

CABINET

6 MARCH 2017

Present: Councillors Chowney (Chair), Forward, Cartwright, Davies, Poole, Fitzgerald, Lee and Patmore

73. APOLOGIES FOR ABSENCE

None.

74. DECLARATIONS OF INTEREST

The following Councillors declared their interest in the minutes as follows:

Councillor	Minute Number	Interest
Forward	78 – Potential Sports Village Development	Prejudicial – a Trustee of Education Futures Trust
Fitzgerald	78 – Potential Sports Village Development	Prejudicial – Partner works for the Education Futures Trust

75. NOTIFICATION OF ANY ADDITIONAL ITEMS

None.

76. MINUTES OF THE MEETING HELD ON 6 FEBRUARY 2017 AND THE BUDGET CABINET MEETING HELD ON 13 FEBRUARY 2017

RESOLVED that the minutes of the meeting held on 6 February 2017 and the Budget Cabinet meeting held on 13 February 2017 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 77, 78 and 79 were agreed without being called for discussion.

77. LOCAL LIST OF HERITAGE ASSETS

The Assistant Director, Regeneration and Culture, submitted a report which advised Cabinet of progress with developing and publishing a list of local heritage assets.

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At its meeting in January 2014, Cabinet had agreed the criteria and adoption process for developing a local list of non-designated heritage assets. The purpose of the list is to record assets which contribute to the cultural heritage and character of the area, but are not subject to statutory designation. Inclusion on the list does not bring any additional consent requirement over and above those required for planning permission, however, it can help to influence planning decisions in a way that conserves and enhances the asset in line with the requirements of the National Planning Policy Framework (NPPF).

Each of the nominations received had been subject to detailed assessment against the criteria by an expert panel. The panel's recommendations were then subject to further public consultation. Four assets had been recommended for inclusion on the list; White Rock Gardens (East of Falaise Road), Wellington Square, Linton Gardens and the Bohemia Estate. It is intended that assets will continue to be added to the list in the future.

RESOLVED that Cabinet notes the context and progress made in developing this first list of local heritage assets, contained in Appendix A to the Assistant Director, Regeneration and Culture, report. That this list is published on the council's website.

The reason for this decision was:

The mechanism for the local list process was agreed by Cabinet in 2014 and the process has generated the first list of local heritage assets.

78. POTENTIAL SPORTS VILLAGE DEVELOPMENT

Councillors Forward and Fitzgerald, having declared a prejudicial interest in this item, left the chamber during the debate.

The Director of Operational Services, presented a report to brief Cabinet on the proposals for the development of improved sports facilities to replace those currently found at Hastings United Football Club (HUFC) and Horntye Cricket Club and developing around 400 new homes.

The scheme is jointly proposed by Bohemia Hastings LLP and Keepmoat Ltd. The sports facilities will be owned by an amended Horntye Charitable Trust.

The proposed site for the new sports facilities is at Bexhill Road Recreation Ground. Sports facilities include a football stadium for Hastings United Football Club; netball courts, 4 petanque rinks, amongst other proposals listed in the report.

The related housing development is at Pilot Field (Elphinstone Road); Horntye Sports Complex and Bexhill Road Recreation Ground. Keepmoat intend to develop c396 homes which under the scheme will fund the new sports facilities and stadium.

Proposals include the sale of the Council's sites if satisfactory terms are reached on value and if it can be assured about the benefits of the scheme and its deliverability.

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The planning issues involved will be the subject of separate processes at Rother District Council and Hastings Borough Council, these will include consideration of policy, flooding and environmental issues.

A further report will come to cabinet for a decision subject to finances and suitable terms in response to the Consultants report.

Members welcomed the proposal.

Councillor Chowney proposed a slight amendment to recommendation 1, to include the words 'in consultation with the Leader of the Council'.

