space scheme as well as providing access to a range of other financial benefits including for example loan finance for owners wishing to return empty properties to use.
(c) Explore through the Local Enterprise Partnership opportunities for investment in housing improvements and economic inclusion.	G	The Council is also exploring opportunities for attracting European investment in support of the interventions
(d) Continue proactive enforcement interventions in support of improvement programmes.	G	Two dedicated enforcement officers in place and carrying out proactive inspections and enforcement in St Leonards through the Coastal Space and Rogue Landlord programmes. This has resulted in over 620 inspections. 163 of these have revealed serious sub-standard conditions or concerns about management, which have and are being enforced against to

		bring them up to current standards. So far 72 properties have been improved. The Grot Buster Team are also proactively targeting run down properties in the 7 Streets. The CLG funding for the rogue landlord programme ceased at year end however, the Council has successfully managed the funding to ensure that services will be retained, albeit at a reduced level. The Council will continue to provide a dedicated rogue landlord confidential advice line and provide support through a Landlord and Tenant Liaison Officer. This officer will continue to help tackle issues such as threats of illegal eviction.
(e) Work with the partners, the town team and the local community to deliver a regeneration action plan for St Leonards.	G	The present plans are to be reviewed with the new St Leonards Town Team leadership and other partners to take into account of likely available resources for 15/16. Several new funding sources being pursued including CLLD and various European Funding streams.
(f) Continue to support community safety, marketing, business support and community development activities in St Leonards.	G	Building upon the success of this year a series of events has been agreed for 2015/16 including monthly market from April 2015; the commissioning of the 2015 St L Festival and St Leonards Works opening in April 15 (jointly funded by AmicusHorizon, HBC and DWP) St Leonards signage now installed at various locations.

8. Seafront Strategy: The Seafront Strategy and action plan are overseen by a member/officer group. The action plan is intended to ensure the delivery of a range of action across the Council and maximise the economic, social, environmental and health benefits within existing resources.

2014/15 Targets/Milestones	Status (R/A/G)	Comments
a) Revise and adopt a refreshed seafront strategy and action plan	G	Seafront Strategy adopted by Cabinet in January. Action plan has been prepared.
b) Bring forward proposals for the future of the White Rock Baths	G	Proposal for creation of a BMX facility within the White Rock Baths has been adopted and funded. Construction is underway for an opening during 2015-16.

c) Further develop proposals for the repair and regeneration of Bottle Alley	G	The proposal for regeneration of Bottle Alley has been accepted and the 2015-16 Capital programme includes an allocation for concrete repairs and a new lighting scheme. The assessment of concrete repairs is underway. Project completion is scheduled for late 2015.
d) Fully commit funding through the Hastings FLAG programme and achieve its total spend by December 2015	G	The Big Beach project, including a resurfaced winch road and enhancements to net sheds, is underway. The roadworks will be completed in June.
e) Bring forward initial proposals for potentially improved pedestrian access to the seafront following the opening of the Hastings/Bexhill Link Road	G	The Seafront Strategy identifies potential locations for improved pedestrian access across the A259. Further developments will be agreed with the county Council following the opening of the link road.
f) Develop with commercial partners catering or other retail facilities at key locations along the seafront	G	Potential locations for facilities were proposed and agreed by the Foreshore Trust and the Council. Sites have been marketed and trialled at various locations including Rock a Nore, Pelham and Warrior Square. New proposals are being developed for West St. Leonards and within the refurbishment scheme for the Pier entrance.

9. Hastings CCTV Scheme: Let contract to introduce a new CCTV control room, and new on-street and off-street CCTV provision, in conjunction with Sussex Police.

2014/15 Targets/Milestones	Status (R/A/G)	Comments
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	<p>A</p>	<p>The contract was awarded to Chromavision in December, and the pre-contract meeting held with them, BT, and Sussex Police on 5th January. Slight delay was caused by the decision to locate the control room in Aquila House, and further delays have been caused by technical aspects of the work outside our control.</p> <p>It is hoped that the scheme will be completed before the start of the main summer season.</p> <p>The work will significantly improve the quality of CCTV coverage, and image recording, in Hastings, and allow Sussex Police the ability to monitor all of our CCTV cameras.</p>
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Agenda Item 9



Report to: Cabinet

Date of Meeting: 6 July 2015

Report Title: Sex Establishment Policy - Review of numbers and development of a policy

Report By: Mike Hepworth
Assistant Director Environment and Place

Purpose of Report

To propose a Council policy on licensed sex establishments. Including guidance on the most appropriate locations for licensed sexual entertainment venues, and the number of such premises that are considered appropriate for the borough as a whole

Recommendation(s)

- 1. That Cabinet endorse the draft policy attached at appendix A, and recommend that it is adopted by Full Council.**

Reasons for Recommendations

To clarify the Council's position on licensed sex establishments, and to provide clear guidance to anyone considering applying for such a licence, or wishing to comment on an application, and to Members of the Council's Environment and Safety Committee when determining such applications.

Background

1. Sex establishments have been licensed by local authorities for many years as a result of adopting Schedule 3 of The Local Government (Miscellaneous Provisions) Act 1982. Hastings Borough Council adopted these provisions on the 24th November 1982.
2. At that time sex establishments were defined as either sex shops or sex cinemas and Hastings historically has had up to two such premises (both shops).
3. In November 2005 district and borough Councils implemented the responsibilities of the new Licensing Act 2003, and due to an anomaly of that Act there was a rise in applications under that legislation for lap dancing clubs. They were being authorised under the regulated entertainment part of the 2003 Act. Hastings was no different, one such establishment in the Borough that had previously existed with a Public Entertainment Licence developed into a full time lap dancing club (Club XS in Prospect Place).
4. Central government decided that the increase in premises such as lap dancing clubs should be better controlled by an amendment to the 1982 Act. They defined a new category of sex establishment to be known as Sexual Entertainment Venues (SEVs) by an amendment under Sec 27 of the Policing and Crime Act 2009.
5. This amendment needed to be adopted by local authorities if they wished to licence such establishments. They could opt out, but to do so required extensive public consultation. Hastings Borough Council decided to adopt the amendment and did so on the 6th December 2010.
6. At that time the Council had an opportunity to make a resolution setting the appropriate number of sexual entertainment venues in the borough as zero. The Council did not do so, and as a result the one such establishment in Hastings (Club XS) applied and obtained the appropriate SEV licence; and continues to hold that licence now.
7. There is no statutory requirement for the Council to have a specific policy on sex establishments. However, following a relatively high profile application for a sexual entertainment venue 2 years ago, Councillors indicated that adoption of a clear policy would help make the application process more transparent to all concerned. Including applicants and objectors, and the Committee Members authorised to determine such applications on behalf of the Council.
8. It should be noted that irrespective of whether or not the Council adopts a licensed sex establishment policy, and irrespective of the details of such a policy, the Council must accept and determine properly made applications, and consider each on its own merits.
9. It is also important to note that the legislation allows operators of entertainment premises already licensed under the general liquor and regulated entertainment provisions of the Licensing Act 2003, to hold up to 11 adult type entertainments a year, without the need for a sex establishment licence. Over the years we have had

several such premises in Hastings, and we are unable to apply licence conditions to such events. Whereas with a full sex establishment licence we can apply a range of reasonable conditions to control the activity and safeguard those involved.

Development of a Sex Establishment Policy for Hastings

10. The draft policy was developed with reference to several such policies already adopted by other licensing authorities, the relevant statutory Home Office guidance, a comprehensive consultation with a range of local stakeholders, and following advice from the Council's Chief Legal Officer.
11. In considering our approach to setting a policy on the appropriate number of SEVs for Hastings, and the most appropriate locations for them, we reviewed several local authority sex establishment policies and decided that only predominantly industrial or commercial areas of the borough are suitable locations for such premises. To help illustrate this rationale, we produced indicative maps of the borough showing the areas where it was considered most appropriate to locate sex establishments, and published these maps as part of the draft policy documentation during the consultation process.
12. We originally recommended a maximum number of 2 sex shops, 2 SEVs and 1 sex cinema for the entire borough. As a result of the consultation process this has subsequently been amended to 1 sex shop and 1 SEV.
13. In reaching a view on appropriate numbers of premises, we also considered the fact that in the recent past we have had 2 sex shops and 1 lap dancing club operating, with few complaints. There have been incidents at the existing lap dance operator Club XS, as is the case with many licensed late night premises operators, but the incidents were not related to the sexual entertainment element of the business, and appear to have been well managed by the operators security staff in full co-operation with the Police.
14. It should also be noted that the statutory Home Office guidance indicated that the setting of a zero policy across the entire borough would be likely to attract legal challenge from potential applicants, and could be considered a restrictive practice against a legitimate business use.
15. It is also interesting to note that during the development of this draft policy there appear to have been significant changes to the way that people access the sort of sex articles sold by licensed sex shops, and the sort of films that can be shown by licensed sex cinemas. Due to advances in internet shopping and digital streaming services, it's now questionable whether the old operating model for sex shops and sex cinemas is economically viable. This may be a reason why the Council has never received any interest in a sex cinema, and why our remaining sex shop recently ceased trading.
16. If these assumptions are correct, in addition to the "character of the locality and use of nearby premises" considerations, they are another reason why the most appropriate location for a sex shop is likely to be on an industrial estate, where they would most likely be mainly operated as an online sales outlet, with ancillary access to a factory shop for customers wanting to purchase direct from the actual premises.

Consultation

17. The draft policy was subject to a full consultation, which included all statutory consultees, plus other interested groups in the community such as faith groups, business groups, and Women's Voice. As a result of this process eight responses were received by the licensing department and a précis is outlined below.
18. Statutory agencies such as the Police raised no objections to the draft policy.
19. Hastings and St Leonards Church's Together, requested details of how we had arrived at the proposed maximum number of premises, and commented that there seemed to be a lot of areas which might be considered appropriate for sex establishments. We answered this query and received no further requests for clarification or feedback from this organisation.
20. A representative of the Hastings and District Interfaith Forum, indicated that she was not happy with the areas suggested and felt such premises should be located more discreetly, she also commented on feeling vulnerable when out at night and suggested we should set up a specific area for sex establishments that could be avoided like Soho.
21. The operator of Club XS the current lap dancing club, responded at length from his experience in the trade for a number of years. He commented that he thought the policy was good and fair, he believed the suggested maximum number of 2 sex shops was correct, but was unable to comment about a sex cinema. He did comment on the trading situation of the SEVs, stating that he felt that there was insufficient trade to support 2 and if another club was licensed it could lead to a lowering of standards to save costs with potential for licensing breaches.
22. Three Councillors raised concerns, in that they felt such premises did little to promote the town and could promote sex tourism, that they were demeaning to women, and that SEVs exploited young vulnerable woman portraying them as sex objects, which could lead to men being more likely to abuse women. They also felt that a policy suggesting that one or more SEVs in Hastings was acceptable, was counter to the local authority duty to promote equality between women and men. They also expressed the concern that SEVs could give rise to increased sexual offences in the area in which they operated.
23. The Councillors suggested a counter proposal to the drafted maximum numbers of sex establishments set out in the consultation draft. This amounted to retaining one sex shop and one SEV, rather than 2 of each and a sex cinema.

Analysis of sexual offence data

24. As requested by Councillors, Sussex Police supplied Officers with an analysis of data on sexual offences in Hastings for the last rolling year. A total of 151 offences were recorded during that 12 month period, which was 10% more than the previous year. The Police analyst carried out various analyses including type of offence, location, and proximity to the existing SEV. However, it was not possible to conclude whether or not the SEV had any direct influence on sexual offences committed in Hastings, as the area in which it is located contains a large number of other businesses linked to the night time economy, notably pubs and clubs.

25. Also inexplicably, a significant proportion of offences occurs during the 4 hour period from midnight on a Wednesday night, a time period when the existing SEV is not open for business. The opening hours being from 10pm to 4 am Thursday, Friday and Saturday nights.

Changes to draft policy following the consultation

26. On balance having reviewed the feedback received through the consultation, it was concluded that the draft policy should be amended to reflect the concerns raised about potentially increasing the number of sex establishments operating in Hastings. The amended policy therefore now specifies a maximum of 1 sex shop and 1 SEV, and no sex cinemas.

27. With the assistance of a critical friend from within the Council's Policy and Performance Team, we also carried out further research of sex establishment policies approved by other local authorities. We identified the London Borough of Camden's policy as being a good example, as it included codes of conduct for employees and customers of SEVs, which addressed exploitation concerns. These codes of conduct were discussed with the operator of the existing SEV, and have been adapted for inclusion within our policy.

28. The idea that the most appropriate location for sex establishments (particularly sex shops) was in places such as industrial estates away from sensitive premises such as schools, places of worship etc. was not challenged during the consultation. Other than from the perspective that if this was the only consideration there might be the scope for an inappropriate proliferation of sex establishments in the borough. As a result this has been reiterated in

29. In order that the policy doesn't quickly become out of date due to ongoing developments, such as the construction of new industrial estates, the indicative maps published to aid the consultation process have not been appended to the policy. Instead it is anticipated that applicants and Members of the Council's Environment and Safety Committee will give due regard to paragraphs 3, 26 and 31 of the policy when considering applications, and the appropriateness of specific locations as sex establishments. These 3 paragraphs refer to the numbers limit and the character of the locality and the use of nearby premises.

30. The amended draft policy is attached at appendix A.

Policy Implications

31. The licensing of sex establishments is an emotive subject. Sex shops and SEVs such as lap dancing clubs are morally and socially offensive to some people. For example people with strong religious and/or cultural beliefs, and some strongly held social beliefs. During the consultation strong views were expressed and understood.

32. From an equalities and community cohesion perspective, some people argue that SEVs such as lap dancing clubs are demeaning to women, and promote gender inequality because they may employ more female than male dancers. Some argue that this is a form of exploitation of women, and potentially of young vulnerable women, portraying them as sex objects, which could lead to men being more likely

to abuse women. Indeed 3 local Councillors raised these concerns during the consultation, and also provided a fact sheet produced by OBJECT, which is an organisation that campaigns and lobbies against the objectification of women. The fact sheet referred to published studies and reports from a wide range of organisations arguing that SEVs result in the exploitation of women and increased abuse of women.

33. Similarly from an anti-poverty policy perspective, it might be argued that vulnerable people with poor job prospects may be attracted to the sort of work available at SEVs, and therefore be more likely to be exploited as a result.
34. We considered these views and perspectives with the assistance of our critical friend, and carried out an equalities screening exercise to assess the potential for this policy to result in discrimination, harassment or victimisation related to the statutory protected characteristics. We concluded that this was unlikely to be the case.
35. It should also be noted that sex shops and SEVs are lawful business interests in England, and the Home Office statutory guidance on sexual entertainment venues refers to case law that states that licensing authorities should not consider objections to SEVs based on moral grounds/values.
36. There are also references to case law associated with successful appeals against decisions to refuse applications made by Tunbridge Wells and Cheltenham Borough Councils, in relation to whether or not the entire town or local authority area can be deemed to be the relevant locality, when considering setting a limit on the appropriate number of sex establishments for that locality. This is an important consideration from a corporate risk management perspective, as case law suggests that setting zero as the appropriate number of SEVs for the whole borough could be subject to potentially successful legal challenges from aggrieved applicants.
37. In considering the crime and fear of crime policy implications, we noted the fact that the Police have not objected to the sex establishment policy proposals, and that they have not identified any crime and disorder problems associated with the existing sex establishment. We also considered their analysis of sexual offences data for Hastings.
38. We also considered the fact that the Council has not received material complaints about the operation of the existing sex establishment.
39. Overall we believe that the proposed sex establishments policy for Hastings balances the rights of all interested parties, and that if adopted it will clarify the Council's position on applications for sex establishments, and be of great help to all concerned, whether applicants, the general public, or Councillors. It will also provide safeguards for employees and customers of sex establishments.

