

# Cabinet Agenda

**Monday, 3 April 2017 at 6.00 pm**

Muriel Matters House, Breeds Place, Hastings, East Sussex, TN34 3UY

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8.	Additional Urgent Items (if any) Exclusion of the Public  To resolve that the public be excluded from the meeting during the consideration of the 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 the paragraphs of Schedule 12A to the Local Government Act 1972 referred to in the relevant report.	
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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	77 – Potential Sports Village Development	Prejudicial – a Trustee of Education Futures Trust
Fitzgerald	77 – 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. 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.

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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. 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), Horntye 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.**

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- 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.**

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

### **78. 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.

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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.

### **79. 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

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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.**

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.

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

None.

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

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# Agenda Item 5

**Report to:** Cabinet

**Date of Meeting:** 3 April 2017

**Report Title:** 12/13 York Buildings

**Report By:** Peter Grace

Assistant Director Financial Services & Revenues  
(Chief Finance Officer)

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## **Purpose of Report**

To seek approval for capital funding to convert the upper floors to six flats.

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## **Recommendation(s)**

To convert the upper floors to six flats at an estimated cost of £682,000.

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## **Reasons for Recommendations**

With historically low interest rates there is a window of opportunity to convert the upper floors in this grade 2 listed building (which has high conversion costs), to create much needed new residential accommodation and generate additional income for the Council.

## Background

1. 12/13 York Buildings is a Grade 2 listed building in a prominent location in the centre of Hastings. It comprises a retail unit on the ground floor (trading as Millets) with a basement and 3 upper floors. The whole building is leased to Blacks Outdoor Retail Ltd (BORL).
2. BORL only uses the ground floor and basement and the upper floors have been vacant for many years and are in a semi derelict state. The exterior and structure of the building are in good condition as the building has been reroofed and the Council carried out structural repairs in 2015.

## Opportunity

3. One of the Council's priorities is to bring empty buildings back into use. We have therefore been considering how this can be achieved here.
4. Following initial discussions with BORL they indicated that they have no plans for use of the upper floors and would be prepared to surrender their lease and take a new lease of just the ground floor and basement.
5. The Council commissioned a feasibility study by external consultants and following this has obtained planning and listed building consents to convert the upper floors into 6 one bedroom flats.
6. The consultant has provided a cost estimate for carrying out the necessary works to convert the upper floors to flats and details are contained in the Part 2 report.

## Options

7. There are various options for bringing forward this opportunity including:
  - a. Selling the property with a condition that the works are progressed.
  - b. Granting a long term lease to a developer or individual who would carry out the works and either rent the flats or sell them on long leases.
  - c. The Council undertakes the works and sells them on long leases.
  - d. The Council undertakes the works and rents out the flats through a 3<sup>rd</sup> party.
8. It is considered that option d is the best overall solution for the Council as this has the most potential to generate a long term income.
9. The flats would have to be rented through a 3<sup>rd</sup> party as the Council cannot grant Assured Shorthold Tenancies. We have had initial discussions with the YMCA as they are potentially interested in taking a lease of the completed flats and have government grant funding which could be used towards the costs of the works (amounts to be determined). There is also the option of the local housing company if this is implemented.

## Financial Implications

10. The total costs of conversion have been estimated at between £593,000 (including contingency) and £682,000 (including contingency and fees ).
11. For the purposes of this report and evaluation of the proposal it is assumed that no additional grant funding is available. The estimated rental income from the 6 flats in the first full year amounts to some £40,200. The annual borrowing costs would amount to £35,464 p.a. based on a repayment period of 40 years and an interest rate of 2.7% (as at 3 March 2017). This would produce a net annual surplus of some £4,700 p.a.
12. Given the historically low interest rates there is a period of opportunity to achieve a useful transformation of the building given the particularly high conversion costs of this grade 2 listed building.

## Conclusion

13. It is proposed that the Council carries out works to convert the unused upper floors into flats to create much needed new residential accommodation and generate additional income.

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## Wards Affected

Braybrooke.

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## Policy Implications

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

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

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## Additional Information

Planning and listed building applications.

