



Council Meeting

16 December 2015

HASTINGS BOROUGH COUNCIL

Dear Councillor

You are hereby summoned to attend a meeting of the Hastings Borough Council to be held at the Sussex Hall, White Rock Theatre, White Rock, Hastings, TN34 1JX, on Wednesday, 16th December, 2015 at 6.00 pm at which meeting the business specified below is proposed to be transacted.

Yours sincerely,

Chief Legal Officer

Aquila House
Breeds Place
Hastings

8 December 2015

AGENDA

1. Apologies for Absence
2. To approve as a correct record the minutes of the Council meeting held on 21 October 2015 and the extraordinary Council meeting held on 25 November 2015
3. Declarations of Interest
4. Announcements from the Mayor and Leader
5. Questions (if any) from: -
 - (a) Members of the public under Rule 11
 - (b) Councillors under Rule 12
6. Motion (Rule 14)
Councillor Forward to move, seconded by Councillor Chowney that:

This council agrees that:

- the Housing and Planning Bill is currently being debated in Parliament, and if passed would threaten the provision of affordable homes for rent and buy through:
 - forcing 'high-value' council homes to be sold on the open market;
 - extending the right-to-buy to housing association tenants; and
 - undermining section 106 requirements on private developers to provide affordable homes;
- there is no commitment in the Bill that affordable homes will be replaced like-for-like in the local area;
- whilst measures to help first-time buyers are welcome, the 'starter homes' proposals in the Bill will be unaffordable to families and young people on ordinary incomes in most parts of the country; will not preserve the taxpayer investment; and will be built at the expense of genuinely-affordable homes to rent and buy;
- the Bill undermines localism by taking 32 new wide and open-ended powers for the Secretary over councils and local communities, including the ability to override local plans, to mandate rents for social tenants, and to impose a levy on stock-holding councils, violating the terms of the housing revenue account self-financing deal;
- the Bill, whilst introducing some welcome measures to get to grips with rogue landlords, does not help with the high rents, poor conditions and insecurity affecting many of England's 11 million private renters – including one in four families with children – and does nothing to help arrest the recent rise in homelessness.

This council resolves to:

- analyse and report on the likely impact of the forced sale of social housing in Hastings, the extension of right-to-buy and the 'starter homes' requirement on the local availability of affordable homes;
- use this information to:

- support the Leader of the Council in writing to the local MP and the Secretary of State with our concerns about the Bill;
- make public our concerns, including by publishing the above information on the council's website and through the local press.

7. Membership of Committees

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

8. Reports of Committees

- (a) To resolve that the public be excluded from the meeting during the discussion of any items considered while the public were excluded by the relevant committee because it is likely that if members of the public were present there would be disclosure to them of "exempt" information as defined in the respective paragraphs of Schedule 12A to the Local government Act 1972 referred to in the minutes of the relevant committee
- (b) To receive and consider the recommendations and any decisions of the following committees: -

Minute No.	Subject	Cabinet Member / Chair
CABINET – 2 November 2015		
18	Management Response to the Overview and Scrutiny Review of the Council's Role in Raising Educational Achievement in Hastings and Educational Outcomes for the Town's Children and Young People	Forward
19	EU Funding Project Approval – Climate Active Neighbourhoods (CAN)	Forward
20 (C)	Treasury Management – Mid Year Report 2015/16	Chowney
21 (C)	Council Tax Support Scheme	Chowney
22	Medium Term Financial Strategy	Chowney
23	Former Bathing Pool Site at West Marina	Chowney
24	Hastings and Rother Community Led Local Development	Chowney
CABINET – 7 December 2015		
30 (C)	Review of Gambling Policy	Davies

31 (C)	Review of Licensing Policy	Davies
32 (C)	Hastings Local Plan – Retention of Employment Land and Premises Supplementary Planning Document (SPD)	Poole
33 (C)	Hastings Local Plan – Visitor Accommodation Supplementary Planning Document (SPD)	Poole
34	East Sussex County Council Waste and Minerals Site Plan – Proposed Submission Draft	Poole
35	New Factory Unit	Chowney
36 (E)	New Factory Unit	Chowney

(C) – Council Decision

(E) – Exempt

Notes:

- (1) The Mayor will call over the minutes and members will rise and indicate those items which they wish to have discussed
- (2) No discussion shall take place at this stage upon any part II minute covered by the resolution 8 (a) above. Any such discussion shall be deferred until item 9 on the agenda.

PART II

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

Note: Nothing contained in this agenda or in the attached reports and minutes of committees constitutes an offer or acceptance of an offer or an undertaking or contract by the Borough Council

Agenda Item 2 Public Document Pack

FULL COUNCIL

21 OCTOBER 2015

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

Apologies for absence were noted for Councillor Poole, Pragnell, Westley and Edwards. Apologies for lateness were noted from Councillor Cooke.

11. TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE COUNCIL MEETING HELD ON 22 JULY 2015 AND THE EXTRAORDINARY COUNCIL MEETING HELD ON 23 SEPTEMBER 2015

RESOLVED – that the minutes of the Council meeting held on 22 July 2015 and the extraordinary Council meeting held on 23 September 2015 be signed by the Mayor as a correct record of the proceedings

12. DECLARATIONS OF INTEREST

The following Councillors declared their interest in the minutes indicated:

Councillor	Committee	Minute	Interest
Cartwright	Full Council, 21 October 2015	14 – Motion (Rule 14)	Personal – he is a member of the GMB union
Chowney	Full Council, 21 October 2015	14 – Motion (Rule 14)	Personal – he is a member of a trade union
Clarke	Full Council, 21 October 2015	14 – Motion (Rule 14)	Personal – he has been a member of a trade union
Davies	Full Council, 21 October 2015	14 – Motion (Rule 14)	Personal – he is a member of Unite and the National Union of Teachers
Fitzgerald	Full Council, 21 October 2015	14 – Motion (Rule 14)	Personal – he is a member of Unison
Hodges	Full Council, 21 October 2015	14 – Motion (Rule 14)	Personal – he is a member of Unite
Roberts	Full Council, 21 October 2015	14 – Motion (Rule 14)	Personal – he is a member of a trade union
Scott	Full Council, 21	14 – Motion (Rule	Personal – he is

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	October 2015	14)	a member of a trade union
Street	Full Council, 21 October 2015	14 – Motion (Rule 14)	Personal – he is a member of a trade union
Turner	Full Council, 21 October 2015	14 – Motion (Rule 14)	Personal – he is a member of a trade union
Wincott	Full Council, 21 October 2015	14 – Motion (Rule 14)	Personal – he is a member of a trade union

In relation to minute number 14, it was noted that all members of the Labour group are, or have been, a member of a Trade Union.

13. QUESTIONS FROM COUNCILLORS UNDER RULE 12

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

Questioner and Councillor	Subject	Reply Given By Councillor
Atkins	<p><u>Quarterly Targets for Social Lettings Agency</u> at a recent Overview and Scrutiny Committee meeting members were advised that quarterly performance monitoring information would not be made available for the social lettings agency pilot. However, appendix 3 of the report to Cabinet states that this information would be made available? Were Cabinet members misled on this matter?</p> <p>Councillor Forward replied that Cabinet members were not misled on this matter and that the social lettings agency pilot is subject to regular review. A target figure for the number of properties the council intended to acquire by the end of the pilot had been set. The council had recently received additional enquiries from landlords looking to participate in the scheme, and efforts would continue to generate interest in the initiative. Indeed, the social lettings agency would be the subject of a news item for Radio Sussex. Councillor Forward agreed to schedule a meeting with Councillor Atkins and the relevant officers to discuss this matter further.</p>	Forward
Street	<u>Hastings Country Park</u> there has been lots of coverage in the media about the clearance of	Davies

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	<p>gorse at Hastings Country Park. Will the lead member explain what is going on at the country park and why?</p> <p>Councillor Davies explained that the clearance of gorse was part of the council's Higher Level Countryside Stewardship Agreement for Hastings Country Park. The council had taken advice on measures to create a more diverse coastal habitat. Following concerns raised by the local community, the council's contractor had moved away from burning the gorse to chipping the plants and recycling them in the country park. Councillor Turner had previously identified some health and safety issues with the works, which have since been addressed.</p>	
Lee	<p><u>Visitor numbers at the White Rock Theatre</u> the target for visitor to numbers to the White Rock Theatre was not increased this year. Will the lead member confirm how the council plans to increase visitor numbers to the theatre?</p> <p>Councillor Chowney responded that these activities were the responsibility of the contractor who operated the theatre on behalf of the council. The council did not receive an increase in revenue if visitor numbers to the theatre increased. In the long term, the council was considering options for the wider regeneration of the White Rock area. This may include the creation of a new entertainment venue with improved facilities.</p>	Chowney
Charlesworth	<p><u>Regeneration of White Rock and Summerfields</u> will the lead member provide an assurance that all existing users of the land at White Rock and Summerfields will be consulted on any future plans for the regeneration of the area?</p> <p>Councillor Chowney confirmed that any specific plans for the regeneration of this area would be subject to a thorough public consultation, which would include all existing users of the sites affected. A working group of stakeholders had been set up to consider the potential long term use of the area.</p>	Chowney
Clarke	<p><u>Communication with local businesses</u> how does the council communicate with local employers and what can be done to support this in the future?</p> <p>Councillor Chowney replied that the council was in regular contact with local employers, mainly through the work of the regeneration team. The</p>	Chowney

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	<p>council was also a member of Locate East Sussex, which encouraged business to relocate to the area. SeaChange Sussex had also recently developed new office space in the town centre, as well as new out of town facilities at Queensway Business Park North and South. Initiatives had also been developed to support particular sectors of industry, such as the Tech66 group which worked closely with businesses in the vacuum technology and photonics industry. Councillor Chowney welcomed suggestions from members on how the council could continue to proactively engage with the business community in the future.</p>	
Turner	<p><u>Feed-in Tariff</u> does the Leader of the Council agree that recent reductions to the feed-in tariff will reduce the production of electricity from renewable sources and increase the risk of fuel poverty, will he also raise this matter with the local Member of Parliament? Councillor Chowney noted that there had been a reduction of 87% to the feed in tariff, which may result in the loss of jobs in the renewable energy sector. The reduction may deter businesses and residents from installing solar panels on their premises. Councillor Chowney agreed to raise this matter with the local Member of Parliament, as he did not believe the policy supported the development of renewable energy sources.</p>	Chowney
Dowling	<p><u>Hastings Youth Council</u> will the Leader of the Council join with her in supporting Hastings Youth Council's recent campaign to raise awareness of mental health issues? Councillor Chowney congratulated Hastings Youth Council on their excellent campaign to address the important, but often over-looked, issue of mental health. He added that mental health issues were often linked to other problems such as homelessness and problem-drinking and it was therefore essential that campaigns such as this were supported.</p>	Chowney
Batsford	<p><u>Number 7 Bus Route</u> will the lead member join with him in congratulating residents in St Helens ward and users of the number 7 bus in securing a rescheduled service, which takes better account of the needs of users? Councillor Davies congratulated the residents and users, as well as the local borough and county councillors in securing the improved</p>	Davies