Wards Affected

Ashdown, Baird, Braybrooke, Castle, Central St. Leonards, Conquest, Gensing, Hollington, Maze Hill, Old Hastings, Ore, Silverhill, St. Helens, Tressell, West St. Leonards, Wishing Tree

Policy Implications

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

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

Additional Information

Appendix A. Draft Sex Establishment Policy.

Officer to Contact

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Statement of Policy in respect of Sex Establishments

Under the Local Government
(Miscellaneous Provisions) Act 1982
as amended by the
Policing and Crime Act 2009

Licensing Section
Aquila House
Breeds Place
Hastings
East Sussex TN34 3UY

1. This policy:
 - Sets out the council's approach for the benefit of operators
 - Guides and reassures the public and other public authorities
 - Ensures transparency
 - Ensures consistency
 - Guides and focuses the Environment & Safety Committee when making determinations under this legislation.

Introduction

2. The Hastings Sex Establishments Policy sets out Hastings Borough Council's approach to the regulation of sex establishments and the procedure relating to applications for sex establishment licensing. The limit on the number of sex establishments in the borough are indicated in brackets below:

3. This Policy applies to:

- sexual entertainment venues (1)
- sex shops (1)
- sex cinemas (None)

as set out in the Local Government (Miscellaneous Provisions) Act 1982.

The 1982 Act was adopted by the Council on 24th November 1982 and the amendment by the 2009 Policing and Crime Act was adopted on 6th December 2010.

4. The Council does not take any moral stand in adopting this policy. The Council recognises that Parliament has made it lawful to operate Sex Establishments, and that such businesses are a legitimate part of the retail and leisure industries. It is this Council's role as the Licensing Authority to administer the licensing regime in accordance with the law.
5. This Policy may be reviewed from time to time as the Council thinks fit and in line with any significant changes to legislation.

Consultation on this Policy

6. The Council is mindful of the possible concerns of the local community and that there may be conflict between the wishes of applicants for licenses and those who object to such applications. This Policy will therefore guide the Council when considering applications for sex establishment licenses in balancing the needs of residents, communities, commercial interests, patrons and employees. The Council has consulted with stakeholders on the formulation of its policy on sex establishments.
7. The Council recognises that Sex Establishment Licensing is controversial and stimulates very emotive arguments. However, the Council does not have the right

to, and will not, have regard to the morality of sex establishments. Its approval or disapproval of sex establishments is not a matter that can be considered. Consequently, objections on the grounds that sex establishments should not be allowed on moral grounds will not be considered regarding sex establishment applications and will be rejected.

8. Definitions

“**the Act**” refers to the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Policing and Crime Act 2009

“**the Council**” means Hastings Borough Council

“**the Policy**” refers to the Sex Establishments Policy for Hastings Borough Council

“**relevant locality**” means the locality in which the premises, vehicle, vessel or stall are situated. For the purposes of this policy, each ward has been determined to be a locality. In individual cases, if it is necessary to decide the precise boundaries of the locality, this will be done on the facts of the individual case

“**character of the relevant locality**” means the character or characteristics of the locality in which the premises, vehicle, vessel or stall are situated. In determining the character of the area, the Council will consider the primary use premises in the locality are put to, any additional uses of premises in that locality, and any purposes that may require persons to use that locality, for example transport hubs

“**the premises**” means the premises, vehicle, vessel or stall that are the subject of the sex establishment licence or of the application for a sex establishment licence “sex establishment” refers namely to ‘sex cinemas’, ‘sex shops’ and ‘sexual entertainment venues’ (defined below)

“**sex cinema**” means any premises, vehicle, vessel or stall used to a significant degree for the exhibition of moving pictures related to, or intended to stimulate or encourage, sexual activity, acts of force or restraint associated with sexual activity, or concerned primarily with the portrayal of or primarily deal with, or relate to, genital organs or excretory or urinary functions, but does not include a dwelling house to which the public is not admitted

“**sex shop**” means any premises, vehicle, vessel or stall used for a business consisting to a significant degree of selling, hiring, exchanging, lending, displaying or demonstrating:

(a) sex articles; or

(b) other things intended for use in connection with, or for the purpose of stimulating or encouraging—

i. sexual activity; or

ii. acts of force or restraint which are associated with sexual activity.

“**sex articles**” include written or visual material such as sex magazines or books, or visual or audio recordings concerned with the portrayal of, or primarily deal with or relate to, or are intended to stimulate or encourage, sexual activity or acts of force and restraint associated with sexual activity, or which are concerned primarily with the portrayal of, or primarily deal with or relate to, genital organs or urinary or excretory functions

“**sexual entertainment venue**” means any premises at which relevant entertainment is provided before a live audience for the financial gain of the organiser or the entertainer

“**relevant entertainment**” means any live performance or live display of nudity which is of such a nature that, ignoring financial gain, it must reasonably be assumed to be

provided solely or principally for the purpose of sexually stimulating any member of an audience (whether by verbal or other means). An audience can consist of just one person (e.g. where the entertainment takes place in private booths). For the purposes of this Policy this includes lap dancing, pole dancing, table dancing, strip shows, peep shows, live sex shows

“**display of nudity**” means, in the case of a woman, exposure of her nipples, pubic area, genitals or anus; and in the case of a man, exposure of his pubic area, genitals or anus

“**the organiser**” means any person involved in the organisation or management of relevant entertainment

“**significant degree**” in the context of sex shops, shall be considered by the Council on a case by case basis. In considering significant degree, the Council will consider, amongst other things:

- the amount of shelf space devoted to relevant articles
- the annual turnover in relation to relevant articles and other things
- the way the business is marketed and advertised and
- the primary intention of the majority of customers in visiting the shop

“**permitted hours**” are the hours of activity and operation that have been authorised by the Council under the sex establishment licence

Famously Hastings and the local context for this policy

9. Hastings has a diverse resident population of approximately 88,000. This number increases significantly in the summer months with an influx of tourists, visitors and foreign students. The town also has a fast growing student population since the University of Brighton opened its Hastings campus in 2003.
10. The town has a rich architectural heritage which spans St. Leonards and the Old Town, is home to the largest beach-launched fishing fleet in Europe and the remains of the first castle in England to be built by William the Conqueror. The new Jerwood Art Gallery houses a collection of 20th and 21st century British Art and is sited in the old town area.,
11. Throughout the year, Hastings also has one of the busiest and liveliest events programmes in the country including the Jack in the Green May Day celebrations, Pirate Day, Old Town Carnival Week, the Seafood and Wine Festival, Coastal Currents Arts Festival and the International Piano Concerto competition. These events draw further visitors to the town.
12. Economic regeneration initiatives have distinctly improved the look and feel of the town in many areas. With an increased emphasis on the evening economy, a number of new restaurants, cafes, markets and outdoor events have developed.
13. Hastings is a borough of diversity and contrasts, with some of the most deprived wards sitting alongside more affluent areas of the town. The Council has a strong commitment to working with partners to narrow the gap between the most deprived communities and the rest of the town.

Section 17, Crime and Disorder Act 1998

14. Section 17 of the Crime and Disorder Act 1998, as amended by the Police and Justice Act 2006, requires responsible authorities to consider crime and disorder (including anti-social behaviour and other behaviour adversely affecting the local environment); and the misuse of drugs, alcohol and other substances in the exercise of all their duties, activities and decision-making. This means that in all policies, strategies and service delivery there is a need to consider the likely impact on crime and disorder.

Equality Act 2010

15. Under the Equality Act 2010, people are not allowed to discriminate, harass or victimise anyone because of the following 'protected characteristics':

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion and belief
- Sex
- Sexual orientation

16. The Equality Act includes a Public Sector Equality Duty. This says we must show 'due regard' to:

- eliminating discrimination, harassment and victimisation
- advancing equality of opportunity
- fostering good relations between people who share a protected characteristic
- fostering good relations between people who have a protected characteristic and those who don't

Principles to be applied when considering applications

17. Specific mandatory grounds for refusing an application are laid out in the Act, namely:

- I. that the applicant is aged under 18
- II. that the applicant is for the time being disqualified from holding a sex establishment licence
- III. that the applicant is not a body corporate, and is not resident or has not been resident in a European Economic Area state for six months immediately preceding the date of the application
- IV. that the applicant is a body corporate which is not incorporated in a European Economic Area state
- V. that the applicant has in the period preceding the 12 months of the date of the application been refused the grant or renewal of a licence for the premises,

vehicle, vessel or stall in respect of which the application is made, unless the refusal has been reversed on appeal.

18. In each of the circumstances above, the Council is required to refuse the application.
19. The Act also specifies discretionary grounds on which an application may be refused, namely:
 - I. the applicant is unsuitable to hold a licence by reason of having been convicted of an offence or for any other reason
 - II. if the licence were to be granted, the business to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant of such a licence if he made the application himself
 - III. the number of sex establishments, or sex establishments of a particular kind, in the relevant locality at the time the application is made is equal to or exceeds the number which the authority consider is appropriate for that locality
 - IV. the grant would be inappropriate, having regard to the:
 - character of the relevant locality;
 - use to which any premises in the vicinity are put;
 - layout, character or condition of the premises,
 - vehicle, vessel or stall in respect of which the application is made.
20. In each of the circumstances above, the Council may refuse the application.

Limit on Appropriate Number of Sex Establishments

21. The numbers limit set for each category of Sex Establishment is listed at paragraph 3. This number has been set taking into account feedback arising from the consultation carried out in autumn 2014, and discussions with elected Members during the refinement of the policy following the public consultation.
22. Each application will be considered on its merits. The Council wishes to ensure existing premises are well run and this is only possible by judging applications on their merits and not by granting a blanket exemption.
23. In addition, the character of a locality may change with time, making the existing location of a sex establishment inappropriate.

Character of Locality and Use to which Nearby Premises Are Put.

24. The idea that the most appropriate location for sex establishments (particularly sex shops) was in places such as industrial estates away from sensitive premises such as schools, places of worship etc. was not challenged during the consultation. Other than from the perspective that if this was the **only** consideration there might be the scope for an inappropriate proliferation of sex establishments in the borough.

25. In order that the policy doesn't quickly become out of date due to ongoing developments, such as the construction of new industrial estates, the indicative maps published to aid the consultation process have not been appended to this policy. Instead it is anticipated that applicants and Members of the Council's Environment and Safety Committee will give due regard to paragraphs 3, 26 and 31 when considering the appropriateness of specific locations as sex establishments.
26. The Council has discretion to refuse applications where the grant would be inappropriate having regard to the character of the relevant locality and the use to which any premises in the vicinity are put. In general, the Council will treat the ward in which the premises is situated as the relevant locality, although a different view may be taken following representations in individual cases, e.g. where the premises is close to a ward boundary. As for "vicinity", this will be determined in the circumstances of each case, although as a general guideline a radius of 250 metres will be taken. In exercising its discretion on these grounds, the Council will take into account the following:
- schools or other facilities frequented by children such as playgrounds and playgroups
 - cultural facilities such as museums, theatres and cinemas
 - facilities frequented primarily by women such as well woman clinics
 - places of worship
 - public leisure facilities such as leisure centres, parks and open spaces
 - community buildings such as community centres, libraries and drop in centres
 - places used by vulnerable persons such as hostels and other adult social care facilities
 - residential premises
 - hospitals and other medical facilities
 - other sex establishments

Suitability of Applicant – All Applications

27. New applicants will be required to obtain a Disclosure and Barring (DBS) check (previously CRB), renewable every three years and may be required to attend for an interview with Council officers to enable a decision to be reached on their suitability to hold a sex establishment licence. Details of applicants' private addresses and other sensitive information will not be published in public Committee documents.
28. Applicants will be expected to demonstrate that they have a good understanding of the conditions applicable to any licence granted to them through management competencies, presence and enforcement of rules internally.
29. Applicants for sexual entertainment will be expected to demonstrate that they will act in the best interest and welfare of their performers. Relevant consideration will be given to policies, facilities, protection for performers and physical and psychological welfare.

30. Applicants will be expected to demonstrate that they have a transparent charging system so users of the premises are completely clear as to the charges applicable for services and products inside the premises.

Other Considerations

31. In all cases, other factors the Council will consider when determining applications are:
- proximity to sensitive premises
 - the nature of any logo for the sex establishment
 - the nature of any external images or advertisements at the sex establishment
 - whether advertising inside the sex establishment can be viewed from outside
 - whether the name of the sex establishment clearly indicates the nature of the activities that take place there
 - whether the times the sex establishment is open, coincide with the times relevant nearby premises are used
 - queuing arrangements for persons wishing to gain admission to the sex establishment
 - whether planning consent exists for the proposed use
 - whether there are any planned developments in the area that may render the locality unsuitable for a sex establishment
 - any comments received from persons about the grant of the licence whether the applicant has had any enforcement action taken against them by the Police, the Council or other bodies such as Her Majesty's Inspectorate of Revenue and Customs
 - whether the applicant is able to comply with the standard conditions applicable to all sex establishments and any special conditions the Council may consider appropriate to apply to that particular sex establishment licence
 - accessibility to the premises for disabled persons

Existing Premises

32. For the purposes of this section, existing premises are premises already licensed as sex establishments as described in paragraph 8 of this policy. For existing premises, the Council will also consider whether there have been relevant complaints about the premises, whether the licence holder has complied with the conditions of their sex establishment licence and any licence granted to them under the Liquor Licensing Act 2003, and the general management history of the premises. This would include such factors as whether noise nuisance has been caused, whether there have been problems with dispersing customers from the premises, whether there has been touting for business outside the sex establishment and the way in which staff working at the premises are managed. In determining whether a complaint is "relevant", the Council will consider:

- how recently the complaint was made
- whether the complaint was justified, for example whether it was vexatious
- whether the complaint related to a complaint that had already been made and was still undergoing investigation
- the licence holder's willingness to resolve the complaint
- whether the complaint was substantiated
- whether the complaint was resolved
- whether the management of the premises has changed since the complaint was made

33. The Council may take other factors not listed into account when considering applications for sex establishment licences. No policy can anticipate every possible scenario, and other criteria may be used in judging whether the premises should be granted a licence depending on the individual circumstances.