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[http://publicaccess.hastings.gov.uk/online-applications/caseDetails.do?action=dispatch&keyVal= \\_HSTBC\\_DCAPR\\_103972&caseType=Application](http://publicaccess.hastings.gov.uk/online-applications/caseDetails.do?action=dispatch&keyVal= _HSTBC_DCAPR_103972&caseType=Application)

[http://publicaccess.hastings.gov.uk/online-applications/caseDetails.do?action=dispatch&keyVal= \\_HSTBC\\_DCAPR\\_103973&caseType=Application](http://publicaccess.hastings.gov.uk/online-applications/caseDetails.do?action=dispatch&keyVal= _HSTBC_DCAPR_103973&caseType=Application)

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### **Officer to Contact**

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## MUSEUMS COMMITTEE

13 MARCH 2017

Present: Councillors Poole (Chair), Bacon, Forward (as the duly appointed substitute for Councillor T Dowling), Howard, Patmore, Sinden and Street.

Museum Association Representatives: Mrs Purdey, Mr Palfrey-Martin and Mr Dudman

### 74. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors T Dowling and Edwards. Museum Association Representatives: Mr Peak and Mrs Barrett.

### 75. DECLARATIONS OF INTEREST

Councillors made no declarations of interest at this meeting.

### 76. MINUTES OF THE MEETING HELD ON 28 NOVEMBER 2016

**RESOLVED** – that the minutes of the meeting held on 28 November 2016 be approved and signed by the Chair as a true record.

### 77. NOTIFICATION OF ADDITIONAL URGENT ITEMS

None.

### 78. CURATOR'S REPORT

Cathy Walling, Museum Curator, presented a report to provide an update on issues arising from previous meetings and confirmation of Curator's actions.

1. The Curator confirmed the Learning Officer, Samantha Smith, has been in post since 1<sup>st</sup> December 2016 and the Keeper of Local History and Archives, Kathleen Lawther, started on 01.01.2017 for two days a week.
2. Plans are underway to celebrate the 125<sup>th</sup> anniversary of the museum since its first opening in 1892. The formal opening ceremony will be recreated on Wednesday 16 August at 3.30pm. Final details for the event are to be confirmed, however a full list of events and activities will be available to view online.
3. Consent has been given for images of John Logie Baird and objects from the Museum collection to be used by an Educational-Learning Channel of Israel for one episode of a series of children entitled 'News from the Past'.
4. A defibrillator unit, funded by a grant from the Sussex Heart Charity, has been given to the Museum to place on the outside of the building.

## MUSEUMS COMMITTEE

13 MARCH 2017

Councillor Street asked if the defibrillator would require specialised personnel or training to operate it. The Curator confirmed training had been offered, but the unit was self operated and would provide the operator with audio and visual prompts. The unit is sited outside the building so it is accessible 24 hours a day.

**RESOLVED - that the Committee accepts the report and are satisfied with the comments in the report.**

### 79. RESILIENCE UPDATE

Cathy Walling, Museum Curator, presented a report to update members on the Arts Council-funded Museum Resilience Project.

The Curator advised that this will be a standing agenda item for the next 12 months.

The Museum has been successfully awarded £85,000 by the Arts Council England Museum Resilience Fund for a project delivered between 1 October 2016 and 31 March 2018, to study the Museums marketing and collections review etc.

Dr. Laura Williams and Sarah Cope are leading the Business Development Project and the Collections Review work will be managed by Stephen Lowy. Interviews for the graduate intern roles took place on 7<sup>th</sup> March.

The first project start-up meeting took place on 15 February and also the Sustainability Audit session. The Collections Review site assessment was held on 2 March. It was noted that the interns and staff will undergo training on 21-22 March on MODES for two days. The Business Development Plan workshops/training for staff will take place on 4 July, followed by further training in September/October for stake holders and staff.

The area of the collection chosen as the pilot for the Collections Review process is the First World War material.

The results from the Business Development Consultants are expected to be available in June and ready for discussion at the Museums Committee meeting on 11 September.

Councillor Bacon sought clarification on the salary and duration of the intern's employment contract. The Curator confirmed the interns will be paid the living wage for 18 hours per week until end of March 2018.

**RESOLVED – that the Committee accepts the report and are satisfied with the comments in the report.**

### 80. MUSEUM ATTENDANCE FIGURES

Cathy Walling, Museum Curator, presented a report to inform members of figures for attendances and educational activities and use of the website for the third quarter of 2016-17. Figures for October to December 2015 were submitted for comparison.