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	service.	
Beaver	<p><u>Parking spaces on Bexhill Road</u> the new bus lane on Bexhill Road, which will be introduced when the link road is opened, will result in the loss of parking spaces on Bexhill Road causing disruption for residents and business in that area. Will the Leader of the Council raise this matter with East Sussex County Council and ask them to reinstate extra parking spaces? Councillor Chowney agreed to raise this matter with East Sussex County Council, but requested further details from Councillor Beaver before doing so.</p>	Chowney
Sabetian	<p><u>Review of Council Tax Liabilities for Caravans</u> will the Leader of the Council advise of the outcome of a recent review of council tax liabilities in respect of caravans? Councillor Chowney advised that Hastings Borough Council and Rother District Council had recently undertaken a review of council tax liabilities in respect of caravans. The review found that an additional 27 caravans were eligible to pay council tax, which would result in an increase in revenue of up to £30,000.</p>	Chowney

14. MOTION (RULE 14)

Councillor Chowney proposed approval of a motion, as set out in the resolution below, which was seconded by Councillor Forward.

RESOLVED (by 21 votes for, to 6 against) that as a major employer in the local area, this council welcomes the positive benefits that arise from the relationship that we have with recognised trade unions, and seeks to encourage trade union membership in its own workforce, as well as promoting the benefits of trade union membership in the town as a whole. However, the council notes that the Trade Union Bill 2015 and associated secondary legislation, if enacted, would:

- **Allow agency labour to be used to substitute for striking workers (currently outlawed);**
- **Introduce very high thresholds for industrial ballots, with an extra threshold in certain public services, without doing anything to improve the ability of workers to participate in ballots;**
- **Severely restrict the right to picket and peacefully protest, including organising campaigns through social media;**
- **Potentially reduce trade union facility time and withdraw check off union contributions in the council and other employers in Hastings;**
- **Require union members to ‘contract in’ to their union’s Political Fund every 5 years.**

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This council believes that the relationship between employers and their employees in Hastings through their collective representatives would be damaged by the above proposals and calls on the government to scrap the Trade Union Bill and all associated secondary legislation.

We instruct the Leader of the Council to write to the Secretary of State for Business, Innovation and Skills stating the council's opposition to the Bill and requesting that government scrap the proposed legislation.

15. MOTION (RULE 14)

Councillor Cooke proposed a motion, seconded by Councillor Lee, as follows:-

"Hastings Borough Council:

1. Welcomes "The Bee Cause" initiative promoted by Friends of the Earth, and supports the principles contained within it of:
 - a) Creating a bee-friendly habitat or installing bee hotels
 - b) Passing a motion or adopting policy to protect bees
 - c) Adopting planning policy to protect or create habitat
 - d) Reviewing pesticide use
 - e) Encouraging businesses and community groups to take action for bees
2. Welcomes the government's publication of The National Pollinator Strategy as a major step forward in raising the profile of this important issue
3. Commits to using both its influence and its direct action, wherever reasonably practical, to create, protect, and encourage bee-friendly environments, starting its renewed commitment by preparing and creating a new, pollinator-friendly flower bed in the Alexandra Park this year"

Councillor Howard proposed an amendment to the motion, seconded by Councillor Roberts, as follows: -

"4. Condemns the government for overruling the EU ban on neonicotinoid pesticides, which are known to be a major cause of bee deaths, and calls on them to reinstate the ban when it's reviewed in December"

The amendment was accepted by the proposer of the original motion.

RESOLVED (unanimously) that: -

Hastings Borough Council:

1. **Welcomes "The Bee Cause" initiative promoted by Friends of the Earth, and supports the principles contained within it of:**
 - a) **Creating a bee-friendly habitat or installing bee hotels**
 - b) **Passing a motion or adopting policy to protect bees**
 - c) **Adopting planning policy to protect or create habitat**
 - d) **Reviewing pesticide use**

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- e) **Encouraging businesses and community groups to take action for bees**
2. **Welcomes the government's publication of The National Pollinator Strategy as a major step forward in raising the profile of this important issue**
 3. **Commits to using both its influence and its direct action, wherever reasonably practical, to create, protect, and encourage bee-friendly environments, starting its renewed commitment by preparing and creating a new, pollinator-friendly flower bed in the Alexandra Park this year**
 4. **Condemns the government for overruling the EU ban on neonicotinoid pesticides, which are known to be a major cause of bee deaths, and calls on them to reinstate the ban when it's reviewed in December**

16. MEMBERSHIP OF COMMITTEES

Councillor Chowney proposed a motion in respect of the membership of committees, as set out in the resolution below.

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

- 1) **Councillor Terri Dowling be appointed to Museums Committee, in place of Councillor Charman**

Councillor Atkins proposed a motion in respect of the membership of committees, as set out in the resolution below.

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

- 1) **That Councillor Clarke be appointed to the vacant seat on Museums Committee**

Councillor Atkins also announced that Councillor Charlesworth had resigned from the Hastings Open Bowls Tournament Committee, as she was no longer able to access the bowls pavilion.

17. AMENDMENTS TO THE COUNCIL'S CONSTITUTION

The report of the Chief Legal officer on amendments to the council's constitution was submitted. The council's constitution was the basis for its corporate governance, and it was necessary to update and improve the document on an ongoing basis. Under rule 13.3, the recommendations contained in the report were approved without being called for discussion.

RESOLVED that:

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- 1) Council approve the changes to the council's constitution as set out in appendix 1 of the Chief Legal Officer's report;
- 2) Council approve the changes to part 7 of the council's constitution as set out in appendix 2 of the Chief Legal Officer's report;
- 3) Council approve the changes to part 8 of the council's constitution as set out in appendix 3 of the Chief Legal Officer's report, and;
- 4) Council approve the changes to part 4 of the constitution, officer employment procedure rules provision for the proposed procedures of the Head of Paid Service, the Monitoring Officer and the Chief Finance Officer in appendix 4

The reason for this decision was:

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.