Planning

34. All applicants should consider whether they meet relevant planning requirements before proceeding with an application for a sex establishment licence. Persons seeking a sex establishment licence are advised to contact the Planning Service for guidance on 01424 451066 or by visiting our website www.hastings.gov.uk

Advertisement of Applications

35. The Local Government (Miscellaneous Provisions) Act 1982 provides for statutory consultation to be carried out by the applicant for a licence, including a newspaper advertisement and the placing of notice of the application at the premises.

36. For newspaper advertisements, the advertisement must be placed in the:

- Hastings Observer

37. The notice of application to be displayed at the premises must be at least A4 size and contain as a minimum the following information:

- the applicant's name and address
- the date of the application
- the category of licence being applied for, e.g. sex shop, sexual entertainment venue, sex cinema
- the proposed hours during which the premises will be used as a sex establishment
- the application type, e.g. grant, renewal, transfer, variation
- the date of the application
- the last date for receipt of objections

38. The notice must be printed on a white background in black type, using a minimum font size of 12pt Arial. It must be displayed in a position where it can be

clearly seen by passers-by in the street at all times and must remain displayed until the last date for receipt of objections has passed.

39. Additionally, the Council will carry out extra statutory consultation on applications by:

- displaying details of the application on its website;
- informing the local ward councillors for the premises and the ward councillors of adjoining wards, whether those wards are in Hastings or an adjoining borough;
- consulting with neighbouring Councils where the premises are located close to a borough boundary.

40. Commenting on Applications

41. Comments on an application for a sex establishment licence must be made to the Council within 28 days of the date of the application.

42. Comments may be provided in written form or electronically. Comments may not be made on moral grounds and must relate to one or more of the grounds set out in the Local Government (Miscellaneous Provisions) Act 1982 as described in the section entitled "Principles to be Applied When Considering Applications".

43. Those making comments on applications should state whether they consent to any of their details being disclosed to the applicant, and, if so, what details they consent to sharing, such as street name only. Details shall not be provided to the applicant for the licence of any person or organisation without consent.

Standard Conditions

44. The Council has passed regulations adopting certain standard conditions that will act as default conditions to be applied to sex establishment licences in its district. The conditions shall apply in all cases unless the Licensing Panel specifically excludes them or substitutes them with different conditions. These conditions may change from time to time and therefore applicants are advised to contact the Council to ensure they are familiar with the conditions in force at the time.

45. Where it is reasonable and necessary to do so, the Licensing Panel may impose additional conditions on a sex establishment licence or alter or omit some of the standard conditions from the sex establishment licence.

Hearings.

46. All applications (grant, renewal, transfer or variation) that have attracted objections for sex establishment licences shall be considered by an Environment and Safety Committee. The Council shall determine applications for sex

establishment licences in accordance with its Hearings Procedure for Sex Establishment Licences.

47. Licensing Panel decisions may not always be announced at the end of the hearing. In such cases, the Panel's decision and the reasons for it will be notified to the parties within 7 days of the date of the hearing.
48. Where the Licensing Panel refuses to grant an application, they shall provide their reasons for doing so in writing to the applicant within 7 days of the date of the hearing.
49. Those who have made comments on an application shall be invited to attend any hearing and state their case to the Environment and Safety Committee but will only be permitted to speak on matters relevant to their written representation to the Council.

Duration of Licence

50. A sex establishment licence shall normally be granted for a period of one year, but may be issued for a shorter term if the Council deems it appropriate in the circumstances.

Appeals

51. There are no rights of appeal for persons who have objected to the grant of a sex establishment licence nor for other statutory authorities.

52. There is a right of appeal for applicants/licence holders in the following circumstances:

- refusal to grant a new sex establishment licence
- refusal to renew an existing sex establishment licence
- refusal to transfer an existing sex establishment licence
- refusal to vary an existing sex establishment licence
- imposition of conditions on a sex establishment licence
- revocation of a sex establishment licence

53. However, an appeal may not be lodged where the Council's decision has been made on the basis that:

I. the number of sex establishments, or sex establishments of a particular kind, in the relevant locality at the time the application is made is equal to or exceeds the number which the authority consider is appropriate for that locality

II. the grant is inappropriate, having regard:

- i. to the character of the relevant locality
- ii. to the use to which any premises in the vicinity are put
- iii. to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.

54. Any appeal to the Magistrates' Court must be made within 21 days from the date on which the person is notified of the decision or became aware of the condition. Where the Licensing Panel have given an oral decisions with reasons at the end of a hearing, the time limit for lodging an appeal will start on that date.
55. Where an appeal is lodged, the sex establishment licence remains in force until such time that the appeal is determined or abandoned. Where an appeal is lodged against conditions applied to a sex establishment licence, the conditions are deemed not to come into force until the determination or abandonment of the appeal.
56. There is a further and final right of appeal from the Magistrates Court to the Crown Court. This may be brought by the applicant/licence holder or the Council. The Council are not obliged to give effect to any order of the Magistrates Court until the time limit for the bringing of an appeal to the Crown Court has expired and, if such an appeal is brought, until the abandonment or determination of the appeal.
57. If an applicant or other party is aggrieved by a decision made by the Council that cannot be appealed, the only course of remedy is to seek a judicial review of the Council's decision in the High Court. This would have to be on the basis that the Council had made an error of law, had acted perversely, had failed to take a material consideration into account, or had taken immaterial considerations into account when making its decision.

Revocation

58. The Council may revoke a sex establishment licence at any time on any of the grounds for refusing an application, excluding those relating to the character of the premises and locality or the number of sex establishments in a locality.
59. The Council may be prompted to revoke a sex establishment licence by the complaint of a third party, including a ward councillor, or may do so unilaterally on its own behalf.
60. However, the Council will not take steps to revoke a sex establishment licence without giving details of its reasons for considering revocation to the licence holder at least 28 days before holding any hearing to consider the revocation of the licence.
61. The applicant shall in all cases be afforded the opportunity to appear before the Licensing Panel making the decision. Where the Council decides to revoke the sex establishment licence, it shall give the reasons for its decision to the licence holder in writing within 28 days of making its decision.

Burlesque

62. This Policy may apply to some forms of burlesque performances. A decision on whether or not the entertainment provided is relevant entertainment for the purposes of the Act shall depend on the content of the entertainment and not the name it is given. Therefore, any decision as to whether entertainment is relevant entertainment will be made on a case by case basis.

Premises 'Infrequently Used' for Sexual Entertainment

63. Premises providing sexual entertainment on not more than eleven occasions in a twelve month period, greater than one month apart and lasting for not more than 24 hours are exempt from the need to be licensed as sex establishments under the Local Government (Miscellaneous Provisions) Act 1982. These premises shall continue to be regulated under the Licensing Act 2003.
64. Venues licensed under the Local Government (Miscellaneous Provisions) Act 1982 as sex establishments shall be treated as such even where they are used infrequently, unless the licence holder returns their sex establishment licence to the Council together with a request that the sex establishment licence be cancelled. If the sex establishment licence is surrendered for any reason, any future application to license the same premises shall be treated by the Council as a new application.

Further Information

65. Information on sex establishment licensing, including guidance on making an application and making a complaint can be found on the Council's website at www.hastings.gov.uk. Persons wishing to make an application or make a complaint about a sex establishment may also contact the Council on 01424 451463 or visit our website www.hastings.gov.uk.

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Agenda Item 10



Report to: Cabinet

Date of Meeting: 6 July 2015

Report Title: Reducing Health Inequalities

Report By: Simon Hubbard
Director of Operational Services

Purpose of Report

1. To update Members on work by the NHS Hastings and Rother Clinical Commissioning Group (CCG) to address health inequalities.
2. To outline work being developed by Hastings Borough Council and the CCG as part of the CCG's Reducing Health Inequalities programme.
3. To seek approval for the development and delivery of the projects to be led by HBC within the CCG's programme.

Recommendation(s)

1. **To welcome the opportunity for the Council and CCG to work together to address health inequalities.**
2. **To approve the development and delivery of the projects described in this report, within the financial resources available.**
3. **To authorise the Director of Operational Services to take the necessary steps to develop and deliver the projects in consultation with the Deputy Leader.**

Reasons for Recommendations

1. The Council has long held the position that good health is a key factor in determining the quality of people's lives and that health inequality is a significant outcome of and contributor to poverty.
2. If Members approve the direction outlined in this report it is necessary to provide the authorisations to allow the development and delivery of the funded projects.
3. As public sector budgets shrink it becomes ever more essential for public sector partners to co-operate in addressing issues of exclusion and inequality. This work may help lay the basis for more integrated work in the future.

Introduction

1. This report is intended to update members in regard to the CCG funding passed to Hastings Borough council in the last financial year. This funding is directed specifically at addressing health inequalities and forms part of the specific programme the CCG have developed around this. This programme is firmly based on an analysis that the causes of health inequality are primarily based on:
 - Social, economic and environmental determinants including housing, employment etc.
 - Lifestyles and behaviour e.g. smoking, diet or exercise
 - Access to healthcare and other support services that benefit health

The CCG is clear that these factors are key in influencing health outcomes.

2. The CCG is investing £5 million in an initial programme of work to improve access to healthcare as well as to provide services and projects that encourage and support healthier living. In May 2015, the CCG published a leaflet outlining some of the key priority areas for investment:
 - i. More systematic work to address health inequalities via General Practice and community pharmacy.
 - ii. Work with specialist smoking cessation provider to improve quit rates.
 - iii. Promote awareness, early diagnosis and early treatment of cancer.
 - iv. Increase provision of weight management services.
 - v. Skill the workforce in brief interventions.
 - vi. Work to address mental health needs and the physical health needs of people with mental health problems.
 - vii. Community engagement and consultation.
 - viii. Children, Young People and families.

This leaflet is attached to this report.

3. The CCG's programme, which currently has 55 projects, is based upon East Sussex County Council Public Health department's in depth analysis of the issues of health and exclusion faced in Hastings and Rother. This shows that the seven most deprived wards in East Sussex are in Hastings Borough and 29 of the Lower Super Output Areas (LSOAs) in the CCG are among the most deprived 20% of LSOAs in England. These are concentrated in Hastings and St Leonards. The CCG has an older population structure than England and projections suggest that the percentage of older people will continue to increase. Hastings has a much younger population than Rother, and is more deprived and has poorer health. Compared to England, Hastings residents have significantly worse life expectancy at birth; the wider determinants of health are significantly worse for a range of indicators and many lifestyle factors are worse, particularly smoking rates, levels of alcohol and substance misuse, and the risk of obesity related illnesses. There are high levels of many chronic diseases, relatively high rates of cancer and high rates of accidents, injuries and falls. There is also high mental health need, particularly in

Hastings. The main causes of premature death (under 75 years) are cancer and cardiovascular diseases. In Hastings, the main cause of the life expectancy gap between the most and the least deprived areas is cancer for women whereas for men it is due to external causes (particularly suicide and undetermined injury), circulatory disease and cancer.

4. Reducing health inequality is a key priority of East Sussex Better Together (ESBT). ESBT aims to develop a fully integrated health and social care system by 2018 and provide the best possible services for local people.
<http://www.eastbournehailshamandseafordccg.nhs.uk/about-us/plans-and-strategies/east-sussex-better-together/>
5. The CCG published a report entitled “Reducing Health Inequalities in the Hastings and Rother CCG area” in April 2014. See –
<http://www.hastingsandrotherccg.nhs.uk/about-us/plans-and-strategies/reducing-health-inequalities-in-hastings-and-rother/>
6. It is a concise (given the subject matter) document that analyses the health position of the area including causes of health inequality. There is a review of the position of local communities within the area and the resources available to address health needs. The CCG identified priorities which required investment. This approach embraces both the national review led by Professor Marmot which identified the key role of wider social and economic policy in determining health outcomes. These factors are a good start for children, fair employment, standard of living, sustainable communities/places and ill health prevention activities. The CCG also has taken into account the National Audit Office Review of Inequalities in Life Expectancy also published in 2010. This identified the broader issues impacting upon health, but crucially that NHS services intended to address these issues were not necessarily delivering value for money or sufficient impact.
7. This analysis sits well with the Council’s own policies, particularly our policy on poverty which stresses bad health as an outcome of poverty and also as a contributor to people becoming exposed to poverty in the first place.

Joint work between HBC and CCG

8. The CCG approached Hastings Borough Council in early 2015 to see if HBC was interested in working together to deliver action addressing health inequalities where priorities are connected with the Council’s role or expertise. After consultation with the Leader this was agreed and funding totalling £602K was transferred between the CCG and Council to enable this to happen. This funding is not time limited, but clearly both partners would wish the money to be making an impact as quickly as possible.

9. HBC and the CCG are required to ensure the funding is used in accordance with the CCG's Reducing Health Inequalities programme and needs to be in line with Council priorities. This necessitates developing projects in the framework of CCG decision making processes and gaining formal approval from elected members to proceed with the projects. This is a significant piece of work involving not only project development but the establishment of suitable monitoring arrangements and the review of the impact of the agreed projects. These costs can be drawn against the funding available from the CCG. This work has been undertaken in addition to previously agreed officer workloads in order to ensure the potential value of this initiative is exploited.
10. All projects must affect health inequalities, align and add value to the CCG's programme and must not duplicate current services. Projects are still in development but the substantial progress has been made. This has involved the input of a wide range of services and partner organisations, reflecting the potential additional value of the Council contribution to improving health outcomes which might be developed in the future. Although the funding is too short term to impact on health outcomes it is important that outputs for excluded or disadvantaged groups are clearly identified in project development.
11. It should be noted that what is intended is not just to deliver services, but to develop new skills and perspective in HBC staff, local NHS staff and other key stakeholders including local businesses and the community which will enable the health needs of the most vulnerable to be addressed in a more systematic way. For instance, the real benefits of exercise in addressing some types of chronic ill health are not realised because links between health practitioners and activity providers need strengthening. Staff and volunteers are often ignorant of what others are providing and the role the private sector might play in providing good health has not been sufficiently considered and encouraged by the public sector. Lastly, it is intended that this work stream will embrace consultation and engagement about how future health and wellbeing services are delivered in community facilities and venues in Hastings, St Leonards and Bexhill, and the CCG has ringfenced £200k from the £602k budget for this work. This could lead to continuing work around the implementation of any agreed strategy. Innovation is therefore key to this process.

It is important to note that the projects the Council is leading and delivering are only part of the CCG's broader programme. The projects are not intended to address all health inequalities, but it is hoped this may mark the beginning of a deeper involvement by the Council in health related work.

Project Development

12. Work is being developed in a number of workstreams relating to the CCG's strategic priorities or the need to ensure value for money and performance across

the programme. Depending on the stage of CCG decision making projects require a project proposal in some cases and a business plan in all cases.