## MUSEUMS COMMITTEE

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It was noted that the number of visitors for Hastings Museum and Art Gallery had decreased by 236 for Quarter 3 when compared with the previous year.

Numbers of pupils in organised groups had decreased by 259.

Participants in non-education provider sessions have decreased by 746.

The Curator explained that the slight drop in non-formal education numbers was due to the mother and toddler group sessions ending because East Sussex County Council had stopped funding the group sessions. Officers are looking to obtain external funding from another source.

At the time of the meeting, the number of followers on Twitter had increased to 1,297 and Facebook to 1,373. Local history events were attracting 4,000 to 5,000 likes/comments on social media.

The number of weddings and civil ceremonies had reached 2, compared to 0 for the same period last year. The number of ceremonies held in 2016 was 19, compared to 17 in 2015. The Curator said the museum had already received 2 or 3 enquiries this year and it was too early to monitor the effect of other licenced venues which were competing for custom. The Curator went on to say the consultant will assess the museums fund raising activities and marketing to see what improvements can be made to improve bookings for weddings and civil ceremonies.

The Curator referred to the visits made by educational establishments during this quarter.

Councillor Howard asked if the Business consultant will take into account the expansion of the museum to include catering/marquee. The Curator explained that low key catering will be considered, but not the suggested café extension. The new Learning Officer will assess the school project packages to see if any improvements can be made.

Councillor Bacon asked what specifically the schools were looking for when they visited the museum and whether the marketing intern would look at ways to increase the attendance figures. The Curator said schools' interests vary from term to term, eg seaside holidays and Romans. The marketing intern will work with the Learning Officer to promote the Museum to educational groups.

**RESOLVED - that the Committee accepts the report and are satisfied with the comments in the report.**

### 81. MUSEUM EVENTS & ACTIVITIES

Cathy Walling, Museum Curator, presented a report to inform Members of forthcoming events and educational activities taking place at the Hastings Museum and Art Gallery during April to June 2017, for Quarter 1. These included:-

#### **Exhibitions**

To 7 May. George Graham: The Creation Paintings.

To 21 May. Spring Selection: Seasonal paintings from the Museum's Collection.

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27 May to 3 September. A Sussex Wave from Japan: the Colour Woodcuts of Eric Slater and Arthur Rigden Read.

27 May to 18 June. People Objects Places: a community project exploring the heritage of migration.

24 June to 10 September. The Story of Hastings Museum: key events, people and objects in the Museum's 125 year history.

### Events

1 -16 April. Easter Egg Hunt

11 April. Once Upon a Time...: Story telling with Kevin Graal.

23 April. Wedding Fair.

30 May. Family Fun Day: Inspired by exhibition, explore links with Japan.

2, 9, 16, 23, 30 June. Local History talks with Edward Preston.

Mrs Purdey referred to the forthcoming group visit to the Brighton Museum & Art Gallery to see the exhibition concerning Constable on 6 May 2017. She advised members that the meeting point was no longer at Hastings Station due to uncertainty regarding strike dates. A coach has been booked to take members from the museum. Booking forms will be issued shortly for this event.

**RESOLVED - that the Committee accepts the report and are satisfied with the comments in the report.**

### 82. MUSEUM ACQUISITIONS

Cathy Walling, Museum Curator, presented a report informing members of nine items acquired by the Museum in the last quarter and the names of donors. The items included: -

1. Three photographs albums of Hastings, late 19th/early 20th century  
Donor: Mr D. Padgham
2. Collection of photographs from the 1960s to 2000s, with associated news cuttings and leaflets  
Donor: Miss S. Hayward
3. Programmes and flyers for events at White Rock Baths  
Donor: Mr J. Reddis
4. Papers relating to HBC Civil Defence Emergency Feeding Plans, 1967



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Donor: Mr F. Kent

5. Metal Box marked 'Hastings & East Sussex Philatelic Society', containing records, minute books etc  
Donor: Mr C. Dadswell
6. Two Hastings Grammar School blazer badges, and Winkle Club Centenary sweatshirt badge  
Donor: Mr G. Dudman
7. Postcard dated 1914  
Donor: Mrs S. Boulton
8. Collection of postcards of model village, St Clement's Caves and St Leonards Parish Church  
Donor: Mrs J. Carey-Stuart
9. White Rock Pavilion Souvenir programme  
Donor: Anon.