18. REPORTS OF COMMITTEES

The Mayor called over the minute set out in the agenda; however, the item was not reserved for discussion. Therefore, as minute 14 of the Cabinet meeting held on 7 September 2015 did not relate to a matter for Council decision, the recommendations were received.

(The Mayor declared the meeting closed at. 7.54 pm)

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FULL COUNCIL

25 NOVEMBER 2015

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

Apologies for absence were noted for Councillors Clark, Charman and Fitzgerald

19. DECLARATIONS OF INTEREST

The Mayor acknowledged that all members had some kind of interest in this matter.

20. TO APPROVE MINUTE 27 OF THE CABINET MEETING HELD ON 16 NOVEMBER 2015 IN RESPECT OF THE SECOND PHASE OF THE BOUNDARY REVIEW

The Mayor proposed that the council proceed as if in committee during the debate on this item, except for when a vote took place, when the meeting returned to Full Council.

The Mayor referred members to minute 27 of the Cabinet meeting held on 16 November 2015, when the report of the Director of Corporate Services and Governance on the second phase of the boundary review had been considered.

The Sustainability Policy Officer gave an overview of the review process. The Local Government Boundary Commission for England (LGBCE) had instigated an electoral review for East Sussex County Council and the borough and district authorities within the county. The first part of the review considered council size, and on 22 September 2015 the LGBCE confirmed that it had agreed the proposed council size of 32 borough councillors and 8 county councillors, as recommended by Hastings Borough Council.

The second phase of the review was in relation to proposed changes to the warding patterns of the borough ward boundaries. Extensive engagement had been undertaken with all members to produce a series of options for ward area changes, in order to achieve greater electorate equality across the borough. Further alternatives had been put forward for changes in respect of Hollington and Wishing Tree wards and West Leonards and Maze Hill wards. The council was required to submit its recommendations to the LGBCE by 30 November 2015 as part of the first stage of public consultation. The proposed changes agreed by the LGBCE would then be subject to a second stage of public consultation in 2016.

Councillor Cartwright proposed a motion, seconded by Councillor Chowney, in respect of the proposed ward changes where no alternatives had been put forward, as follows;

RESOLVED (unanimously) that the council adopts the options for ward area changes where no alternative proposals have been put forward, as set out in options 32, 84 and 90, 77, 26 and 86, 95 and 99, 64, 70 and 92, 93,

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96, 82 and 88, 78, 60, 94 and 44, 89 and 48 of the Cabinet report of 16 November 2015

Council debated the proposed changes to Hollington and Wishing Tree wards where three alternatives had been put forward. Councillor Cartwright proposed a motion, seconded by Councillor Street, as set out in the resolution below;

RESOLVED (by 21 votes for, 8 against) that the three alternatives presented for Hollington and Wishing Tree wards be submitted to the LGBCE

Council debated the proposed changes for West St Leonards to Maze Hill wards where two alternatives had been put forward. Councillor Cartwright, proposed a motion, seconded by Councillor Rogers, as set out in the resolution below;

RESOLVED (by 21 votes for, 8 against) that alternative 1, option 66 for West St Leonards and Maze Hill wards be recommended to the LGBCE

Councillor Cartwright proposed approval of a further recommendation, seconded by Councillor Street, as set out in the report of the Director of Corporate Services and Governance to Cabinet.

RESOLVED (unanimously) that the Director of Corporate Services and Governance be given delegated authority to finalise and submit the council's response to the LGBCE consultation on warding patterns and to thank officers for their efforts during the review process

The reason for this decision was:

Of the borough's sixteen wards, seven have an electoral inequality of -16% to -24%; the proposed changes to ward boundaries will help to ensure that we have greater electorate equality throughout the borough.

(The Mayor declared the meeting closed at. 5.21 pm)

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CABINET

2 NOVEMBER 2015

Present: Councillors Chowney (Chair), Forward, Cartwright, Hodges, Poole, Atkins, Cooke and Davies

17. MINUTES OF THE MEETING HELD ON 7 SEPTEMBER 2015

RESOLVED that the minutes of the meeting held on 7 September 2015 be approved and signed by the chair as a correct record

RESOLVED the chair called over the items on the agenda, under rule 13.3 the recommendations set out in minute numbers 19, 20 and 24 were agreed without being called for discussion

MATTERS FOR CABINET DECISION

18. MANAGEMENT RESPONSE TO THE OVERVIEW AND SCRUTINY REVIEW OF THE COUNCIL'S ROLE IN RAISING EDUCATIONAL ACHIEVEMENT IN HASTINGS AND EDUCATIONAL OUTCOMES FOR THE TOWN'S CHILDREN AND YOUNG PEOPLE IN AN ACADEMISED CONTEXT

Councillor Batsford, as chair of the original Overview and Scrutiny review, presented the review team's findings at the meeting. The Director of Corporate Services and Governance then presented a management response to the review team's recommendations.

The Overview and Scrutiny review of the council's role in raising educational achievement in Hastings and educational outcomes for the town's children and young people in an academised context had been undertaken as part of the Overview and Scrutiny work programme for 2014/15.

Councillor Batsford explained that the review had arisen from member's longstanding interest in supporting improvements to educational performance in the town. The review had benefited from input from a variety of key stakeholders from local schools, the education futures trust and the local education authority to provide members with an overview of the current landscape in terms of educational performance. Members had also considered examples of good practice from other areas, to explore ways in which the council could support partnership working between education and non-educational partners to improve educational outcomes.