Thematic Area	Project(s) Development Stage
Housing	<p>National evidence base identifies that tackling homelessness has an impact on health outcomes and can reduce reliance on primary and secondary health care services. HBC are working with the CCG, ESCC, Homeless Link and Seaview to develop specialist health, housing and support services for rough sleepers and the street community. A meeting on 16th June developed these themes further.</p> <p>A further project is currently being scoped that will train front line primary care staff in the opportunities available to help tackle the health related effects of cold/damp homes and trips and falls in the home. The project will look at maximising referrals into existing initiatives, such as the Winter Home Check Service (commissioned by ESCC Public Health) and will also look to develop a delivery model for medium scale home improvements to tackle cold/damp (e.g. damp proofing, heating and insulation, draught proofing) and trips and falls (e.g. handrails, even floor surfaces, level thresholds, safety glass, etc.). This will help reduce the burden and cost to primary care, e.g. GP surgeries by maximising prevention opportunities.</p>
Preventing ill health	<p>The project proposal is for Leisure Services to implement defined elements of the 'Let's Get Moving' behaviour change programme within the Primary Care setting. It is designed to assist practitioners in guiding inactive adults towards physical activity, for the prevention and management of chronic disease. The proposal is to fund i) a part time project worker to set-up and co-ordinate the project, ii) training of local deliverers and iii) evaluate the impact</p> <p>This outline initiative has prior CCG approval and is included in the CCG's action plan. Costings and delivery options have been drafted and submitted to the CCG for further comment. Timescales have yet to be finalised.</p>

Thematic Area	Project(s) Development Stage
<p>Developing knowledge/skills in staff to promote health and wellbeing</p>	<p>The project proposal is that Environmental Health will employ a dedicated environmental health officer to encourage and support large and small local businesses and HBC customer facing staff to participate in proven initiatives that will help their staff and customers to make healthy lifestyle choices. For example:-</p> <ul style="list-style-type: none"> • Workplace wellbeing awards schemes for businesses. • Training and information for HBC staff and businesses that will encourage referral to healthy lifestyle services on matters such as mental health, obesity, smoking etc. This would include delivering tailored training/briefing sessions for HBC staff and businesses so that they can promote mental and physical health and wellbeing linked to HBC’s regulatory role, such as smokefree workplaces and public places, food hygiene and occupational health and safety. • Ethnic minority businesses are intended to be a major focus for this work impacting both on the business and the health of the families and staff in these enterprises. A better offer will also increase the attractiveness and potential trading position of minority businesses.
<p>Engage with and provide appropriate interventions to groups that experience health inequalities</p>	<p>(a) This project will be delivered by Sussex Coast College Hastings (SCCH). The project proposal is that 20 x 10 week courses to be delivered across 2 years reaching 180 long term unemployed people and those with mental health and other long term health problems which prevent them for engaging in current adult education which is available. This non award bearing course will link with other provision giving a pathway to employment.</p> <p>The provision is bespoke and tailored to the needs of individuals and/or community groups. Community partners to decide the subject matter of the provision based on the needs of the local area, which could be family learning (encompassing functional skills), healthy eating and cookery classes, art classes, ICT with an emphasis on digital inclusion or personal development and confidence building.</p> <p>This proposal links to the current delivery of community adult education coordinated by SCCH, and aims to link to other CCG education initiatives and DWP provision. The model will build on the successful education provision which was supported by the Coastal Communities Fund [CCF] Round 1 and further encourage referral from health</p>

Thematic Area	Project(s) Development Stage
	<p>practitioners.</p> <p>(b) An Independent Domestic Violence Advisor(s) (IDVA) will be provided at the Conquest Hospital Hastings. IDVA's are specialist caseworkers who in the East Sussex, Brighton and Hove Service predominantly focus on working with high risk victims, those at risk of murder or serious harm. In Hastings the Council fund some additional IDVA capacity to also support medium risk victims.</p> <p>Objectives :</p> <ul style="list-style-type: none"> • To reduce Domestic Violence crime • To provide coordinated support to victims • To make victims safer and improve their health • To enable more families to stay safely in their own homes • To Reduce repeat victimisation and attendances at A&E • To increase the number of perpetrators going to court and being prosecuted • To reduce demand on the health service • To deliver training and provide referral pathways to hospital staff. <p>(c) The project proposal is to further develop the role of Hastings Domestic Violence Co-ordinator / domestic violence champion building on local and national best practice.</p> <p>The post holder would be intended to act as a local Domestic Violence champion with a particular focus on the local NHS. Extensive networks have been established encouraging victims to report incidents of domestic violence, facilitating DV awareness training and enhanced support and early intervention. The post holder would undertake preventative work aimed at reducing the impact on local services, particularly in the NHS, reducing demand on services treating the physical and psychological harm caused by domestic violence / abuse.</p>
Engagement and consultation on Community Health and wellbeing centres in Hastings, St	A small project management group is being established to take forward the engagement and consultation work. This will include the local NHS, HBC, RDC, and ESCC, local community and voluntary sector organisations and other key stakeholders as appropriate. The group will oversee the consultation exercise and appoint a consultant to develop options for Health and Wellbeing Centres in existing community venues. The work of the group will need to particularly embrace the views of local

Thematic Area	Project(s) Development Stage
Leonards and Bexhill	communities facing significant issues in accessing health services. This exclusion can be in geographical areas where poverty is concentrated or more widely spread groups with particular needs. It will be essential to ensure that consultation is well run and only absorbs the finances required for its delivery. The CCG has additional programme funds to implement in the outcomes of the consultation.
Monitoring and evaluation	It will be critical to ensure the value of this work and its potential moving forward is assessed independently. HBC will work with the CCG to utilise an external academic review to undertake this evaluation and identify longer term approaches. Again this will need to be done in a cost effective way which absorbs the minimum resources required.

13. Around £11K has been released to support initial project development. RJP Consulting has been engaged to provide input toward:

- Developing a consistent approach to project development and delivery and programme management
- Gap analysis in relation to action on cold/damp houses and developing intervention
- Development work on Homeless/housing outreach options
- Strategic gap analysis and project placement/development around domestic violence
- Work with academic institutions, HBC and CCG to develop an agreed marketing and evaluation framework

Development costs will be spread over the different projects in the scheme rather than identified as a separate item. Additionally, Environmental Health have engaged a specialist contractor who previously developed projects around the health promoting role of businesses.

Policy Implications

14. If successful, these projects should begin work to reduce health inequalities and impact positively on:

- a. Reduced health inequalities should contribute towards greater community cohesion and sustainability. Health issues are a significant cause of exclusion and impose significant problems at a personal and community level.
- b. Crime and fear of crime, particularly on issues of domestic violence

- c. Local people's views, particularly through work around consultation and engagement on the delivery of health and wellbeing services in community facilities and venues
 - d. Anti-poverty as health inequalities are widely recognised as both a development and outcome of wider economic exclusion
- However, it is important to note that only longer term work will produce significant outcomes for local people.

15. The work programme will need to be contained within the resources allocated by the CCG, currently £602k.
16. It is not believed there are financial implications to the Council providing the costs of delivering this work are contained within this sum.

Next steps

17. It is anticipated that this programme should be substantially agreed and running by the end of September 2015. Approval for projects will be made in conjunction with the Deputy Leader who is acting as Lead Member for this work.

Wards Affected

All

Policy Implications

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

Equalities and Community Cohesiveness	✓
Crime and Fear of Crime (Section 17)	✓
Risk Management	
Environmental Issues	
Economic/Financial Implications	
Human Rights Act	
Organisational Consequences	
Local People's Views	✓
Anti-Poverty	✓

Additional Information

Leaflet – Reducing Health Inequalities Programme

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*Hastings and Rother
Clinical Commissioning Group*

REDUCING HEALTH INEQUALITIES PROGRAMME

Working together for a healthier Hastings and Rother



WORKING TOGETHER FOR A HEALTHIER HASTINGS AND ROTHER

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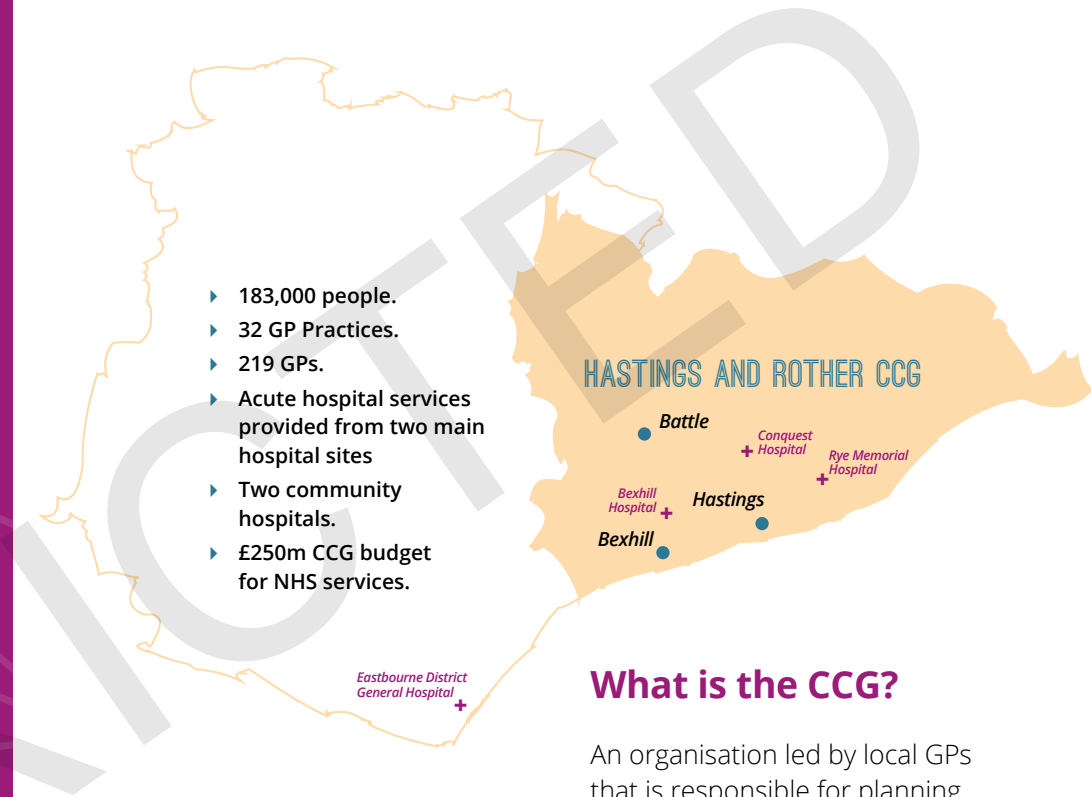
Improving the health of local people and ensuring high quality local NHS services are our key priorities. As local GPs, we're determined to work with partner organisations and local people to tackle long-standing issues of relative poor health in our area.

"Through our Reducing Health Inequalities Programme, we're investing to ensure all people have access to the right services and support locally to enable them to live healthy, happy lives."

Dr Roger Elias
Chair, NHS Hastings and Rother
Clinical Commissioning Group



- ▶ 183,000 people.
- ▶ 32 GP Practices.
- ▶ 219 GPs.
- ▶ Acute hospital services provided from two main hospital sites
- ▶ Two community hospitals.
- ▶ £250m CCG budget for NHS services.



What is the CCG?

An organisation led by local GPs that is responsible for planning, coordinating and buying most local NHS services on behalf of people in Hastings and Rother.

Reducing health inequality is a key priority of *East Sussex Better Together* – our joint programme with neighbouring CCGs and the county council to transform local health and social care – working together and with the public to ensure our combined £935 million budgets are used to achieve the best possible services for local people. The programme is working to develop a fully integrated local health and social care system by 2018.

What is the Reducing Health Inequalities Programme?

Led by NHS Hastings and Rother Clinical Commissioning Group, and supported by East Sussex County Council Public Health, the programme aims to improve the health of local people. It focusses on people living in areas of deprivation, who are known to have poorer health than those living in more affluent areas – that is known as health inequality.

What health inequalities do we have locally?

- ▶ Hastings and Rother contain the seven most deprived council wards in East Sussex. Many factors including employment, income, housing, education and lifestyle choices mean that people in these areas tend to have worse health and lower life expectancy compared with other areas..
- ▶ 29% of children in Hastings and 19% in Rother live in poverty.
- ▶ Men in the most deprived areas of Hastings are expected to live 11 years less than those in other areas of the town – the biggest gap in the south east of England. Life expectancy for both men and women is lower than the England average.
- ▶ Hastings has significantly higher percentages of people with bad or very bad health compared with the rest of England with high rates of long-term illness, disabilities, cancer, lung disease and heart problems.

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THE CAUSES OF HEALTH INEQUALITY



WHAT'S IN THE PROGRAMME'S ACTION PLAN?

Launched in 2014, the plan sets out a blueprint for investing an initial £5m to improve access to healthcare, enhance services to address our priorities and kick-start projects to encourage and enable local people to live healthier lives. Here are some examples of what we're doing:

Investing in GP and pharmacy services

We're improving access to GP services and increasing the range of support available in practices. This includes:

- ▶ Introducing a benefits and money advice service within practices to help people with financial problems that often contribute to ill health.
- ▶ Using new technology to help people better manage long-term health conditions such as diabetes and high blood pressure.



Stopping smoking

- ▶ More investment to help people to quit. Healthcare teams are being supported to actively refer smokers to stop smoking services.
- ▶ A campaign and behaviour change programme aimed at stopping smoking in pregnancy.



Weight management

- ▶ Launching a Let's Get Moving campaign that will see GP practices help patients get more active.
- ▶ An intensive weight loss programme responding to complex psychological and social problems.

Mental health

- ▶ A new Community Wellbeing Service providing specialist advice and support for people with mental health needs has started at Station Plaza health centre and we're extending this to other areas in 2015.
- ▶ NHS, council, private businesses and voluntary sector staff will be trained so that they can promote mental and physical health and wellbeing.

Cancer

- ▶ Training GP practice staff so that they can improve early diagnosis and treatment of cancer.

Children's health

- ▶ Reducing health inequalities in children is a key focus in 2015/16. We're working with East Sussex County Council and others to address obesity, mental health need, sexual health and alcohol and substance misuse in children.



Working with local people to change lifestyles and promote health and wellbeing

Some of our health inequalities locally are caused by unhealthy lifestyles and behaviours. That's why a key element of our plan is to work with East Sussex County Council and others to encourage and enable people to make healthy lifestyle choices such as stopping smoking, being more active and taking better care of themselves. This includes:

- ▶ Working closely with communities affected by health inequality to make sure that all of our services help people to make healthier lifestyle choices.
- ▶ Delivering campaigns to tackle unhealthy behaviours such as smoking in pregnancy.
- ▶ Investing in community facilities so that people can access a range of services and support.
- ▶ Providing small grants to local community-led organisations that promote healthy living, launching in 2015.

GET INVOLVED

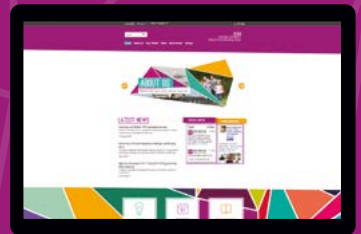
Contact NHS Hastings and Rother Clinical Commissioning Group to find out more and discover how you can get involved in helping us reduce health inequalities in the area:

Email: HRCCG.enquiries@nhs.net

Phone: 01424 735600

Twitter: @HastRothCCG

www.hastingsandrotherccg.nhs.uk



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Agenda Item 11



Agenda Item No:

Report to: Cabinet

Date of Meeting: 6 July 2015

Report Title: FINAL ACCOUNTS 2014/15 - DRAFT

Report By: Peter Grace
Assistant Director - Financial Services and Revenues

Purpose of Report

This report sets out the draft final accounts position for 2014-15. These are subject to audit.