## Comment

It is recommended that item 5, the records of the Hastings & East Sussex Philatelic Society be passed to The Keep. Members agreed that the box was too large to store at the museum and it could not be placed in the public domain due to data protection restrictions.

Andre Palfrey-Martin informed members of an exhibition to be held at the Sussex Room, White Rock Theatre to commemorate the Theatre's 90<sup>th</sup> anniversary.

**RESOLVED - that the Committee accepts the report and are satisfied with the comments in the report.**

## 83. ADDITIONAL URGENT ITEMS (IF ANY)

None.

## 84. EXCLUSION OF THE PUBLIC

**RESOLVED – that the public be excluded from the meeting during the consideration of the 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 the paragraphs of Schedule 12A to the Local Government Act 1972.**

<u>Minute No.</u>	<u>Subject Matter</u>	<u>Paragraph No.</u>
85(E)	Offer to Purchase	Paragraphs 8 & 9

## MUSEUMS COMMITTEE

13 MARCH 2017

### 85(E) OFFER TO PURCHASE

Cathy Walling, Museum Curator, presented a report for Members to consider an item offered to the Museum for purchase.

Members discussed sourcing the funds from the Went Tree Trust and requested the Curator negotiate the price for purchasing the item.

Councillor Street proposed a motion to agree to purchase the item subject to 100% funding. This was seconded by Mrs Purdey.

**RESOLVED (unanimously) – that the Committee accepts the report and notes the report and that:**

- **That the offer to purchase be accepted, subject to 100% funding.**

On behalf of the committee, the Chair passed on their thanks to Nick Sangster, Resort Services Manager, who will be leaving Hastings Borough Council, for his contribution and hard work to the Museum. Polly Gifford, Cultural Strategic Development Specialist, will replace Nick Sangster at the next meeting on 19 June 2017. Her work will encompass the museum, heritage and theatre.

On behalf of the committee, the Chair passed on their thanks to Nick Sangster, Resort Services Manager, who will be leaving Hastings Borough Council, for his contribution and hard work to the Museum. Polly Gifford, Cultural Strategic Development Specialist, will replace Nick Sangster at the next meeting on 19 June 2017. Her work will encompass the museum, heritage and theatre.

(The Chair declared the meeting closed at. 3.34 pm)

20 MARCH 2017

Present: Councillors Fitzgerald (Chair), Forward, Cartwright and Chris May (The ProtecCor)

77. **MINUTES OF THE MEETING HELD ON 12 DECEMBER 2016**

**RESOLVED that the minutes of the Charity Committee meeting held on 12 December 2016 be approved and signed by the Chair as a correct record of the meeting**

78. **ACCESS AUDIT FOR HASTINGS SEAFRONT**

The Resort Services Administration Officer presented the report of the Resort Services Manager on the findings of a recent audit of access provision for facilities and events on Hastings seafront and foreshore, which had been commissioned jointly by Hastings Borough Council and the Foreshore Trust.

The audit had been undertaken by Disability Inclusion CIC, with support from Hastings Access to Venues and Events (HAVE) and Hastings and Rother Disability Forum (HRDF). Theresa Hodge, Managing Director of Disability Inclusion CIC, gave an overview of the audit process. She explained that the audit had focused on beaches at Pelham in Hastings and Marina in St Leonards, as well as opportunities to encourage greater use of the other parts of the promenade and beach, including specific events and activities. The findings of the audit had been considered by the Coastal Users Group and no further comments had been made.

The audit acknowledged that improvements had been made in access to many areas of the seafront itself as well as information and facilities. Recommendations for further improvements had been made in respect of information, arrangements, facilities and events and placed in priority order. Further consultation will take place between the Foreshore Trust and the council regarding the implementation of the recommendations.

The committee thanked the Disability Inclusion CIC and all those who had contributed to the audit for their efforts.

Councillor Forward proposed approval of the recommendations to the Resort Services Manager's report, which was seconded by Councillor Cartwright.