The review team had recommended the formation of a task and finish group to consider how best to support a creative local partnership between educational and non-educational partners. The Director of Corporate Services and Governance advised that the task and finish group had since met and identified an area of work in respect of the recruitment and retention of high quality staff, which was linked to the perception of Hastings as a place to live and work. Consideration had also been given to exploring funding opportunities to support a piece of work to improve the

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employability of local people. The Leader of the Council commented that the discussion at the task and finish group meeting had been encouraging and it would be necessary to monitor further outcomes as they develop.

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

RESOLVED (unanimously) that: -

- 1) Cabinet thank the scrutiny review team for their report, and;**
- 2) Cabinet approve the recommendations of the scrutiny review team**

The reason for this decision was:

To acknowledge and respond to the recommendations arising from the work undertaken by the scrutiny review team.

19. EU FUNDING PROJECT APPROVAL - CLIMATE ACTIVE NEIGHBOURHOODS (CAN)

The Assistant Director Housing and Built Environment submitted a report which sought 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 enter into a sub-partnership agreement with Amicus Horizon to support the EU funded Climate Active Neighbourhoods (CAN) project.

The CAN project aimed to enable UK partners to meet the new carbon dioxide emission reduction targets by supporting the implementation of technologies to improve energy efficiency in the home, encourage behavioural change to reduce energy consumption and build community resilience to climate change.

Locally, AmicusHorizon will work with Energise Sussex Coast and the council to reduce energy consumption and alleviate fuel poverty in public and private sector housing in Ore, Baird and Tressell. AmicusHorizon will also use the funding to eco-uptlift 100 properties to Energy Performance Certificate C standard. The council will also take a strategic view of engaging the local community through existing structures.

RESOLVED that delegated authority be given to the Director of Operational Services and Deputy leader of the Council, and Housing, Communications and Equalities Portfolio Holder, to sign a sub-partner agreement with Amicus Horizon to deliver the HBC associated activities and outcomes for the CAN (Climate Active Neighbourhoods) EU corporation project

The reason for this decision was:

Hastings Borough Council has led on the development of the project locally which will see a provisional total investment of approximately £845K (Euro 1.183m) to the town. The funding will be used to support various capital and revenue projects in the Ore Valley area. It will help reduce carbon emissions from properties and improve the housing conditions of residents living in both social and private dwellings. The initiative will help alleviate fuel poverty.

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Amicus Horizon is the full partner for the project in Hastings, with Energise Sussex Coast and HBC identified as local sub partners.

MATTERS FOR COUNCIL DECISION

20. TREASURY MANAGEMENT - MID YEAR REPORT 2015/16

The Assistant Director Financial Services and Revenues submitted a report to advise Cabinet of the treasury management activities and performance during the current year.

Treasury management relates to the authority's investments, cash flow, banking, money market and capital transactions. The report provided an update on the economic climate during the first nine months of 2015/16 as well as the council's current treasury position and strategies for borrowing and investment.

The council complied with the requirements of the Chartered Institute for Public Finance and Accountancy's Code of Practice for Treasury Management and carried out a mid-year review each year, to provide members with an opportunity to make recommendations to Full Council to address any issues which may have arisen since the original strategy was approved in February 2015.

Continued low interest rates created challenges in achieving the 0.7% return on investments, estimated in the budget. However, savings from the timing of new borrowing meant that the overall budget predictions for 2015/16 were still achievable.

RESOLVED that: -

- 1) Cabinet recommends to Council that the strategy remains unaltered, and;**
- 2) The report be accepted and it be noted that the investments made are in compliance with the investment strategy and the latest advice provided from the council's treasury management advisers**

The reason for this decision was:

The Code of Practice on Treasury Management requires, as a minimum a mid-year review of Treasury Management Strategy and performance. This is intended to highlight any areas of concern that have arisen since the original strategy was approved (February 2015). It is a requirement of the code of practice that the mid-year review is considered by Cabinet and Full Council.

21. COUNCIL TAX SUPPORT SCHEME

The Revenues and Benefits Service Manager presented a report which proposed changes to the council tax support scheme for Hastings, with effect for 2016/17.

All East Sussex local authorities had worked together to develop a county wide approach to council tax support, the original scheme has remain unchanged since it

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was first adopted in 2013. However, given the continued financial pressures facing the authorities, it was agreed that the present scheme should be reviewed.

Options to amend the present scheme included requiring people to pay a minimum amount of their council tax, a reduction in the capital limit from £16,000 to £6,000 or the assumption of a minimum level of income for anyone who has been self-employed for at least 12 months. Pensioners are still protected under the new scheme, so changes will only apply to working age customers. The potential options had been subject to a public consultation.

Following the public consultation, the four remaining East Sussex authorities intended to amend their support schemes by requiring householders to pay a minimum amount of their council tax. However, given the high levels of deprivation in the town, it was considered that this would not be an appropriate scheme for Hastings. Instead, the report recommended that the Council Tax Support Scheme for Hastings in 2016/17 assumed a minimum level of income for anyone who has been self-employed for at least 12 months. Also appended to the report was a draft exception hardship policy, which was intended to mitigate the impact of the changes to the scheme on vulnerable residents.

Cabinet agreed that it would not be appropriate to proceed with applying a requirement for people to pay a minimum amount of their council tax or amending the capital limit, but requested further time to consider how the assumed minimum level of incomes for anyone who has been self-employed for more than 12 months might be applied to ensure that the changes did not adversely affect vulnerable groups, before the recommendations were considered at the December meeting of Full Council.