Recommendation(s)

- 1. Cabinet review the outturn position on the General Fund for 2014-15.**
- 2. Cabinet review the capital outturn position for 2014/15 of £5.719m.**
- 3. The 2014-15 outturn position, along with the revised estimates for 2015-16 be taken into account when preparing the 2016-17 budget.**

Reasons for Recommendations

Compliance with statutory requirements and good practice. The Council is accountable for the use of public money and continuously seeks to improve Value for Money.

The outturn position informs the budget setting process. Where there are under or overspends the reasons behind these are investigated with a view to reallocating resources to meet priorities.

Introduction

1. This report provides members with the outturn results for the General Fund and Capital Programme for 2014/15.
2. Variances are shown in (brackets) if they are favourable and without if they are adverse.
3. The Accounts & Audit Regulations 2011 require the Section 151 officer to certify the Statement of Accounts by the 30 June each year and publish them by 30 September.
4. The Council's external auditors (BDO) commenced auditing the full accounts in early July. The audited Statement of Accounts will be considered by the Audit Committee on 17 September – along with details of the auditor's findings and any material amendments made to the accounts.
5. There is an improvement in the General Fund revenue outturn position compared to the revised budget.

Final Accounts

General Fund Position - Revenue

6. A summary of the provisional outturn for the year is shown in Appendix A. The total service expenditure is £15,199,003. The carry forwards into 2015/16 amount to some £595,715.
7. The major variations (over or under budget by £20,000) are narrated on Appendix B. Of particular note is the additional income received in respect of Development Control amounting to some £160,000; a revised assessment of future income levels will need to be undertaken. Please note that the depreciation and Capital charges, International Financial Reporting Standards, and notional aspect of Minimum Revenue Provision (MRP) adjustments are excluded from this analysis – as they do not affect Council Tax.
8. Further work will also be undertaken through the Priority Income and Efficiency Review process to identify the future ongoing savings, above and beyond those already included in the 2015/16 budget.
9. The revised budget assumed a contribution to the General Reserve of £288,000. The sum transferred to the General Reserve amounts to £668,000 (excluding carry forwards). The balance on the General Reserve at 31st March 2015 is £7,013,000. The General Fund working balance remains at £500,000.

Council Tax

10. The balance on the Collection Fund at 31 March 2015 was £2.9m compared with the previous projection of £2.1m. This benefit mainly resulted from an improvement in the debt collection rate, which had been reduced to 96.5% when council tax benefit was replaced by discounts from the start of 2013/14. The actual collection

rate is now expected to exceed 97%, and this enabled us to reduce the allowance for non-collection by £860,000 compared with the projection. This amount was partly offset by a reduction of £133,000 in the amount to be collected, resulting in a net improvement of £727,000.

NNDR

11. The net collectable debit for the year was £19,442,000, a reduction of £521,000 compared with the NNDR1 forecast of £19,963,000. This resulted in a negative balance of £1,025,000 on this council's share of the NNDR element of the Collection Fund, an increase of £208,000 on the forecast of £817,000. This reduction in income and increase in deficit resulted from the impact of appeals against rateable values. Although we had anticipated additional losses there was a late rush of appeals following the Government's announcement that appeals received after 31 March 2015 could not be backdated before that date. At 31 March 2015 £21m of rateable values were subject to appeal, of which £16m related to appeals received in the last three months of 2014/15.
12. It is important to note that the impact on 2014/15 has been as a result of estimating the cost of appeals not yet decided, on the basis of the success rate of appeals actually determined by 31 March 2015. The actual cost will only be evident when the appeals are decided during 2015/16 and probably afterwards. The difference between estimated and actual losses on outstanding appeals will therefore fall on years after 2014/15.
13. The new regime for dealing with non-domestic rates, which started on 1 April 2014, is mitigated by safety net provisions, funded by levies payable by councils with higher rates of growth in business rates. In 2014/15 as in 2013/14 this council did not qualify to receive a safety net payment or to pay a levy.

Reserves

14. Appendix E details the Reserves position at 31 March 2015.
15. The Medium Term Financial Strategy identified the need for any underspend to be used as an opportunity to strengthen reserves, and given the estimated budget reductions required in 2016/17 and beyond there remains a strong case for doing so. The Medium Term Financial Strategy will be reviewed in the autumn and will include a further review of reserves in the light of future government funding and expenditure pressures.
16. It should be noted that no provision has been made in respect of the claim for compensation as a result of the closure of the Pier on safety grounds.
17. Under spends on reserve funded items e.g. government grant reserve, section 106, repairs and renewal monies will be re-profiled into 2015/16.

Capital Programme and Resources

18. The 2014-15 capital expenditure is to be financed as per Appendix D.

19. Capital receipts, reserves and grants have been used to finance £3.022m of expenditure, the remaining £2.697m being borrowing - this was in respect of the Amicus Horizon Coastal Space initiative.

Provisions for Credit Liabilities

20. From 1 April 2007 the Government introduced new regulations concerned with the treatment of MRP (Minimum Revenue Provision – a sum calculated to repay capital debt). This places a general duty on the Council to make prudent provision for the re-payment of capital debt. The option chosen by the Council has given rise to a charge to revenue in 2014-15 of £488,000.

Financial Strategy

21. Maintaining the Council's financial standing remains challenging in the current circumstances. To maintain the position, and given the major reductions in future funding, the Council needs to continue to take hard decisions, identifying further significant efficiencies and invest to save opportunities to balance the budget in the future.
22. The Council was successful in its bid for Efficiency Support Grant in 2014/15 and the government built this funding into the 2015/16 local government settlement.
23. It is standard practice to analyse previous year variations when determining the forthcoming budget. It is recommended that the 2014-15 outturn position, along with the revised estimates for 2015-16, be taken into account when preparing the 2015-16 detailed revenue estimates.
24. A number of significant one off items have been identified and transferred to the Council's reserves – particularly grant monies such those from Clinical Commission Group (£602,000 in total). A new reserve has been established, the Carry Forward Reserve to help clarify the real level of the General Reserve. The level of reserves, as well as the identification of future funding expectations, and potential spending pressures will be considered as part of the Medium Term Financial Strategy review in the early autumn.

Wards Affected

None

Area(s) Affected

None

Policy Implications

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

Equalities and Community Cohesiveness	No
Crime and Fear of Crime (Section 17)	No

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

Background Information

Appendix A - Final Accounts Summary 2014-15
Appendix B - Major Variations
Appendix C - Capital Programme Expenditure 2014-15
Appendix D - Capital Programme Finance 2014-15
Appendix E - Statement of Reserves

Officer to Contact

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Revenue Budget Summary**Appendix A**

	2014-15 Revised Budget £	2014-15 Actual Outturn £	Variance Revised Budget £
Corporate Resources	2,778,430	2,284,444	(493,986)
Environmental Services	8,225,700	7,850,043	(375,657)
Regeneration	5,021,388	5,064,516	43,128
Direct Service Expenditure	16,025,518	15,199,003	(826,515)
Contingency Provision	76,650	0	(76,650)
Total Service Expenditure	16,102,168	15,199,003	(903,165)
Provision for repayment of debt (MRP)	488,000	488,167	167
Net interest	213,000	201,397	(11,603)
Contributions to capital from Grant	636,000	636,004	4
Contributions to Earmarked Reserves	1,751,000	2,627,987	876,987
Use of earmarked reserves	(2,093,070)	(2,255,109)	(162,039)
Net Council expenditure	17,097,098	16,897,449	(199,649)
Trans to / (from) Transition Reserve	0	0	0
Contributions to / (from) Specific Reserves	(709,290)	(28,634)	680,656
Trans to / (from) General Reserve	288,178	667,529	379,351
Amount from grant and collection fund	16,675,986	17,536,344	860,358
Funded By			
Revenue Support Grant	(3,885,836)	(3,885,836)	0
Council tax freeze grant	(70,123)	(69,560)	563
New Homes bonus	(886,315)	(897,769)	(11,454)
NNDR (Surplus) / Deficit	62,889	62,889	0
Collection Fund Surplus	(100,169)	(100,169)	0
Disabled Facilities Grant	(666,004)	(666,004)	0
Housing Benefit Administration grant	(986,292)	(986,292)	0
Efficiency support grant	(974,522)	(975,000)	(478)
Business rates	(3,104,981)	(3,150,557)	(45,576)
Business rates section 31 grant	(467,200)	(648,613)	(181,413)
Other grant income	0	(622,000)	(622,000)
Council tax	(5,597,433)	(5,597,433)	0
Total funding	(16,675,986)	(17,536,344)	(860,358)

General Fund Activities	Cost Centre	Major Variances narrative (<>£20,000)	Total Full year Variance £'s	Carry Forward requested
DCE-Estates Services Division	1022		(6,795)	
DCE-Chief Executives Division	1023		13,089	
DCE-Audit Division	1051		(3,610)	
DCE-Accountancy & Exchequer Serv.Division	1052	£8k salaries less usage of carry forward and agency. Supplies £4k under spend mainly books and professional services.	(34,133)	*
New Burdens Funding	1054		0	
DCE-Revenues Division	1055	£50k additional staffing was not required works delayed until 2015-16 carry forward request. £20k for new server assume will slip into 2015-16, carry forward request. £12k savings on reduced audit fees. Invest to Save projects currently £36k under re Benefits delayed until 15/16. Further £7.5k under spend on supplies mainly on Postages (£6.5k) and some photocopying.	(123,909)	*
Fraud Joint Working Initiative	1058		(2,094)	
Corporate Expenses	1080		3,092	
Employment Areas	2101		(650)	
Unit Factories	2201		(16,971)	
Properties & Estates	2404	£99k additional rent no voids. £3k underspend showing on utilities. £26k over on surveyors fees partially recovered by increased costs recovered on property / land sales (4% of sales value to be recovered here) £17k above budget.	(94,023)	
St.Mary-in-the-Castle	2602		6,126	
Housing Benefit Payments	4200	There was a significant variance but this has been offset by a bad debt write off	19,790	
Housing Benefit Administration	4250		0	
Rechargeable Works Orders Admin	5225		958	
Fin.Serv.-Other Expend.& Income	5299	£7k Additional asbestosis claim and £5k On Street write off. £104k underspend on Severance budget. £1.5k compensation income.	(157,116)	
Corporate Management Costs	5510		13,458	
Corp. Man. Non-distributed Costs	5511		(1,599)	
Council Tax Benefit-Pymts/Admn	5900		0	
Tax Collection Costs	5950		12,642	
Head of Finance Total			(371,748)	

General Fund Activities	Cost Centre	Major Variances narrative (<=>£20,000)	Total Full year Variance £'s	Carry Forward requested
POD Division	1020		2,329	
DCE-Corporate Planning & Policy Division	1024		(3,742)	
Facilities Management Team	1027		9,437	
DCE-Democratic Serv.Division	1031		(8,134)	
DCE-Legal Division	1032		(12,622)	
Digital By Design	1085	Invest to save slippage	(36,617)	
Corporate POD Expenses	1090		(10,432)	
Admin.Bldgs.-Town Hall	1151	R&R currently £27k under will all be carry forward requests £13k for Dormer removal and £14k possibly Accommodation project. £1k under on repairs / fixtures (demand led). £2k under on utilities. £1k under on cleaning, rest various.	(31,451)	
Admin.Bldgs.-Aquila House	1157		(6,927)	*
Admin.Bldgs.-General Expenses	1160		4,932	
Admin Bldgs - HBC Archive, Castleham	1169		380	
Registration Of Electors	1200		(2,448)	
Individual Electoral Registration Project	1205	£20k Additional IER income. Mail outs and printing for Jan mini canvass lower than expected	(35,541)	*
Climate Change Project	1935		2,953	
ECOFAB 2	1997		15	
Sustainable Development	3405		(1,265)	
Hastings Pier - Closure	5004		2	
Local Strategic Partnership	5224		36	
Cost Of Democratic Processes	5501		(15,923)	
Borough Council Election Expenses	5503		(1,837)	
European Election Expenses	5504		3,996	
Public Consultation	5513		0	
Contact Centres	5712		(2,838)	
HIC Trading Account	5717		0	
Foreshore Trust	Various		(910)	
			0	
Head of Corporate Total			(142,030)	
			0	
Directorate Total			(513,778)	

General Fund Activities	Cost Centre	Major Variances narrative (<=£20,000)	Total Full year Variance £'s	Carry forward requested £'s
Environment Management & admin	1009	£16k under budget on supplies mainly £3k books budget (will be spent in 2015-16 on new web based storage software), £5k departmental systems (slippage on introduction of new system), £3k on phones and £5k gas study not spent (carry forward request). Salaries £25k under £10k ASBO Powers implementation will be carry forward request, £16k contractors under (£14k to cover 3401/2/3 variance).	(41,682)	*
Food Safety	3401		(307)	
Health & Safety Enforcement	3402		2,641	
Environmental protection	3403		4,819	
Health & Safety Corporate	3404		1,095	
Pest Control	3407		(4,892)	
Local Licensing	5100		(5,470)	
Scrap Metal Licensing	5102		5	
Liquor Licensing	5105		4,555	
Gambling Licensing	5106		9,813	
Tobacco Control	5107		(4,039)	*
Stray Dog Service	5125		(1,333)	
Neighbourhood Safety	5214		(7,002)	*
Safer Hastings Partnership	5219	Externally funded.	(19,071)	*
Emergency Planning	5223		(1,638)	
Environmental Health Total			(62,506)	
Highways Management & admin	1006		0	
Waste Services	1073		0	
Waste and Parking Team	1074		(15,440)	*
Admin Bldgs - Bulv. Depot Office	1166		0	
Off Street Car Parking	1300		33,919	*
DVLA Powers	1320		0	
Hornbye Car Park	1350		326	
On-Street Car Parking	1360		0	
CCTV Control Room	1370		(4,204)	
Public Realm	1504	£40k Havelock Rd crossing works delayed until July not carried forward as in the Capital Programme. Rest is underspend on various projects.	(55,728)	
ESCC Highways Management	1505		0	
Abandoned Vehicles	3301		0	
Refuse Collection	3303	Corrective stock journal leaves equipment £6k over budget. Bulky waste income has £3k surplus. £5k grants not spent to help cover overspend in 5205. Variable contract costs £4k under budget. £116k invoice accrued for purchase of bins not budgeted.	105,562	
Street Cleansing	3313		1,862	
Recycling	3410		(5,507)	
Greenwaste	3411		2,554	
Waste and Environmental Enforcement Team	3412		(1,819)	
Together Action	5205		7,784	
Crime Prevention/CCTV	5207		0	
Waste and Parking Services Total			69,308	

