

CABINET

4 FEBRUARY 2019

Present: Councillors Chowney (Chair), Forward (Vice-Chair), Batsford, Beaney, Fitzgerald, Rogers, Lee and Patmore

136. APOLOGIES FOR ABSENCE

None received

137. DECLARATION OF INTERESTS

The following councillors declared their interests in the minutes as indicated:

Councillor	Minute	Interest
Beaney	9 – Site at West Marina	Prejudicial - Involved with Hastings older women community housing
Lee	9 – Site at West Marina	Prejudicial - Knows the proposed developers

138. MINUTES OF LAST MEETING

RESOLVED – that the minutes of the meeting held on 7th January 2019 be approved as a true record

RESOLVED the chair called over the items on the agenda, under rule 13.3 of the council's constitution, the recommendations set out in minute numbers 140, 142, 143, and 144 were agreed without being called for discussion.

139. FLEXIBLE HOMELESSNESS SUPPORT GRANT

The Assistant Director, Housing and Built Environment presented a report to advise members of spend against the council's flexible homelessness support grant (FHSG) allocation in 2018/19 and set out planned expenditure from the grant in 2019/20.

Homelessness applications have remained constant but the length of stay in temporary accommodation has increased in Hastings due to a rise in costs in the private rented sector and a lack of supply in the social rented sector.

It was noted that the Council has had to allocate funds in order to plug gaps from funding streams which are no longer available, and that, although the numbers of homeless in Hastings has remained stable over the past three years the length of stay in temporary accommodation has increased significantly.

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Concerns were raised over the increased use of Section 21 notices and it is highlighted that the majority of Section 21 notices issued in Hastings are no fault notices.

There is a need to improve housing support especially for those with issues such as mental health conditions. It is noted that many people are only two pay checks away from homelessness and not enough vulnerable people in Hastings are registering as homeless in order to receive support.

Councillor Batsford proposed approval of the recommendations of the Assistant Director's report. This was seconded by Councillor Rogers.

RESOLVED (Unanimously) that:

- 1. That the flexible homelessness support grant for 2019/20 is allocated as set out in the report.**
- 2. That delegated authority is given to the Assistant Director, Housing and Built Environment, in consultation with the Assistant Director, Financial Services and Revenues and the Lead Member for Housing and Leisure to approve variations to the budget which might occur in response to legislative changes.**

The reason for this decision was:

Flexible Homelessness Support Grant (FHSG) is paid to the council by the Ministry for Housing, Communities and Local Government (MHCLG). The grant is for a fixed one-year period, and is ring-fenced for temporary accommodation and homelessness prevention activities.

140. AMENDMENTS TO THE COUNCIL'S CONSTITUTION

The Chief Legal Officer submitted a report asking Cabinet to consider amendments to the Council's Constitution.

The Council's Constitution is the basis for the Council's Corporate Governance. It needs amending on a regular basis either as a result of discussions at Working Arrangements Group and/or changes in legislative provisions or working practices.

Working Arrangements Group met on 16th January 2019 to discuss the proposed amendments.

Parts 1 and 2 had minor amendments to reflect that there is only one Overview and Scrutiny Committee now.

Part 3 updated legislation.

Part 4 updated the rules of procedure concerning submitted questions. This would make it more consistent with other parts of the constitution that also deal with submitted questions.

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Part 5 made changes to the Planning Protocol. The changes made clearer when applications would be referred to Planning Committee. This included applications on Foreshore Land as HBC is a trustee of the land.

There were changes to paragraph 56 which dealt with planning application petitions. These would clarify for members of the public on how to submit petitions including references to guidance from the council's website.

Part 8 changes added and removed relevant legislation. This section dealt with delegated responsibility to officers.

Part 9 changes were in line with other Local Authorities and the Procurement hub.

Under rule 13.3, the recommendations of the report were agreed without being called for discussion.

RESOLVED that:

- 1. To recommend that the amendments to the Council's Constitution be adopted by Full Council.**

The reason for this decision was:

The Council's Constitution is the basis for the Council's Corporate Governance.

141. DELIVERING EFFICIENT SUSTAINABLE MOBILITY, ACCESSIBILITY AND RESPONSIBLE TRAVEL (DESTI-SMART)

The Marketing and Projects Manager presented a report to update Cabinet on progress on the 'DESTI-SMART' project and seek authority to proceed with it.

'DESTI-SMART' stands for Delivering Efficient Sustainable Tourism with low carbon transport Innovations: Sustainable Mobility, Accessibility and Responsible Travel. It is an Interreg Europe project led by Thessaloniki in Greece, with other partners in Italy, Germany, Portugal, Spain, Latvia, Hungary, Cyprus and the UK; as well as Hastings Borough Council, Bournemouth University is involved.

The objective of the programme is 'to improve the transport and tourism policies of EU destination regions, by integrating strategies for sustainable mobility, accessibility and responsible travel with sustainable tourism development.

Participation in the programme is being used to explore further possible options for low carbon and sustainable transport along the seafront, so as to more effectively link The Stade in the Old Town and West St Leonards. Currently this journey is impossible by bus without changing vehicles en-route. This project will enable us to consider pilot schemes, which if successful could be used elsewhere.

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The Major Projects Manager reports that the feasibility study should report back by the end of the year and possibly the project could be in operation within two to three years.

It is noted that it has long been a Council aim to develop a sustainable transport link supporting tourism from the Stade to West St Leonards. The EU funding is welcome to move the project on to the next stage.