Councillor Chowney amended the recommendations of the report, as set out in the resolution below, seconded by Councillor Cartwright, to allow Cabinet members more time to submit their comments on the draft scheme to the Assistant Director of Financial Services and Revenues.

RESOLVED (unanimously) that:

- 1) Cabinet agreed not to proceed with amending the council tax support scheme to include a requirement for householders to pay a minimum amount of their council tax**
- 2) the capital limit should remain at £16,000 and not be reduced to £6,000**
- 3) Cabinet members should submit their comments on the proposed draft scheme, including the proposed amendment to assume a minimum level of income for people who have been self-employed for longer than 12 months, to the Assistant Director Financial Services and Revenues by Friday, 13 November 2015, and;**
- 4) Delegated authority be given to the Assistant Director Financial Services and Revenues, in consultation with the Leader of the Council, to agree any revisions to the draft Hastings Council Tax Reduction Scheme 2015/16 and proposed Exceptional Hardship Policy, before the documents are submitted to Full Council for approval at its meeting on 16 December 2015**

The reason for this decision was:

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The local authority is required to approve a scheme for the provision of council tax support in respect of 2016/17, by 31 January 2016.

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22. MEDIUM TERM FINANCIAL STRATEGY

The Assistant Director Financial Services and Revenues presented a report on the medium term financial strategy. The council forecasted its financial position over the medium term to ensure its resources were aligned with its priorities and objectives and to assist with the budget setting process for future years.

The report gave an overview of the council's income and expenditure, since the budget for 2015/16 was set in February. The Assistant Director for Financial Services and Revenues commented that further significant budget reductions were expected in the years ahead; he also acknowledged further uncertainty regarding business rate appeals, the social lettings agency, licensing, development control income and an outstanding claim in respect of the pier closure. Consequently, it was essential that the council continued to explore options for income generation and to optimise the efficiency of its services. Potential re-occurring savings identified in the medium term financial strategy would be investigated as part of the budget setting process for 2016/17.

It was currently anticipated that there would be a saving against the original budget for 2015/16 as a result of savings made during the year, primarily from the review of the council's senior management structure, which may result in the call on the transition reserve being less than previously expected.

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

RESOLVED (unanimously) that Cabinet approved the Medium Term Financial Strategy

The reason for this decision was:

The council matched its available resources to its priorities across the medium term.

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

23. FORMER BATHING POOL SITE AT WEST MARINA

The Assistant Director Financial Services and Revenues presented a report which sought Cabinet approval to market the former bathing pool site at West Marina.

The former bathing pool site has been vacant for the past 30 years, and has been a long-standing objective for the council to regenerate the site as part of broader plans to make this area an even more desirable place to live and visit, which would help make the local economy more sustainable.

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In 2014, the council had commissioned consultants to bring forward proposals for the development of the site. The site had also been allocated for a mixed residential and commercial use in the Development Management Plan. The findings of the consultant's report indicated that there was a good opportunity to begin marketing the site, provided due diligence and site surveys were carried out on the site beforehand to assist potential purchasers with forming their bids.

Given the significance of the former bathing pool site to the local community, it was important that the council retained control of how the site was developed and the timescale to bring forward proposals and complete the works. At this early stage, it was also necessary to keep an open mind on potential uses for the site, however, a full public consultation would be undertaken once a development proposal had been brought forward.

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

RESOLVED (unanimously) that:

- 1) Cabinet agrees to add the site to the Land and Property Disposal Programme for disposal in 2017/18, and;**
- 2) Cabinet agrees to agents being appointed to market the site**

The reason for this decision was:

This is the last large vacant waterfront site in Hastings and it has long been an objective for the council to see it regenerated. The site is not included in the disposal programme, and would ultimately be disposed of in part or potentially as a whole. The timescale for any disposal is not yet clear but estimated to commence in 2017/18.

The report is simply looking for authority to market the site. Any disposal, and method of disposal i.e. in whole or in part, would ultimately be made by Cabinet.

24. HASTINGS AND ROTHER COMMUNITY LED LOCAL DEVELOPMENT

The Assistant Director for Regeneration and Culture submitted a report to brief members on a funding opportunity through the UK Community Led Local Development (CLLD) programme. The report also sought Cabinet approval to proceed with a multi-stage CLLD application process, for a project to target the most disadvantaged areas in Hastings and Bexhill.

The report provided background information to the CLLD programme, which provided an opportunity to secure funding to support deprived communities in accessing jobs, skills development and entrepreneurial activity. A working group of local authority, health and voluntary sector partners across Hastings and Rother had been formed to develop a bid and identify areas for targeted interventions which could be supported by CLLD funding.

The working group had identified the thematic areas of communities, skills and opportunities, cultural regeneration, digital by choice and brokerage of opportunities for further consideration.

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It was currently anticipated that preliminary expressions of interest would be assessed in January 2016, with the completion of funding agreements for the development phase in February 2016. Later stage bids are expected in autumn 2016 and if approved the programme is anticipated to start April 2017, to run for 5 years.

RESOLVED that:

- 1) **Authority be delegated to the Director of Operational Services, in consultation with the Lead Member for Regeneration, to:
Agree final submission of stage 1 and stage 2 CLLD applications
Enter into negotiations and agreements with funding bodies and delivery partners**
- 2) **The council serves as accountable body for the CLLD programme across the Hastings and Rother area, and;**
- 3) **Up to £20,000 of council staff resources be committed as in-kind matched funding to enable draw-down of CLLD grant to support the development of a second stage bid**

The reason for this decision was:

The CLLD programme provides an opportunity to secure funding for measures to link people in deprived communities to jobs, skills development and entrepreneurial activity. There is a very short timescale in which to submit a preliminary application which must include commitments that would then form part of later stage bids.