General Fund Activities	Cost Centre	Major Variances narrative (<=>£20,000)	Total Full year Variance £'s	Carry forward requested £'s
Open Space Management	1071		(13,097)	
Hastings Country Park - Parking	1355		991	
Watercourses	1420		(177)	
ESCC Highway Tree Maintenance	1506		(5,330)	
Cemetery & Crematorium	3102	£2.5k under on Grounds Maintenance / repairs, £3.5k under on utilities. £1k over on supplies mainly items for resale. Additional £3k sales. Income £26k above budget.	(45,627)	
Welfare Funerals	3103		(314)	
Travellers Costs	5140		2	
Decorative Lighting	5236		(8,893)	
Town Centre	5257		(568)	
Allotments	5280		(885)	
Ecology	5281		(4,152)	
Arboriculture	6200		3,351	
Parks & Gardens	6301	Repairs £11k under budget. S106 £6k over budgeted amount spend expected in 2015-16. £17k on R&R, works slipped (cliff surveys and works arising and fishing swims). Large savings on GM contract £23k. £6k savings on utilities. £15k received for play equipment from Charity for kids showing as additional income but also additional spend to budget on D001 Equipment. £3.5k received as contribution for East Lodge St L Gardens spent. £3.5k additional rental income following rent review. £1k donation received for 150th Anniversary.	(61,012)	
Friends of Alexandra Park	6303		0	
Highways Grass Cutting	6305		(43)	
Bathing Water Project	6308	Externally funded therefore balance carried forward	(58,918)	*
Hastings Country Park	6503		(12,703)	*
Pebsham Country park	6504		(1,739)	
Smart Sponge Project	6307		0	
Countryside Stewardship	6508	Additional contributions and as externally funded the balance will be added to Earmarked Reserves.	(19,727)	
Amenities Services Total			(228,841)	

General Fund Activities	Cost Centre	Major Variances narrative (<=£20,000)	Total Full year Variance £'s	Carry forward requested £'s
Leisure & Cultural Dev. Div.	1070		8,023	
Shelters and Seats (Highway)	1501		(2,520)	
Naming and Numbering Streets	1502		(4,018)	
Falaise Hall	2640		2,175	
Public Conveniences	3033		3,043	
Coastings Exhibition	6001		0	
Sports Centres	6100		(13,640)	
William Parker	6409		0	
Sports Development	6650		(2,160)	
Street Games	6651		(5,332)	
British Heart Foundation Project	6652		0	
Active Hastings	6657	Externally funded, balance added to Earmarked Reserves. £20k potential redundancies budget not required. £10k less spend on activities than planned, hire of hall therefore fewer casuals required.	(30,413)	
Community Arts	6659		0	
Play Development	6660		(1,671)	
Active Leadership	6661		0	
Us Girls	6662		0	
PCT Play Grant	6666		(4,000)	*
Play Pathfinder	6667		(4,471)	*
Active Women	6669		(9,173)	
Boyne Road Playground	6670		(657)	
Sports for All	6675		(1,639)	
Skate Bowl Phase 2	6680		5,053	
Leisure Services Total			(61,399)	
Coast Protection Sea Defences	1400		(6,052)	
Coastal Defence Asset Survey	1402		0	
Navigational Aids	1410		(164)	
Environmental Schemes	1608		(9,259)	
Cliff Railways	2502		16,158	
Hastings Castle	2510		(26)	
Hastings Embroidery	2511		85	
St Clements Caves	2512		10,304	
Chalets & Private Hut Sites	2514		(10,521)	
White Rock Theatre	2601	£20k R&R not required and small variance on contract	(20,592)	
Seafront	5241	Repairs are £5.5k under with R&R covering revenue repairs - £3k carry forward requested to go to Bottle Alley seafront works, £3k savings on utilities. Equipment £7k over. £9k over on Architects fees. £1k misc unders on other supplies £2.5k additional sales income from sale of boat and £4k additional rental income. £2k under on JBC hire	(22,200)	
Support for Events	5729		0	
Museums & Art Galleries	6000		950	
Old Town Museum	6003		(4,530)	
Fishermans Museum	6005		52	
Education - Museum	6008		3,416	
Exhibitions - Museum	6009		4,437	
First World War Project	6015		(1,179)	*
Sports Management	6150		2,803	
			0	
Resort Services Total			(36,316)	
			0	
Directorate Total			(319,754)	

General Fund Activities	Cost Centre	Major Variances narrative (<=>£20,000)	Total Full year Variance £'s	Carry forward requested
Marketing & Comms.Division	1025		(16,640)	
DCE-Information Technology Division	1034		331	
Image Raising Campaign Project	1995		599	
Land & Property Systems-GIS	5227	There is a carry forward balance due to slippage of programmed works. Salary costs are £10k lower than budgeted due to external professional fees lower than forecast.	(99,280)	*
IT Reserve Expenditure	5228	PC, desktops and hardware costs lower than budgeted by £17k, balance requested to be carried forward in to next financial year for programmed works.	(17,010)	*
IT Hardware	5229		16,541	
Meteorological Expenses	5237		605	
Civic & Ceremonial Expenses	5507		14,555	
1066 Country Campaign	5701		4,642	
Tourism Marketing	5702		1,134	
Battle Marketing	5703		3,345	
Community Awareness	5705		(2,365)	
Twining / Sierra Leone	5720		225	
R.T.P. - Half Marathon	5721		(2,000)	
R.T.P. - Hastings Week	5722		1,391	
R.T.P. - Jack-in-the-Green	5723		(50)	
R.T.P. - Old Town Carnival	5724		(215)	
Chess Congress	5725		418	
R.T.P. - Trolley Bus	5727		(2,445)	*
R.T.P. - Town Crier	5728		(356)	
R.T.P. - Achievers Awards	5730		600	
Seafood and Wine	1962		(998)	
Norman Castles Interreg Project	5731		183	
Filming	5740		(453)	
Midsummer Fish Festival	5780		(853)	
Herring Fair	5781		1,144	
			0	
			0	
Head of Marketing Total			(117,299)	

General Fund Activities	Cost Centre	Major Variances narrative (<£20,000)	Total Full year Variance £'s	Carry forward requested
			0	
Local Land Property Gazetteer & Admin	1005		(1,232)	
Building Control	1008		(2,653)	
Housing Management & admin	1072		14,502	
Development Management	1600	Additional income of £160k due to Planning fees received being higher in the final quarter than previously anticipated. The additional income is offset against higher than anticipated costs for Professional fees which are higher than forecast. Costs increased due to additional planning applications (higher income related)	(159,720)	
Conservation	1607		4,386	
Coastal Local Economic Partnership (LEP)	1953		9,435	
Homelessness	4000		15,707	
Homelessness Prevention	4001		14,863	
Development of Affordable Housing	4010		0	
Affordable Housing (section 106)	4012		0	
Homelessness Strategy	4050	Additional salary costs of £19k (due to maternity). Additional Grants made of £7k	24,605	
Deposits funded by ESCC and Discretionary Housing paym	4051	Additional Revenue Grants Received of £130k more than budgeted and loans repaid £37k. There is also additional cost recovered income of £2k from various sources such as Hastings and Rother Credit Union. In addition to the additional income there are reduced salary costs of £3k and a reduction in Grant spend of £7k compared to budget.	(144,167)	*
Youth Homelessness	4055		1,302	
Anti Poverty	4057		(608)	
POAL Officer	4060	This is an externally funded project with a grant received up front.	(67,930)	*
Housing Register	4120		(3,944)	
Housing Solution Services	4130		(397)	
Housing - Works in Default	4135		120	
Land Auction Pilots	4137		(5,087)	
Preventing Repossessions	4138		(14,984)	*
Housing Renewal	4140		4,327	
Rogue landlords	4143	Agency staff costs of £110k not budgeted for along with additional costs for supplies and services such as professional fees and advertising of £4k in total. However, Income received in 2013/14 to cover these additional costs in 2014/15 and therefore entire balance will be funded from reserves.	116,089	
Housing Licensing Team	4160	Currently showing additional fees and charges income of £140k. Currently also showing contract hire unspent costs of £4k, balance carried forward.	(115,121)	*
Coastal Space Enforcement Activities	4300		(3,725)	
Dangerous Structures	5001		11,547	
Local Land Charges Register	5211		(39,154)	
			0	
			0	
Head of Housing Total			(341,839)	

General Fund Activities	Cost Centre	Major Variances narrative (<=>£20,000)	Total Full year Variance £'s	Carry forward requested
			0	
Regeneration Management & Admin	1021	Currently minor various variances overall (incl. Recruitment exp not budgeted for).	(33,312)	
Planning Policy	1603	£68k overspend in Professional Fees is due to a 14/15 accrual for the fees related to Planning Inspector £92k, the budget for the inspector's costs was set up in 15/16 (therefore expecting an underspend in 15/16).	69,144	
Regeneration Activity	1900	Reduced spend on various supplies and service lines totalling £36k, including Grants and Professional Services. This is in addition to extra income of £3k for reimbursement of Eurotowns membership.	(34,420)	*
Regeneration Team - General Expenses	1910		0	
Cultural Activities	1922		10,512	
Cultural Development (ABG)	1927		0	
External Funding Initiatives	1934		(8,613)	
Town Teams	1938		(407)	*
Public Art	1940		0	
Cultural Development (Getting Hastings Ready)	1945	Lower than expected staffing costs.	(28,013)	
Hastings Pier CPO	1956		0	
Working Neighbourhoods Project	1971		0	
Area Co-ordination	1979		4,210	
Community Cohesion	1980		(3,011)	*
Fisheries Local Action Group (FLAG)	1988		15,366	
Employability	1999	Reduced Supplies and services costs in areas such as refreshments, premises hire and Grants made due to change in manager post and slippage of certain mini projects.	(20,109)	*
Central St Leonards cost centre	2000		6,500	
Hastings Pier Fire Damage	5006		0	
Community Partnership Fund	5120		8,688	*
Youth Windfall	5121		915	*
FST - White Rock Baths	5291		0	
Temporary Ice Rink	5718		0	
Youth Activities	6006		(1,793)	*
Sub-total			(14,341)	
			0	
Externally Funded:			0	
RGF4 - SUCCESS Programme	1928		(3,429)	
SAFE-ICE	1939		14,731	*
ACE (Answers to the Carbon Economy)	1931		(947)	
Coastal Communities Fund	1998		339,511	
Sub-total			349,867	
			0	
Head of Regeneration Total			335,526	
			0	
Directorate Total			(123,612)	

CAPITAL PROGRAMME EXPENDITURE 2014-15

Service	Gross Budget £000's	Actual £000's	Net Variation £000's
Corporate Resources	388	452	64
Environmental Services	899	292	(607)
Regeneration, Homes and Communities	4,465	4,975	510
Total	<u>5,752</u>	<u>5,719</u>	<u>(33)</u>

CAPITAL PROGRAMME FINANCING 2014-2015

		Outturn 2014-15 £000's
<u>Expenditure :</u>		<u>5,719</u>
<u>Financed by :</u>		
Borrowing		2,697
Grant - Disabled Facilities Grant	636	
Lottery Grants	68	
Coastal Communities	746	
Interreg	54	
Regional Housing Board Grant	65	
Other Grants and Contributions	<u>112</u>	
		1,681
Reserves	504	
Capital Receipts	837	
		<u>5,719</u>

STATEMENT OF RESERVES**APPENDIX E**

	Opening £000's	Transfers Out £000's	Transfer In £000's	Closing Balance £000's
General Reserve	(7,105)	760	(668)	(7,013)
Capital Reserve	(1,628)	421	(260)	(1,467)
Earmarked Reserves				
Renewal and Repairs Reserve	(1,853)	604	(508)	(1,757)
Risk Management Reserve	(374)	14	0	(360)
Information Technology Reserve	(231)	99	(149)	(281)
On-Street Car Parking Surplus Reserve	(189)	106	0	(83)
s106 reserve	(461)	41	(202)	(622)
VAT reserve	(524)	255	0	(269)
Government Grant Reserve	(652)	491	(593)	(754)
Carried Forward Reserve	0	0	(596)	(596)
Area Based Grant Reserve	(22)	22	0	(0)
Monuments in perpetuity	(51)	0	0	(51)
Ore Valley Reserve	(302)	0	0	(302)
Mortgage reserve (LAMS)	(60)	0	(32)	(92)
Resilience and Stability Reserve	(600)	0	0	(600)
Transition Reserve	(2,222)	0	0	(2,222)
Interest Equalisation Reserve	0	0	0	0
Redundancy Reserve	(769)	121	0	(648)
Community Safety Reserve	(350)	0	0	(350)
Economic Development Reserve	(527)	23	0	(504)
Land Charges Claim	(140)	0	0	(140)
Safer Hastings Partnership	(66)	108	(90)	(48)
Parks and Gardens Special Maint Project	(10)	0	0	(10)
Bathing Water Project	(63)	181	(178)	(60)
First World War Project	(17)	8	(1)	(10)
Coastal Communities Grant Reserve	(340)	330	0	(10)
Invest to save and efficiency reserve	(426)	228	(550)	(748)
Clinical Commissioning Group	0	0	(602)	(602)
Young Peoples Council	0	0	(20)	(20)
	(18,982)	3,811	(4,449)	(19,620)

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Agenda Item 12



Agenda Item No: 12

Report to: Cabinet

Date of Meeting: 6 July 2015

Report Title: Annual Treasury Management Report 2014-15

Report By: Peter Grace
Assistant Director Financial Services and Revenues

Purpose of Report

This report provides the opportunity for the Cabinet to scrutinise the Treasury Management activities and performance of the last financial year. This report was considered by the Audit Committee.

Recommendation(s)

1. To consider the report and its recommendations

Reasons for Recommendations

To ensure that members are fully aware of the activities undertaken in the last financial year, that Codes of Practice have been complied with and that the Council's strategy has been effective in 2014-15.

Introduction

1. The Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management 2009 was adopted by this Council on 15th February 2010 and this Council fully complies with its requirements.
2. The primary requirements of the Code are as follows:
 - a) Creation and maintenance of a Treasury Management Policy Statement which sets out the policies and objectives of the Council's treasury management activities.
 - b) Creation and maintenance of Treasury Management Practices which set out the manner in which the Council will seek to achieve those policies and objectives.
 - c) Receipt by the Full Council of an annual treasury management strategy report (including the annual investment strategy report for the year ahead, a mid-year review report (as a minimum) and an annual review report of the previous year.
 - d) Delegation by the Council of responsibilities for implementing and monitoring treasury management policies and practices and for the execution and administration of treasury management decisions.
 - e) Delegation by the Council of the role of scrutiny of treasury management strategy and policies to a specific named body which in this Council is the Audit Committee.
3. Treasury management in this context is defined as:

“The management of the local authority's investments and cash flows, its banking, money market and capital market transactions; the effective control of the risks associated with those activities; and the pursuit of optimum performance consistent with those risks.”
4. The purpose of this report is to meet one of the above requirements of the CIPFA Code, namely the annual review report of treasury management activities, for the financial year 2014-15.
5. This annual Treasury report covers
 - a) capital expenditure and financing 2014-15
 - b) overall borrowing need (the Capital Financing Requirement)
 - c) treasury position as at 31 March 2015;
 - d) performance for 2014-15;
 - e) the strategy for 2014-15;
 - f) the economy and interest rates in 2014-15;
 - g) borrowing rates in 2014-15;
 - h) the borrowing outturn for 2014-15;
 - i) debt rescheduling;

- j) compliance with treasury limits and Prudential Indicators;
- k) investment rates in 2014-15;
- l) investment outturn for 2014-15;

The Council's Capital Expenditure and Financing 2014/15

6. The Council undertakes capital expenditure on long-term assets. These activities may either be:
 - Financed immediately through the application of capital or revenue resources (capital receipts, capital grants, revenue contributions etc.), which has no resultant impact on the Council's borrowing need; or
 - If insufficient financing is available, or a decision is taken not to apply resources, the capital expenditure will give rise to a borrowing need.
7. The actual capital expenditure forms one of the required prudential indicators. The table below shows the actual capital expenditure and how this was financed.