**RESOLVED (unanimously) that the recommendations are explored and costed to allow inclusion in the Foreshore Trust Business Plan where appropriate and subject to necessary funding**

The reason for this decision was:

To report the findings of the recently completed audit of access provision for facilities and events on Hastings seafront and foreshore.

## CHARITY COMMITTEE

20 MARCH 2017

### 79. FORESHORE TRUST GRANT APPLICATION PROCESS

This item was moved up the agenda with the agreement of the Chair.

The Assistant Director, Regeneration and Culture, submitted a report in response to recommendations by the Grant Advisory Panel (GAP) on suggested changes to the Foreshore Trust small grants and events grants process and the guidelines provided to applicants.

Andrew Colquhoun, the Chair of GAP, presented the panel's recommendations to the committee. Members of the Charity Committee and GAP had formed a working group to review the application process, forms and guidance for the two grant programmes. The changes proposed as a result of the review would be effective from the next round of small grant allocations in April / May 2017. The panel had requested that the Charity Committee extend the area for activities supported by the events grants programme to include venues and locations north of the A259 but facing the sea.

The panel also requested that the Charity Committee increase the funding available for the two grant programmes. The Assistant Director, Financial Services and Revenues, commented that the committee consider this request as part of their budget setting process.

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

#### **RESOLVED (unanimously) that:**

1. **The recommendations of the GAP as set out in Appendix 1 to the Assistant Director, Regeneration and Culture's report, be accepted,**
2. **The changes to the grant guidance to the Foreshore Trust small grants and events grants programme as set out in Appendix 2 and 3 of the Assistant Director, Regeneration and Culture's report, be accepted,**
3. **The changes to the grant application form as set out in Appendix 4 and 5 of the Assistant Director, Regeneration and Culture's report, be accepted, and;**
4. **To consider further if the amount of funding for the two programmes should be increased and if the boundary line for the Foreshore Trust grants should be extended.**

The reason for this decision was:

All the recommendations arise following a joint meeting between members of the Charity Committee and Grant Advisory Panel which took place on 3 January 2017.

### 80. FORESHORE TRUST EVENTS GRANT 2017-18

## CHARITY COMMITTEE

20 MARCH 2017

This item was moved up the agenda with the agreement of the Chair.

The Assistant Director, Regeneration and Culture, submitted a report setting out the recommendations of the Grant Advisory Panel in respect of the Foreshore Trust events grant programme 2017/18.

Andrew Colquhoun, the Chair of the Grant Advisory Panel, explained that the applications for funding had been assessed against the Foreshore Trust's priorities. The panel had also considered the applicants capacity to deliver their proposals, value for money and benefit to the local community. The panel recommended 11 projects for approval, and the total value of grants was £20,095.

The committee thanked the panel for their efforts assessing the applications for funding. Members commented that it was pleasing to note the diverse range of events supported by the programme.

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

### **RESOLVED (unanimously) that:**

- 1. The events grants recommendations of the GAP, as set out in Appendix A and B of the Assistant Director, Regeneration and Culture's report, be accepted, and;**
- 2. The Charity Committee approve an additional £95 spend from Foreshore Trust funds to support all the events recommended for approval (total £20,095).**

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 2017/18 budgets. These were assessed with detailed discussion on each application at two GAP meetings held during February 2017.

### **81. SEAFRONT CYCLE HIRE - SERVICE REVIEW**

The Facilities Development Officer presented the report of the Assistant Director, Regeneration and Culture, to review the operation of the seaside cycle hire and recommend future arrangements for the service.

The seafront cycle hire service had been set up in 2014, and was managed by the council on behalf of the Foreshore Trust. The initial set-up costs had been covered in part by the FLAG funded Ecostade project. Further funding for the purchase of electric bikes had also been received from the Coastal Communities Fund.

The service currently operates seasonally May to October. However, the income received from the hire of bikes varied significantly depending on the time of year. In

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low season, the income received from the cycle hire was not sufficient to cover the staffing costs for operating the service.

The report recommended that the service should operate seasonally from mid-July until early September, while a sustainable business model for the service was developed. It was also proposed to increase the fees and charges for the service, in line with local market value. Additional funding was also requested from the Foreshore Trust Business Plan for 2017/18 for the purchase of replacement bikes and the repair of current stock.