Based on the 2010 IMD results (on which CLLD is based) Hastings is the 20th most deprived town in the UK. Across Bexhill and Hastings, 24 wards are within the 20% most deprived in the UK. However there are areas of opportunity and business growth and CLLD funding could help ensure that people in the most deprived communities are linked to these opportunities.

25. MINUTES OF THE CHARITY COMMITTEE MEETING HELD ON 28 SEPTEMBER 2015

The minutes of the Charity Committee meeting held on 28 September 2015 were submitted.

RESOLVED that the minutes of the Charity Committee meeting held on 28 September 2015 be received

26. MINUTES OF THE MUSEUMS COMMITTEE MEETING HELD ON 14 SEPTEMBER 2015

The minutes of the Museums Committee meeting held on 14 September 2015 were submitted.

RESOLVED that the minutes of the Museums Committee meeting held on 14 September 2015 be received

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(The Chair declared the meeting closed at. 7.30 pm)

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Present: Councillors Chowney (chair), Forward (Vice-Chair), Cartwright, Poole, Atkins, Cooke and Davies

Apologies for absence were noted for Councillor Hodges

28. **MINUTES OF THE MEETING HELD ON 2 NOVEMBER 2015 AND THE SPECIAL CABINET MEETING HELD ON 16 NOVEMBER 2015**

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

RESOLVED the chair called over the items on the agenda, under rule 13.3 the recommendations set out in minute numbers 30, 31, 32, 34 and 35 were agreed without being called for discussion

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29. **REVIEW OF GAMBLING POLICY**

The Assistant Director for Environment and Place presented a report to advise Cabinet on the outcome of a recent statutory review of the council's Gambling Act Statement of Principles.

Under the Gambling Act 2005, which made local authorities responsible for determining applications for local gambling premises licences, temporary occurrences, machine permits and lotteries, the council was required to review and consult on its policy at least every 3 years. The council's current policy had been subject to two such reviews since it was first adopted in 2007, and has been revised to reflect changes to legislation and national guidance. The current policy has not been subject to legal challenge and has been applied successfully at a number of licensing hearings.

Minor revisions had been made to the statement of gambling principles, including an amendment to legislation which required a risk assessment be carried out in relation to the 3 licensing objectives. Members had also requested the inclusion of a no casino resolution within the statement of gambling principles. The no casino resolution may be reversed by Full Council at any time. The draft policy had been subject to a 5 week public consultation, and the report gave a synopsis of the responses received. Following the consultation, the council was required to adopt the new policy by 26 January 2016.

Councillor Davies proposed approval of the recommendations to the Assistant Director of Environment and Place's report, which was seconded by Councillor Cartwright.

RESOLVED (unanimously) that: -

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- 1) **Cabinet agree the updated Gambling Act Statement of Principles and recommends it to Full Council for adoption by 26 January 2016, and;**
- 2) **To recommend to Full Council to pass a no casino resolution**

The reason for this decision was:

There is a statutory requirement for local authorities to fully review their gambling statement of principles at least every 3 years. Failure to do so could result in judicial review proceedings against the authority, and call in to doubt local decisions made under the Gambling Act 2005.

The Act gives powers to licencing authorities to introduce a no casino resolution for their areas; it is a Full Council decision and must be revisited and endorsed every 3 years. The decision can be reversed by a Full Council decision at any time if considered appropriate.

30. REVIEW OF LICENSING POLICY

The Assistant Director for Environment and Place submitted a report to inform Cabinet on the results of a recent consultation carried out for the statutory review of the council's Licensing Policy.

Under the Licensing Act 2003, which gave local authorities responsibility for the licensing of premises, persons and temporary events in connection with the sale and supply of alcohol, regulated entertainment and late night refreshment, the council was required to carry out a review of its licensing policy every 5 years.

The policy had been revised to incorporate changes to legislation and statutory guidance. Data from partner agencies, including Sussex Police, had been used to determine that the three saturation zones outlined in the previous policy should be retained. The saturation zones are intended to help control the cumulative impact arising from a concentration of certain types of licensed premises on specific areas of the borough. Applicants applying for licences within the saturation zones will need to consider carefully how they will manage their premises to promote the licensing objectives.

A key aim of the policy was to promote a diverse range of licensed premises within the borough, a new matrix approach to considering applications, based on good practice developed by Brighton and Hove City Council, had been included within the policy. The matrix is intended to clarify the council's aspirations for the operation of licensed premises to potential applicants, stakeholders and the general public.

The proposed policy had been subject to a public consultation. It was necessary for the council to adopt the revised policy by 6 January 2016.

RESOLVED that Cabinet agree the updated Licensing Policy and recommend it to Full Council for adoption by 6 January 2016

The reason for this decision was:

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There is a statutory requirement for local authorities to fully review their licensing policy at least every 5 years. Failure to do so could result in judicial review proceedings against the authority and call in doubt local decisions made under the Licensing Act 2003.

31. HASTINGS LOCAL PLAN - RETENTION OF EMPLOYMENT LAND AND PREMISES SUPPLEMENTARY PLANNING DOCUMENT (SPD)

The Assistant Director for Regeneration and Culture submitted a report which sought formal adoption of the retention of employment land and premises supplementary planning document (SPD).

SPD's provide detail about how the planning policies contained within the Hastings Planning Strategy and Development Management Plan will be implemented when determining planning applications. A key objective for the council is to retain employment land and premises; this is reflected in Policy E1 of the Hastings Planning Strategy.

Following the adoption of the new Hastings Planning Strategy in 2014, and more recently the Development Management Plan in 2015, the council had reviewed its existing SPD in respect of the retention of employment land. The SPD had been subject to an initial consultation with stakeholders, followed by a formal 4 week consultation with the wider public. One minor amendment was made to the SPD as a result of both stages of the consultation.