Table 1: Capital Programme Financing 2014-15		Outturn 2014/15
		£ 000's
Expenditure		5,719
<i>Financed by :</i>		
Borrowing		2,697
Grants		1,045
Reserves		1,140
Capital Receipts		837
	Total	5,719

The Council's Overall Borrowing Need

8. The Council's underlying need to borrow for capital expenditure is termed the Capital Financing Requirement (CFR). This figure is a gauge of the Council's debt position. The CFR results from the capital activity of the Council and what resources have been used to pay for the capital spend.
9. Part of the Council's treasury activities is to address the funding requirements for the Council's borrowing need. Depending on the capital expenditure programme, the treasury service organises the Council's cash position to ensure sufficient cash is available to meet the capital plans and cash flow requirements. This may be sourced through borrowing from external bodies (such as the Government, through the Public Works Loan Board [PWLB] or the money markets), or utilising temporary cash resources within the Council.

10. The Council's underlying borrowing need (CFR) is not allowed to rise indefinitely. Statutory controls are in place to ensure that capital assets are broadly charged to revenue over the life of the asset. The Council is required to make an annual revenue charge, called the Minimum Revenue Provision – MRP, to reduce the CFR. This is effectively a repayment of the borrowing need. This differs from the treasury management arrangements which ensure that cash is available to meet capital commitments. External debt can also be borrowed or repaid at any time, but this does not change the CFR.
11. The total CFR can also be reduced by:
- the application of additional capital financing resources (such as unapplied capital receipts); or
 - charging more than the statutory revenue charge (MRP) each year through a Voluntary Revenue Provision (VRP).
12. The Council's 2014/15 MRP Policy (as required by CLG Guidance) was approved as part of the Treasury Management Strategy Report for 2014/15 by Council on the 19/02/2014.
13. The Council's CFR for the year is shown below, and represents a key prudential indicator. It includes leasing schemes on the balance sheet, which increase the Council's borrowing need. No borrowing is actually required against this scheme.

Table 2 CFR : General Fund	2013/14	2014/15	2014/15
	Actual	Estimate	Actual
	£000's	£000's	£000's
Opening balance	16,945	16,372	16,372
Add unfinanced capital expenditure	0	2,800	2,697
Less MRP	(503)	(488)	(488)
Less finance lease arrangements	(70)	(9)	(9)
Closing balance	£16,372	£18,675	£18,572

14. Borrowing activity is constrained by prudential indicators for net borrowing and the CFR, and by the authorised limit.
15. The Council's long term borrowing must only be for a capital purpose. This essentially means that the Council is not borrowing to support revenue expenditure. Net borrowing should not therefore, except in the short term, have exceeded the CFR for 2014/15 plus the expected changes to the CFR over 2014/15 and 2015/16 from financing the capital programme. This indicator allows the Council some flexibility to borrow in advance of its immediate capital needs in 2014/15. The table below highlights the Council's gross borrowing position against the CFR, which provides an indication of affordability for the Council. The Council has complied with this prudential indicator.

Table 3 Internal Borrowing Level	2013/14 Actual	2014/15 Estimate	2014/15 Actual
	£000's	£000's	£000's
Capital Financing Requirement	16,372	18,675	18,572
External Borrowing	11,500	14,197	14,197
Net Internal Borrowing	4,872	4,478	4,375

Treasury Position as at 31 March 2015

16. The Council's debt and investment position at the beginning and the end of the year was as follows:

Table 4 Debt	31st March 2014 Principal	Annual Rate	Maturity	31st March 2015 Principal	Annual Rate
PWLB Loan 1	£7.5m	4.80%	2033	£7.5m	4.80%
PWLB Loan 2	£1.0m	2.02%	2016	£1.0m	2.02%
PWLB Loan 3	£1.0m	1.63%	2018	£1.0m	1.63%
PWLB Loan 4			2044	£0.9m	3.78%
PWLB Loan 5			2044	£1.8m	3.78%
	-----			-----	
Fixed Rate Debt	£9.5m			£12.2m	
PWLB Loan 6	£2.0m	0.55% (Variable Rate)	2019	£2.0m	0.56% (Variable Rate)
Total Debt	£11.5m	3.55%		£14.2m	3.59%

Table 5 Investments	31st March 2014 Principal	31st March 2015 Principal
-In-House *	£19.87m	£21.9m
Total Investments*	£19.87m	£21.9m

* excludes deposits held in respect of the Local Authority Mortgage Scheme

Performance Measurement (2014-15)

17. Table 6 below compares the Estimated Interest Payable and Received and associated fees for the year 2014-15.

Table 6	2013 -14 Actual Outturn £000's	2014 -15 Revised Budget £000's	2014 -15 Actual Outturn £000's
Gross Interest Payable	407	450	472
Gross Interest Received	(264)	(218)	(229)
Fees	12	13	13
Other (e.g. PWLB Discount)	(53)	(53)	(53)
Net Cost	102	192	203

18. There is a small variance from the revised budget due to variations between budgeted and actual rates achieved.
19. The net interest on the LAM scheme (as below) is being transferred into the mortgage reserve.

Table 7	2013 -14 Actual Outturn £000's	2014 -15 Revised Budget £000's	2014 -15 Actual Outturn £000's
Gross Interest Payable	36	36	36
Gross Interest Received	(64)	(64)	(64)
Net Surplus	(28)	(28)	(28)

20. The Council's longer term cash balances comprise, primarily, revenue and capital resources, although these will be influenced by cash flow considerations. The Council's core cash resources are detailed below, and were in line with budget expectations.

Table 8 Balance Sheet	31-Mar-14	31 March 2015 (Est)
	£000's	£000's
General Fund Balance	500	500
Earmarked Reserves	10,249	9,675
General Reserves	8,733	8,001
Total	£19,482	£18,176

The Strategy for 2014-15

21. The expectation for interest rates within the strategy for 2014/15 anticipated low but rising Bank Rate (starting in quarter one of 2015), and gradual rises in medium and longer term fixed borrowing rates during 2014/15. Variable, or short-term rates, were expected to be the cheaper form of borrowing over the period. Continued uncertainty in the aftermath of the 2008 financial crisis has promoted a cautious approach, whereby investments decisions are dominated by low counterparty risk considerations, resulting in relatively low returns compared to borrowing rates.
22. In this scenario, the treasury strategy was to postpone borrowing to avoid the cost of holding higher levels of investments and reduce counterparty risk except where contractual arrangements with Amicus Horizon are involved.

The Economy and Interest Rates

23. The original market expectation at the beginning of 2014/15 was for the first increase in Bank Rate to occur in quarter 1 2015 as the unemployment rate had fallen much faster than expected through the Bank of England's initial forward guidance target of 7%. In May, however, the Bank revised its forward guidance. A combination of very weak pay rises and inflation above the rate of pay rises meant that consumer disposable income was still being eroded and in August the Bank halved its forecast for pay inflation in 2014 from 2.5% to 1.25%. Expectations for the first increase in Bank Rate therefore started to recede as growth was still heavily dependent on buoyant consumer demand. During the second half of 2014 financial markets were caught out by a halving of the oil price and the collapse of the peg between the Swiss franc and the euro. Fears also increased considerably that the European central Bank (ECB) was going to do too little too late to ward off the threat of deflation and recession in the Eurozone (EZ). In mid-October, financial markets had a major panic for about a week. By the end of 2014, it was clear that inflation in the UK was going to head towards zero in 2015 and possibly even turn negative. In turn, this made it clear that the MPC would have great difficulty in starting to raise Bank Rate in 2015 while inflation was around zero and so market expectations for the first increase receded back to around quarter 1 of 2016.
24. Gilt yields were on a falling trend for much of the last eight months of 2014/15 but were then pulled in different directions by increasing fears after the anti-austerity parties won power in Greece in January; developments since then have increased fears that Greece could be heading for an exit from the euro. While the direct

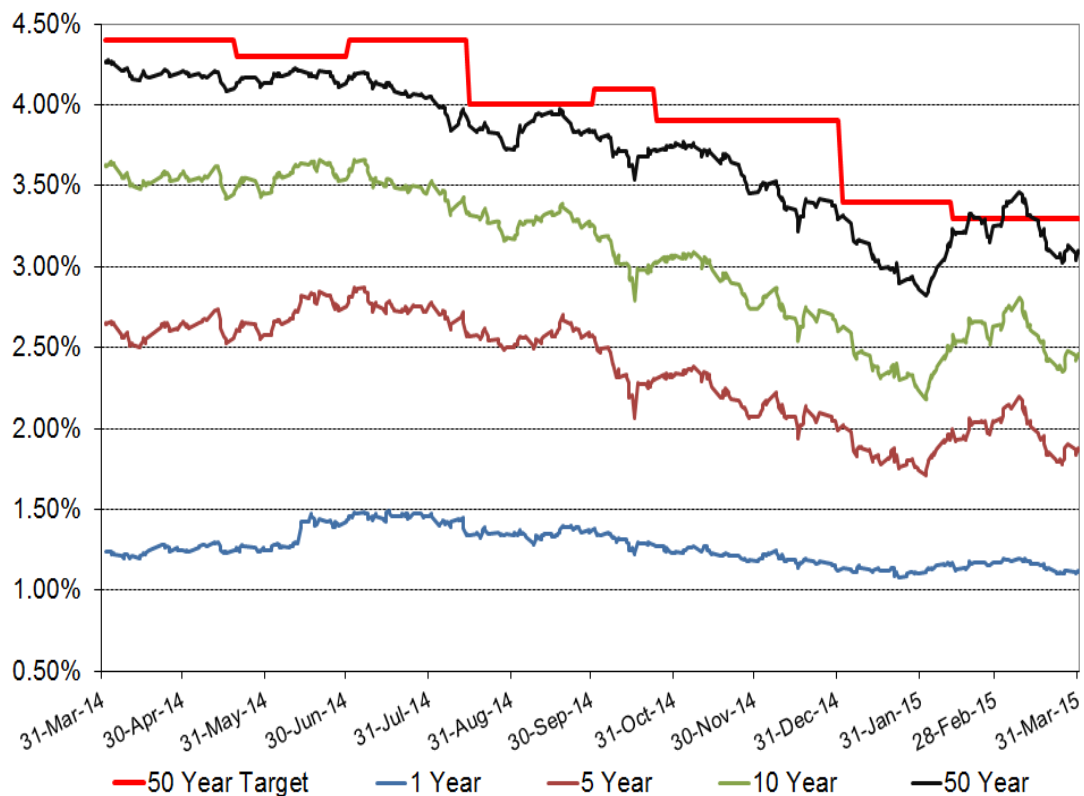
effects of this would be manageable by the EU and ECB, it is very hard to quantify quite what the potential knock on effects would be on other countries in the Eurozone once the so called impossibility of a country leaving the EZ had been disproved. Another downward pressure on gilt yields was the announcement in January that the ECB would start a major programme of quantitative easing, purchasing EZ government and other debt in March. On the other hand, strong growth in the US caused an increase in confidence that the US was well on the way to making a full recovery from the financial crash and would be the first country to start increasing its central rate, probably by the end of 2015. The UK would be closely following it due to strong growth over both 2013 and 2014 and good prospects for a continuation into 2015 and beyond. However, there was also an increase in concerns around political risk from the general election due in May 2015.

25. The Funding for Lending Scheme, announced in July 2012, resulted in a flood of cheap credit being made available to banks which then resulted in money market investment rates falling drastically in the second half of that year and continuing throughout 2014/15.
26. The UK coalition Government maintained its tight fiscal policy stance but recent strong economic growth and falling gilt yields led to a reduction in the forecasts for total borrowing in the March budget.
27. The EU sovereign debt crisis had subsided since 2012 until the Greek election in January 2015 sparked a resurgence of fears. While the UK and its banking system has little direct exposure to Greece, it is much more difficult to quantify quite what effects there would be if contagion from a Greek exit from the euro were to severely impact other major countries in the EZ and cause major damage to their banks.

Borrowing Rates in 2014-15

28. PWLB borrowing rates - the graphs and table for PWLB maturity rates below show, for a selection of maturity periods, the high and low points in rates, the average rates, spreads and individual rates at the start and the end of the financial year.

Table 9: PWLB rates



PWLB certainty rates quarter ended 31.3.2015

	1 Year	5 Year	10 Year	25 Year	50 Year
1/4/14	1.24%	2.65%	3.63%	4.29%	4.27%
31/3/15	1.11%	1.86%	2.45%	3.11%	3.08%
Low	1.08%	1.71%	2.18%	2.85%	2.82%
Date	23/01/2015	02/02/2015	02/02/2015	02/02/2015	02/02/2015
High	1.49%	2.87%	3.66%	4.30%	4.28%
Date	16/07/2014	03/07/2014	20/06/2014	03/04/2014	02/04/2014
Average	1.27%	2.36%	3.08%	3.74%	3.72%

29. The table above highlights the fluctuation in borrowing rates throughout the year for different borrowing periods (in years). Members would be able to scrutinise the timing of any borrowing decisions with this information.

Borrowing Outturn for 2014/15

30. The additional long term borrowing that was undertaken in 2014/15 was in respect of the Coastal Communities project but was at a reduced amount of £2,697m for 38 properties where £3.6m as originally budgeted for 51 properties.

Debt Rescheduling

31. The Council examined the potential for making premature debt repayments in order to reduce borrowing costs as well as reducing counterparty risk by reducing investment balances. No rescheduling was undertaken during the year as the differential between PWLB new borrowing rates and premature repayment rates made rescheduling unviable.

Compliance with Treasury Limits

32. During the financial year the Council operated within the treasury limits and Prudential Indicators set out in the Council's annual Treasury Strategy Statement. The outturn for the Prudential Indicators is shown in Appendix 1.

Investment Rates in 2014-15

33. Investment rates available in the market have continued at historically low levels and have fallen further during the last year. The funds invested during the year were often available on a temporary basis, and the level of funds available was mainly dependent on the timing of precept payments, receipt of grants and progress on the capital programme. The Council holds approximately £15m core cash balances for investment purposes (i.e. funds available for more than one year).
34. The table below shows the bank base rate and the PWLB rates forecasts.