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

RESOLVED (unanimously) that:

- 1. That Cabinet agree that the Director of Operational Services, in consultation with the Leader of the Council, establishes terms with Bohemia Hastings LLP and Keepmoat Ltd for the proposed development of new sports facilities at Bexhill Recreation Ground and related housing development at Pilot Field (Elphinstone Road), Horntyte Sports Complex and Bexhill Road Recreation Ground.**
- 2. In taking its decision Cabinet will consider the outcome of the independent study of the benefits of the proposed scheme and its viability currently commissioned by the Council [at the developer's expense].**
- 3. The final terms to be subject to Cabinet approval and such terms would include, amongst others:-**
 - i. Sale of land at market value to Bohemia LLP and/or Keepmoat Limited subject to negotiation and project viability.**
 - ii. Subject to enforceable guarantees that protect the Council's interests in the event that the delivery of the sports facilities and housing are not delivered within a timely manner.**
 - iii. Transfer of land to be subject to the necessary planning permissions required from Hastings Borough Council and Rother District Council for delivery of the whole scheme.**
 - iv. Assurances that the Charity Commission and Sports England are satisfied with the proposed changes to sports facilities in Hastings.**
- 4. Officers should explore the possibility of acquiring market homes thorough acquisition by the Council's future Housing Company.**
- 5. That subject to agreement of suitable terms a further report regarding the land sales required to deliver the scheme is presented to a future Cabinet.**

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The reason for this decision was:

1. The full development of proposals requires at risk investment by the developer. The proposals are dependent upon the sale of Council land and it is appropriate to indicate the Council's willingness to support this proposal if its requirements are met.
2. There is the opportunity to develop c400 homes including affordable housing and with potential for some of this to be acquired by the Council's future housing company.
3. The scheme would potentially deliver:-
 - a) A significant contribution to the Borough's housing target contained within the Borough Plan, gained on windfall sites
 - b) Improved educational offer
 - c) Health benefits
 - d) New pitch and sporting provision capable of meeting the needs of the community in a way current provision does not.
 - e) Employment gains
 - f) Capital receipt and revenue cost savings for the Council
 - g) Fit with a number of Council policies including income generation, housing, sports pitch strategy and regeneration

79. **HASTINGS OFF-STREET PARKING INFRASTRUCTURE IMPROVEMENTS**

The Assistant Director, Environment and Place, submitted a report which requested capital funding to carry out essential upgrades to the council's off street car parking infrastructure.

Thirty five of the council's existing pay and display machines were a model which is no longer manufactured. Repairing these machines is difficult due to lack of spare parts. The report proposed upgrading twenty two pay and display machines and the replacement of the tariff boards in council-owned car parks. These works would improve customer service by enabling greater use of cashless payment methods. The council would also benefit from reduced costs in the administration and payment processes associated with its off street parking services. The capital costs of works in the Pelham Place and Rock a Nore car parks would be shared with the Foreshore Trust.

RESOLVED that the request for £70,000 capital funding is approved

The reason for this decision was:

The infrastructure improvements set out in the report are an essential element of the council's digital transformation and customer first programmes. They will facilitate even greater use of cashless payment options, which will help drive channel shift in line with the council's customer first and digital by design principles, as well as generating efficiency savings as we move from partly paper based parking administration systems to wholly digital systems. The costs associated with them are

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amongst those which we can offset against income generated from our off street parking service.

80. PUBLIC SPACE PROTECTION ORDER FOR HASTINGS

The Assistant Director, Environment and Place, presented a report to seek approval to carry out a formal public consultation on draft Public Spaces Protection Orders (PSPOs) relating to dog control measures and anti-social behaviour such as that associated with drug and alcohol abuse in public spaces.

Statutory guidance arising from the Anti-Social Behaviour, Crime and Policing Act 2014, requires the council move from The Dogs on Leads (Borough of Hastings) Order 2008 by a direction to the new Public Space Protection Orders (PSPOs). The two borough wide Public Spaces Protection Orders will specify certain restrictions be applied to specified areas of the borough relating to dog control issues and Anti-social behaviour. The new PSPOs will also provide Wardens with greater powers and flexibility to vary the orders depending on the nature of the offence.