RESOLVED that the draft supplementary planning document is formally adopted

The reason for this decision was:

To conform to regulation 14 of the Town and Country Planning (Local Planning) (England) Regulations 2012, and enable the supplementary planning document to hold full weight as a material consideration in the determination of planning applications.

32. HASTINGS LOCAL PLAN - VISITOR ACCOMMODATION SUPPLEMENTARY PLANNING DOCUMENT (SPD)

The Assistant Director for Regeneration and Culture presented a report which sought formal adoption of the retention of visitor accommodation supplementary planning document (SPD).

SPD's provide detail about how the planning policies contained within the Hastings Planning Strategy and Development Management Plan will be implemented when determining planning applications. Visitor accommodation is an essential part of the town's tourist offer, and important to supporting related employment in this sector, as detailed in policy E4 of the Hastings Planning Strategy.

Following the adoption of the Hastings Planning Strategy in 2014, and more recently the Development Management Plan in 2015, the council had reviewed its existing SPD in respect of the retention of visitor accommodation. The SPD had been subject

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to an initial consultation with stakeholders, followed by a formal 4 week consultation with the wider public. One minor amendment was made to the SPD as a result of both stages of the consultation.

RESOLVED that the draft supplementary planning document is formally adopted

The reason for this decision was:

To conform to regulation 14 of the Town and Country Planning (Local Planning) (England) Regulations 2012, and enable the supplementary planning document to hold full weight as a material consideration in the determination of planning applications.

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33. **EAST SUSSEX, SOUTH DOWNS AND BRIGHTON AND HOVE WASTE AND MINERALS SITES PLAN SUBMISSION DRAFT**

The Assistant Director for Regeneration and Culture presented a report which sought Cabinet approval to respond with a formal representation on the submission draft version of the East Sussex, South Downs and Brighton and Hove waste and minerals site plan, which is to be considered at an independent review by a Planning Inspector

The plan identifies sites for new waste management facilities, whilst protecting those existing. The plan covers the period to 2026, and is intended to provide additional recovery and recycling capacity to meet targets for diverting waste from landfill, in order for East Sussex to become self-sufficient in terms of waste management capacity.

The plan identifies 4 locations within the borough as areas for waste related development. However, this is in conflict with the council's newly adopted Development Management Plan (DMP) which had specifically allocated the sites for employment purposes, which did not include waste recovery or related uses. Cabinet members reaffirmed the primacy of the role of the DMP in supporting the future employment needs of the borough.

It was proposed that council submit a formal representation objecting to the proposed plan, on the grounds of its failure to meet the tests of soundness in respect of being justified and effective.

Councillor Poole proposed approval of the recommendations to the Assistant Director for Regeneration and Culture's report, which was seconded by Councillor Davies.

RESOLVED (unanimously) that: -

- 1) **The council submit an objection to the emerging waste and minerals sites plan as a whole, in view of its significant conflict with the policies in the adopted Hastings Development Management Plan 2015;**
- 2) **The council specifically objects to the identification of 3 areas of search sites and 1 area of opportunity site within Hastings borough**

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- boundary for the purposes of waste disposal / waste management. These are considered to be in direct conflict with the policies in the recently adopted Development Management Plan and will significantly prejudice delivery of employment opportunities within the borough;
- 3) The council would reaffirm its previous objection to the inclusion of the site at Whitworth Road as an area of search and in light of Hastings' previously expressed concerns is disappointed that this appears in the proposed submission version of the plan;
 - 4) Urge East Sussex County Council to consider preparing a revised proposed submission draft of the waste and minerals site plan in light of this council's concerns, and;
 - 5) The council reserves the right to appear at future hearing sessions as part of the waste and minerals site plan examination in public in order to support its objection

The reason for this decision was:

To enable the council's strong concerns to be made known to the county council as part of the preparation of its waste and minerals sites plan, and to allow them to be addressed in the final version of the plan. To enable the council's views to be considered as part of the examination in public of the waste and minerals sites plan by an independent Planning Inspector.

34. NEW FACTORY UNIT

The Assistant Director for Financial Services and Revenues submitted a report which sought approval to progress with proposals to build a new factory unit for BD Foods, an existing tenant on the Castleham Industrial Estate.

At its meeting on 1 September 2014, Cabinet had agreed to undertake a feasibility study on the construction of a new factory unit and to proceed with the project unless the costs exceeded £700,000. Planning consent had been granted for the new unit on 13 October 2015.

Following a procurement exercise, facilitated through the East Sussex Procurement Hub, 4 tenders had been received. Interviews with the companies that had submitted the two lowest tenders had taken place in December 2015. The tenders received were significantly above the initial estimated costs, although this is principally due to building cost inflation as well as additional requirements to satisfy East Sussex County Council Highways. As part of the project, a new substation would also be provided which would benefit the estate for many years.

The project would ensure that the council retained BD Foods as a tenant, securing rental income from their units, and support the creation of an additional 20 full time jobs.

RESOLVED that the most economically advantageous tender be accepted and to progress with building the new factory unit

The reason for this decision was:

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To assist a local business to expand and create additional jobs and income for the council.

PART II

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 1972 referred to in the relevant report

35. NEW FACTORY UNIT

The Assistant Director for Financial Services and Revenues submitted a report which set out the financial implications relating to the construction of an additional factory unit for BD Foods.

RESOLVED as per the part 1 report

The reason for this decision was:

To assist a local business to expand and create additional jobs and income for the council.

(The chair declared the meeting closed at. 6.14 pm)