The proposal had been submitted to the Coastal Users Group for consideration and no comments had been received. Under the terms of the earlier funding arrangements, the council would also be required to notify the Marina Management organisation (MMO) of any amendment to the future operation model.

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

### **RESOLVED (unanimously) that:**

- 1. Alternative options are explored to provide a more sustainable business model. This would include discussion with existing and potential operators,**
- 2. Whilst other options are considered the current service operates seasonally for peak weeks only to coincide with the school summer holiday period, from mid-July to early September,**
- 3. £4.5k is committed from the 2017/18 Business Plan to fund the purchase of replacement bikes and repair of current stock where appropriate, and;**
- 4. Fees and charges are increased in line with local market value.**

The reason for this decision was:

The existing business model is not financially sustainable given staff costs in comparison with the income received. Across the three years of operation, staffing cost an average of £1,300 per month, whilst income averaged at just under £700 per month. Average income during August peak season is £1,300, with an all-time high of £1,650 taken in August 2015.

## **82. APPOINTMENT OF PROTECTOR**

Christopher May left the chamber during the debate on this item.

The Chief Legal Officer presented a report which requested the Charity Committee approve the re-appointment of Christopher May as the Protector of the Hastings and St Leonards Foreshore Charity Trust for a further 3 year period.

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Under the requirements of the scheme, the Charity Committee was required to appoint a Protector to oversee the activities of the Foreshore Trust. The post-holder must be a member of the Consultative Committee of Accountancy Bodies.

The post had been advertised on the council's website for a three week period, Mr May was the only applicant.

Councillor Forward proposed approval of the recommendations to the Chief Legal Officer's report, which was seconded by Councillor Cartwright.

**RESOLVED (unanimously) that Christopher May be reappointed as the Protector of Hastings and St Leonards Foreshore Charitable Trust for a period of three years**

The reason for this decision was:

On 13 January 2011, the Charity Commission for England and Wales approved Hastings Borough Council as trustee for the Hastings and St Leonards Foreshore Charitable Trust. The scheme required that the trustee must appoint a Protector of the charity "whose fiduciary duty will be to ensure the integrity of the administration of the charity, and who must report to the Charity Commission any matter which he has reasonable cause to believe is likely to be relevant for the purposes of the exercise by the Commission of any of its functions".

### **83. FORESHORE TRUST 2017/18 BUDGET AND FINANCIAL REPORT**

The Assistant Director, Financial Services and Revenues, presented a report which advised members of the committee of the current year's financial position (2016/17) and to determine the budget for 2017/18.

The committee were mindful that the draft budget would need to be amended to reflect the decisions made at this meeting in respect of the seafront cycle hire service review and the Foreshore Trust events grant 2017/18. Members were advised of delays of approximately 6 months in realising savings from the new cleaning services contract. The Charity Commission had also recently accepted a land swap arrangement for a small area of land at West Marina.

Members were advised that both income and expenditure in 2016/17 were above the projections set out in the budget. The projected year-end surplus had also increased by £10,000 to £241,000.

The Protector requested an update on projects to resurface the promenade and install new play equipment. The Assistant Director, Regeneration and Culture, confirmed that the resurfacing works had been completed, an additional update on the installation of new play equipment would be provided by email.

A draft budget for 2017/18 was appended to the report, this included proposed increases to off street pay and display parking charges. The draft budget for 2017/18 forecast a total operating surplus of £361,000. An associated business plan was

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currently under development, and this would be reported to the committee meeting in June. The development of the business plan would provide the committee with the opportunity of reviewing the funding allocated for grant awards, as requested by the Grant Advisory Panel.

Councillor Forward proposed approval of the recommendations to the Assistant Director, Financial Services and Revenues report, subject to amendments in respect of the seafront cycle hire and events grants programme, which was seconded by Councillor Cartwright.

### **RESOLVED (unanimously) that:**

1. The current financial position for 2016/17 be agreed,
2. The allocation of general grants for 2017/18 be set at £50,000 and event grants £20,095,
3. The proposed expenditure funded from reserve – albeit further approval to proceed is required for a few schemes,
4. The budget for 2017/18, subject to the amendment regarding the seafront cycle hire and events grant programme, be approved,
5. Financial monitoring reports continue to be presented to each meeting of the Charity Committee, and;
6. The car park charges for 2017/18 (appendix iv to the Assistant Director, Financial Services and Revenues report) be approved.