The public consultation process will take 4 weeks, starting in March 2017 and ending in April 2017. Once completed, a report will be presented to Cabinet seeking approval for the Chief Legal Officer to formally make the Orders in May 2017. The Council is required to draft the new Orders by 2020.

The Assistant Director, Environment and Place stated that the site maps would be updated to clarify what is proposed for the consultation process.

Councillor Davies proposed approval of the recommendations to the report which was seconded by Councillor Cartwright.

RESOLVED (unanimously) that:

Authorise the Assistant Director Environment and Place in consultation with the Director of Operational Services, the Chief Legal Officer, and the Lead Member for Environment and Place to go out to public consultation on the 2 draft PSPOs for a period of four weeks, review feedback from the consultation and amend the draft PSPOs as appropriate before reporting the finalised PSPOs to Cabinet, seeking approval for the Chief Legal Officer to make the Orders in accordance with regulations published by the Secretary of State.

The reason for this decision was:

PSPOs replace existing controls such as those relating to dog fouling, under the provisions of the Anti-social Behaviour, Crime and Policing Act 2014. The existing provisions are superseded in October 2017. They also enable local authorities and their partners such as the Police to address serious anti-social behaviour in public places. The work set out in this report will contribute to the Council's vision for a safer cleaner town.

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81. IMPROVING THE HASTINGS STREET SCENE

The Assistant Director Environment & Place presented a report to provide Cabinet with details of a range of linked initiatives that will lead to improved street scene for Hastings. They include raising public awareness about street scene offences, a pilot with a specialist street scene enforcement contractor, and new ways of working for the Council's Warden Service.

Councils Wardens have been responsible for enforcing Fixed Penalty Notices (FPNs) relating to littering; dog fouling and fly tipping. Subsequent changes involving a reduction in the number of wardens; implementation of Public Space Protection Orders (PSPOs) and an overall increase in functions, necessitates the need for new resources and priorities to address offending behaviour.

The Council seeks to pilot a 12 month scheme with a Specialist Enforcement Contractor in May 2017 and review it after 6 months with a view to assessing options in the future.

It is expected the scheme will free up the Councils Wardens and will potentially generate a profit share income for the Council of up to £50,000, which subject to further discussions and agreement, could be reinvested in the Council's Environmental Services and improvements.

Cabinet expressed their thanks to all wardens for their contribution and hard work.

Councillor Davies proposed approval of the recommendations to the report which was seconded by Councillor Fitzgerald.

RESOLVED (unanimously) that:

- 1) Implement a 12 month litter and dog control enforcement pilot with a specialist environmental enforcement contractor;**
- 2) Review the pilot and assess the scope for future specialist enforcement options;**
- 3) In consultation with the Lead Member for Environment and Place, the Director of Operational Services and the Chief Legal Officer, to review and update the Council's enviro-crime enforcement policy on an ongoing basis as and when necessary. Starting immediately with the suggested changes to the sections relating to the level of payment for littering, dog fouling and fly tipping FPNs, and the criteria for issuing FPNs or prosecuting for fly tipping offences. Then in parallel with the introduction of the Hastings Public Space Protection Orders, the use of the new anti-social behaviour (ASB) powers.**
- 4) In consultation with the Council's Executive Manager of People, Customer and Business Support develop the Council's Warden service into a service better able to address the emerging ASB agenda and enforcing Public Spaces Protection Orders.**

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The reason for this decision was:

The work set out in this report will contribute to the Council's vision for a safer cleaner town, and in the longer term reduce the cost of environmental services such as those associated with street cleansing and environmental enforcement.

82. ADDITIONAL URGENT ITEMS (IF ANY)

None.

(The Chair declared the meeting closed at. 6.55pm)