	Mar-14	Jun-14	Sep-14	Dec-14	Mar-15	Jun-15	Sep-15	Dec-15	Mar-16	Jun-16	Sep-16	Dec-16	Mar-17
Bank rate	0.50%	0.50%	0.50%	0.50%	0.50%	0.50%	0.50%	0.75%	0.75%	1.00%	1.25%	1.50%	1.75%
5yr PWLB rate	2.60%	2.60%	2.70%	2.80%	2.90%	2.90%	3.00%	3.10%	3.20%	3.20%	3.30%	3.40%	3.50%
10yr PWLB rate	3.70%	3.70%	3.80%	3.80%	3.90%	3.90%	4.00%	4.10%	4.20%	4.30%	4.40%	4.50%	4.50%
25yr PWLB rate	4.40%	4.40%	4.50%	4.60%	4.70%	4.70%	4.80%	4.90%	5.00%	5.00%	5.10%	5.10%	5.10%
50yr PWLB rate	4.40%	4.50%	4.50%	4.60%	4.70%	4.80%	4.90%	5.00%	5.10%	5.10%	5.10%	5.20%	5.20%

Capita Asset Services undertook a review of its interest rate forecasts in February 2014. This forecast now includes a first increase in Bank Rate in quarter four of 2015 (previously quarter two of 2016), and reflects greater caution as to the speed with which the MPC will start increasing Bank Rate.

Investment Strategy

35. The strategy has not changed during the year, other than Investment returns being lower and for a longer period than previously anticipated, although a base rate rise looks more likely in late 2015 or early 2016.

Investment Outturn for 2014-15

36. Investments held by the Council - the Council maintained an average balance in the year of £23m. The average rate of return for the year was 0.66% (0.86% including LAMS scheme deposits). The comparable performance indicator is the average 7-day LIBID rate (un-compounded), which was 0.354%.
37. The table below provides a snapshot of the investments held at 31 March 2015.

Table 12: Counter Party	Rate / Return	Start Date	End Date	Principal	Term
Barclays	0.65%			£1.91m	Call account
Nordea Bank	0.60%	01/10/2014	01/04/2015	£5m	Certificate of Deposit
Standard chartered	0.65%	01/10/2014	01/04/2015	£5m	Certificate of Deposit
Lloyds	0.95%	11/04/2014	11/04/2016	£5m	Fixed Term Deposit
RBS - NatWest	0.60%	21/08/2013		£5m	Call account
RBS - NatWest	0.25%	21/08/2013		£0.03m	Call account
				£21.94M	

The above table excludes two £1million deposits that are held with Lloyds bank as part of the Local Authority Mortgage scheme; the deposits are held for periods of 5 years.

38. No institutions in which investments were made during 2014/15 had any difficulty in repaying investments and interest in full during the year.

Financial Implications

39. The security of the Council's monies remains the top priority within the strategy. The past year has seen the continuing historically low level of interest rates available to investors. There has been some new borrowing, of which £1,788,235 represents a loan made to Amicus Horizon.

The net position once borrowing costs and investment interest are considered is a net increase in costs from £102,000 in 2013/14 to £203,000 in 2014/15. This is partly the result of the reprofiling of the lending to and grant payment to Amicus Horizon as part of the Coastal Space initiative, but also a reduction in the investment interest being received. The figures are in line with budget expectations.

Wards Affected

Ashdown, Baird, Braybrooke, Castle, Central St. Leonards, Conquest, Gensing, Hollington, Maze Hill, Old Hastings, Ore, Silverhill, St. Helens, Tressell, West St. Leonards, Wishing Tree

Area(s) Affected

Central Hastings, East Hastings, North St. Leonards, South St. Leonards

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	Yes
Human Rights Act	No
Organisational Consequences	No
Local People's Views	No

Background Information

Treasury Management and Annual Investment Strategy 2014/15, Cabinet, 17 February 2014

CIPFA - Treasury Management Code of Practice (revised 2009)

CIPFA - The Prudential Code (revised 2009)

Officer to Contact

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Appendix 1: Prudential Indicators

PRUDENTIAL INDICATOR	2013/14	2014/15	2015/16	2016/17	2017/18
(2). TREASURY MANAGEMENT PRUDENTIAL INDICATORS	£'000	£'000	£'000	£'000	£'000
Authorised Limit for external debt -					
borrowing	£20,000	£20,000	£20,000	£20,000	£20,000
other long term liabilities	£10,000	£10,000	£10,000	£10,000	£10,000
TOTAL	£30,000	£30,000	£30,000	£30,000	£30,000
Operational Boundary for external debt -					
borrowing	£20,000	£20,000	£20,000	£20,000	£20,000
other long term liabilities	£10,000	£10,000	£10,000	£10,000	£10,000
TOTAL	£30,000	£30,000	£30,000	£30,000	£30,000
Upper limit for fixed interest rate exposure					
Net principal re fixed rate borrowing / investments OR:-	100 %	100 %	100 %	100 %	100 %
Upper limit for variable rate exposure					
Net principal re variable rate borrowing / investments OR:-	100 %	100 %	100 %	100 %	100 %
Upper limit for total principal sums invested for over 364 days – LAMS Scheme and Coastal Space	£5,620	£5,620	£6,000	£6,000	£6,000
Maturity structure of fixed rate borrowing during 2013/14				upper limit	lower limit
under 12 months				100%	0%
12 months and within 24 months				100%	0%
24 months and within 5 years				100%	0%
5 years and within 10 years				100%	0%
10 years and above				100%	0%

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Agenda Item 13



Report to: Cabinet

Date of Meeting: 6 July 2015

Report Title: EU Funding Project approval (SHINE)

Report By: Andrew Palmer
Assistant Director Housing and Built Environment

Purpose of Report

To seek approval for delegated authority to be given to the Director of Operational Services and the Deputy Leader of the Council and Housing, Communications and Equalities Portfolio Holder, to sign a Letter of Support agreeing to enter into a Partnership Agreement to support the EU Funded SHINE (Sustainable Houses in Inclusive Neighbourhoods) project and deliver the associated outcomes.

Recommendation(s)

1. To give delegated authority to the Director of Operational Services and the Deputy Leader of the Council and Housing, Communications and Equalities Portfolio Holder, to sign a letter of support agreeing to enter into a partnership agreement on the EU funded SHINE cooperation project and deliver the associated outcomes.

Reasons for Recommendations

HBC's involvement in this project will see a total investment of £2.068m (Euro 2.87m) to the town. The funding will be used to support various capital and revenue projects in St Leonards. It will help to reduce carbon emissions from properties and improve the housing conditions of residents living in the some of the worst properties in the town. The initiative will also help alleviate fuel poverty.

The funding application is in partnership with AmicusHorizon and Energise Sussex Coast with HBC co-ordinating the partner activities in Hastings as well as the UK.

Background

1. Sustainable Houses in an Inclusive Neighbourhood (SHINE) is an EU interreg 2 Seas cooperation project that was greenlit at first stage application in May 2015 and is now being progressed for full application submission by 13 July 2015.

2. If approved in autumn 2015, it will be a 4 year project (Jan 2016 – Dec 2019), involving 13 partners across the Members States of UK, Belgium, Netherlands and France.
3. There are 4 UK partners proposed: Hastings Borough Council, AmicusHorizon, Energise Sussex Coast and Brighton & Hove City Council.
4. The Hastings activity under the project will be jointly undertaken by the Council, AmicusHorizon and Energise Sussex Coast.
5. The total 4 year budget for each of the Hastings partners are as follows (euros):

HBC: Euro 370,164 (£266.5K)

AmicusHorizon: Euro 1,818,949 (£1.31m)

Energise Sussex Coast: Euro 682,840 (£491.6K)

Total: Euro 2,871,953 (£2.068m)

6. The project cost for Hastings Borough Council is approximately £266,518 (.72 conversion rate), with £159,910 coming from the EU grant (60%) and the remaining 40% (£106,607) from a mix of cash and staff match (£20,000 cash and £86,607(over 4 years) from staff match).
7. Hastings Borough Council proposes to lead the activity of the UK partners and the budget allows for the employment of a 0.5 FTE Officer during the duration of the project.
8. Some of the key activities of Hastings partners are as follows:
 - 15 complete refurbished homes in the Coastal Space area to the 'Nearly Zero Emissions' standards (AmicusHorizon)
 - 140 improved in energy efficient home in the St Leonards part of the town (AmicusHorizon)
 - 600 houses (St Leonards): provide energy advice and install 500 energy kit (€561) and 100 smart meters, real time monitoring system (ESC)
 - 16 volunteers trained to provide energy advice and follow on action (ESC)
 - UK Lead Partner work (HBC)
 - Hastings Lead Partner work (HBC)
 - Stock Condition Survey and technical analysis of houses (HBC)
 - Guiding renovations with AmicusHorizon (HBC)
 - Guiding renovation private owners (HBC & ESC)
 - Establishing need-driven local networks (HBC)

Policy implications

9. Equalities and Community Cohesiveness:
 - a. SHINE directly addresses fuel poverty issues.
10. Environmental issues:
 - b. SHINE will directly reduce the CO2 emissions of the area.
11. Economic/Financial Implications:
 - c. Council spend on this project initiative will leverage in additional funding (60% intervention).
 - d. Additional resources needed for project coordination and administration has been included in the full application budget.

- e. 60% of the cost of permanent staff time assigned to this project will be reclaimable.
- f. Given the grant payment will be in Euros there is an exchange rate risk (project loss or gain) but the exchange used represents the current position.
- g. The permanent staff resource assigned across the project term of 4 years is sufficiently small therefore minimising the risks attached to permanent staff reductions over this period.

12. Organisational Consequences:

- h. Provision has been allowed for an external funded position to coordinate the main activities of this project.
- i. Some permanent administration staff time including finance and legal will be needed for this project and these costs including overheads are in the application budget.

13. Poverty Implications:

- j. SHINE will directly help reduce fuel poverty.

Wards Affected

Central St Leonards, Gensing, West St Leonards and Maze Hill

Policy Implications

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

Equalities and Community Cohesiveness	X
Crime and Fear of Crime (Section 17)	
Risk Management	
Environmental Issues	X
Economic/Financial Implications	X
Human Rights Act	
Organisational Consequences	X
Local People's Views	
Anti-Poverty	X

Additional Information

N/A

Officer to Contact

Pranesh Datta
 Regeneration Manager
 01424 451784

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23 MARCH 2015

Present: Councillors Hodges (Chair), Forward, Cartwright. Also in attendance Mr Chris May, The Protector.

28. APOLOGIES FOR ABSENCE

Apologies for absence were received from Monica Adams-Acton and Andrew Colquhoun.

29. DECLARATIONS OF INTEREST

There were no declarations of interest made at this meeting.

30. MINUTES OF THE MEETING HELD ON 8 DECEMBER 2014

RESOLVED – that the minutes of the meeting held on 8 December be approved and signed by the Chair as a correct record.

31. NOTIFICATION OF ANY ADDITIONAL URGENT ITEMS

None.

32. FORESHORE TRUST EVENTS GRANTS RECOMMENDATIONS 2015/16

The Regeneration Manager presented the report of the Head of Regeneration and Planning Policy to introduce the recommendations of the Grant Advisory Panel (GAP) in respect of the applications for Events Grants 2015-16.

Consideration was given to the applications for funding recommended for support by the Grant Advisory Panel (GAP).

There was an error in the wording of the report, paragraph 5, the word 'twelve', was corrected to the word 'nine'. The Neighbourhood Manager confirmed that twelve applications for funding had been received, of which GAP had recommended nine for grant support.

The report also proposed that a further £3,315 from the unspent event grants budget for 2015/16 be added to the Small Grants Programme due to be launched in April 2015.

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

RESOLVED (unanimously) that the Charity Committee:

- 1) Accept the events grants recommendations of the GAP as set out in the report by Andrew Colquhoun (Appendix 1) to award the events grants to the organisations as shown in Appendix A and that the remaining un-allocated balance be added to the Foreshore Trust Small Grants Programme due to be launched in April 2015.**

CHARITY COMMITTEE

23 MARCH 2015

The reason for this decision was:

The Grant Advisory Panel has appraised the merits of the applications received for events grant support and has made a number of recommendations for grant awards that can be funded from the 2015 – 16 budgets. These were rigorously assessed with detailed discussion on each application at the GAP meeting on 10th February 2015.

33. FORESHORE TRUST 2015/16 BUDGET AND FINANCIAL REPORT

The Head of Finance presented a report to advise Members of the financial position of the Trust for the current financial year.

In March 2014, the Trust had agreed its budget for 2014/15, with a projected surplus of £250k. Due to additional expenditure in respect of the Foreshore, Stade Hall and Open Space and the Multi use Games Area, the surplus was now projected to be £226k.

The report stated that a revision to the business plan had occurred following the expenditure on White Rock Baths moving from 2014/15 to 2015/16 and the Winch Road upgrade had been reprofiled to 2015/16. Furthermore, two new schemes were added to the business plan (i) Resurfacing from Robertson Street to the Pier, and (ii) Landscaping/fountain works. It is expected that both schemes will bring in additional funding. A full report to the committee will be required before proceeding with either scheme. The Head of Finance advised that in determining the budget, car parking charges will increase by 5% as agreed; these charges will be fixed for 2 years.

Although the programmed spend will continue to reduce the cash balances held by the Trust, reserves would continue to be maintained above the minimum level identified in the reserves policy, subject to no unexpected calls on the reserves and no reduction in the expected levels of car parking and fee income.

The report outlined the total income budgeted at £1,136k with expenditure, (excluding capital charges), at £888k – a surplus of £248k for 2015/16. The estimated expenditure in respect of project spend (main programme) is £499k. The contingency/reserve to remain at £690k.

A copy of the Financial Monitoring Report, Budget and Business Plan had been appended to the report.

Councillor Forward moved approval of the recommendations, as set out in the Head of Finance's report, which was seconded by Councillor Cartwright.

RESOLVED (unanimously) to agree the financial position for 2014/15.

1) To agree the current financial position for 2014/15

2) The allocation of general grants for 2015/16 be set at £50,000 and events grants at £20,000.

CHARITY COMMITTEE

23 MARCH 2015

- 3) Approve the proposed expenditure on schemes funded from Reserves- albeit further Committee approval to proceed is required for a few schemes.
- 4) Approve the budget for 2015/16
- 5) Financial monitoring reports continue to be presented to each meeting of the Charity Committee.

The reasons for this decision was:

The Council has the responsibility for the proper management of the financial affairs of the Trust. In doing so it complies with Accounting Codes of Practice and the high standards required for the accounting of public money.

A surplus in line with budget expectations is anticipated for 2014/15. A similar surplus is budgeted for 2015/16 in respect of ongoing operations. This enables the Committee to establish a prudent level of grant allocations that can be distributed as part of the 2015/16 budget process.

The programmed use of reserves has been determined in accordance with the agreed business plan.

34. **MINUTES OF THE MEETING OF THE COASTAL USERS GROUP HELD ON 3 MARCH 2015**

The extract of Foreshore Trust items from the minutes of the Coastal Users Group meeting held on 3 March 2015 were submitted. There were no Foreshore Trust items to report.

RESOLVED that the minutes of the meeting of the Coastal Users Group held 3 March 2015 be received and noted.

35. **ADDITIONAL URGENT ITEMS (IF ANY)**

None.

(The Chair declared the meeting closed at. 6.27 pm)

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