The reason 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 slightly above budget expectations is anticipated for 2016/17 in respect of ongoing operations. This enables the committee to establish a prudent level of grant allocation that can be distributed as part of the 2017/18 budget process.

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

### **84. HASTINGS OFF-STREET PARKING INFRASTRUCTURE IMPROVEMENTS**

The Parking Enforcement Manager presented the report of the Assistant Director, Environment and Place, which requested funding for essential upgrades to off street car parking infrastructure located on Foreshore Trust land.

The report proposed the purchase of 22 new pay and display machines at a total cost of £56,364. Additional funding was also required to update the tariff boards in car parks. The works were necessary because many of the existing model of pay and display machines are no longer manufactured, which makes maintenance works more costly and time consuming. Upgrading the pay and display machines will also enable the use of cashless payment methods and further improvements to customer service.



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The Coastal Users Group had been consulted on the matter and were broadly supportive of the proposal. The council's Cabinet also approved the capital expenditure for this work at their meeting in March.

The Assistant Director, Financial Services and Revenues, commented that the cost of the project would be met from Foreshore Trust funds, rather than borrowing.

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

**RESOLVED (unanimously) that the request for funding be approved.**

The reason for this decision was:

The infrastructure improvements set out in this 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 amongst those which the council can offset against income generated from the off street parking service.

Improvement of the infrastructure located on Foreshore Trust land is essential and integral to the overall success of these improvements to the whole of the off street parking service operated by the council.

### **85. PROPOSAL TO WORK WITH THE RNLI (ROYAL NATIONAL LIFEBOAT INSTITUTION)**

The Marketing and Major Projects Manager presented a report which updated the Charity Committee on a proposal for the Royal National Lifeboat Institution (RNLI) to run the beach lifeguard service in Hastings for a trial summer season in 2017.

Hastings Borough Council and the Foreshore Trust currently operate an in-house seasonal lifeguard service. The service was scheduled to be reviewed at the end of 2017. However, following changes to the management of the team in early 2017, it was necessary for the council and Trust to make interim arrangements for the upcoming summer season.

The RNLI have already made similar arrangements with neighbouring authorities to provide beach lifeguard services. The service is subsidised by the RNLI and will also enable the Trust to benefit from cost savings, compared to the in-house service, whilst protecting the rate of pay for lifeguards. The Coastal Users Group had been briefed on the proposal and supported the new approach.

The findings of the review to be undertaken at the end of the 2017 season will be reported to the Charity Committee at a later meeting.

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Councillor Forward proposed approval of the recommendations to the Marketing and Major Projects Manager's report, which was seconded by Councillor Cartwright.

**RESOLVED (unanimously) that the council and Foreshore Trust enter into a one season agreement with the RNLI for the RNLI to provide a beach lifeguard service at Hastings for the 2017 season, this operation to be reviewed at the end of the season**

The reason for this decision was:

Because the RNLI can offer a comparable beach lifeguard service to our in-house provision, directly managed by the RNLI, at a lower price.

### **86. MINUTES OF THE COASTAL USERS GROUP HELD ON 7 MARCH 2017**

The minutes of the Coastal Users Group meeting held on 7 March 2017 were submitted.

**RESOLVED that the minutes of the Coastal Users Group meeting held on 7 March 2017 be received and agreed**

### **ANNOUNCEMENTS**

The committee thanked the Resort Services Manager, who would be leaving the council in March, for his efforts.

The Chief Legal Officer advised that a public consultation on the proposed Public Space Protection Orders would begin on 27 March 2017. Members of the charity Committee would have the opportunity to comment on the proposals, on behalf of the Foreshore Trust.

Councillor Fitzgerald advised that he would be taking on a new portfolio of Cabinet responsibilities after this meeting, and was therefore standing down as Chair of the Charity Committee. He thanked members of the committee and officers for their support during his time as Chair.

Members of the committee thanked Councillor Fitzgerald for his efforts during his time as Chair.

(The Chair declared the meeting closed at. 6.38 pm)

# Agenda Item 9

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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# Agenda Item 10

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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