Councillor Forward proposed approval of the recommendations of the Marketing and Project Manager's report. This was seconded by Councillor Beaney

RESOLVED (Unanimously) that:

- 1. Cabinet agrees to support the DESTI-SMART project, including the in-kind officer support and enter into the appropriate legal agreements to do so.**
- 2. Cabinet agree the €180 000 (£159 463) cost of the project be included in the Council's budgets over a five year period (starting 2018/19). (NB The project attracts an 85% EU grant; Hastings Borough Council's contribution is made up of 'in-kind' officer time, so no additional funding is required)**

The reason for this decision was:

To demonstrate continued council support for the DESTI-SMART project, and its ambition to improve sustainable public transport along the seafront and reduce seafront congestion.

142. UPDATE OF THE LOCAL DEVELOPMENT SCHEME

The Assistant Director Regeneration and Culture submitted a report to inform Cabinet of the updated timescales for the production of Local Plan documents since the last Local Development Scheme was adopted in April 2018.

Section 15(1) of the 2004 Planning and Compulsory Purchase Act requires that the "local planning authority must prepare and maintain a scheme to be known as their local development scheme". Unless otherwise directed, a local authority is to revise its Local Development Scheme (LDS) at such time it considers appropriate.

The Local Development Scheme (LDS) sets out the timetable for the production of Local Plan documents over a 3- year timespan. The LDS needs to set out a realistic and achievable work programme.

The LDS was last updated in April 2018, in part to update the target dates and key milestones for the production of Hastings Town Centre and Bohemia Area Action Plan (AAP), but also in light of a number of national planning policy changes, it included a commitment to undertake a Local Plan Review.

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Key changes to national planning policy include the delivery of the Government's ambition to improve the supply and delivery of new homes. Considering the implications of these changes and taking in to account the Council's staffing and financial resources, it is now more prudent and expedient to combine the development of the Hastings Town Centre & Bohemia Area Action Plan with Local Plan Review process. Hence the need to revise and publish a new updated Local Development Scheme.

Under rule 13.3, the recommendations of the report were agreed without being called for discussion.

RESOLVED that:

1. That the contents of the revised Local Development Scheme be agreed.

The reason for this decision was:

So that an up-to-date Local Development Scheme is in place in accordance with Section 15 of the Planning and Compulsory Purchase Act 2004, as amended by section 180 of the Planning Act 2008 and section 111 (7) of the Localism Act, and the Town and Country Planning (Local Development) (England) Regulations 2004.

143. HIGH WEALD AREA OF OUTSTANDING NATURAL BEAUTY (ANOB) MANAGEMENT PLAN

The Assistant Director Regeneration and Culture submitted a report to seek Full Council approval to formally adopt the High Weald Area of Outstanding Beauty (AONB) Management Plan 2019-2024 and its supporting papers. On adoption, the Management Plan will be this Council's policy for the management of the AONB area and for the carrying out of our functions in relation to it.

The High Weald was designated as an Area of Outstanding Natural Beauty (AONB) in 1983 and extends across 11 District and four County authorities. The High Weald Joint Advisory Committee, which comprises elected member representatives from the partner local authorities, undertakes the preparation and review of the Management Plan on behalf of the 15 local authorities with land in the High Weald AONB. The Council, as one of the 15 partner authorities, makes an annual contribution of £1,500 towards the costs of the High Weald Joint Advisory Committee. The Council directly inputs into the work of the High Weald as the Council has a representative on the Joint Advisory Committee and the Management Board.

The 2019-2024 Management Plan is structured around a vision, the history of the High Weald, and the Plan's preparation, implementation and monitoring.

There are detailed chapters on the High Weald's beauty covering: geology (landform, water systems & climate); settlements; routeways; woodland; field & heath; and land-based economy & rural life as well as other qualities. For each of these themes there

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is a vision and a number of objectives (management policies) aimed at tackling the priorities issues identified.

Under rule 13.3, the recommendations of the report were agreed without being called for discussion.

RESOLVED that:

- 1. Cabinet recommends that Full Council agrees the adoption of the High Weald Area of Outstanding Beauty (AONB) Management Plan 2019-2024 and its supporting papers and authorises the High Weald Joint Advisory Committee to publish the Management Plan on behalf of Hastings Borough Council.**

The reason for this decision was:

Local authorities with land in an Area of Outstanding Natural Beauty (AONB) are legally obliged under Section 89(2) of the Countryside and Rights of Way Act 2000 to prepare and publish a plan which 'formulates their policy for the management of the area and for the carrying out of their functions in relation to it'.

Where AONBs cross administrative boundaries, local authorities are required to act jointly to prepare the plan (S89 (11)(b)). The High Weald Joint Advisory Committee undertakes the preparation and review of the Management Plan on behalf of the 15 local authorities with land in the High Weald AONB.

An AONB management plan is a locally prepared and agreed statement of public policy for managing landscapes of national importance and their associated nature conservation and other values. The plan is reviewed every five years.

144. SITE AT WEST MARINA

The Assistant Director Financial Services and Revenues submitted a report to agree to publish a notice of "intended disposal (by long lease) of land consisting or forming part of an open space" in respect of the West Marina site.

The site is considered to be suitable for leisure and recreational uses, particularly those associated with the water. The site could also accommodate small scale kiosk style retail uses normally found at the seaside, a cafeteria and a public house/restaurant.

If the Council agrees to the disposal of the site at a future meeting the developer would follow the normal planning procedures now in place for an important development which would include a planning forum and public consultation.

Under rule 13.3, the recommendations of the report were agreed without being called for discussion.

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RESOLVED that:

- 1. To publish a notice of intended disposal (by long lease) of land consisting or forming part of an open space and consider any objections**

The reason for this decision was:

The Cabinet determined at its meeting on 3 September 2018 that County Gate/Sunley were the preferred developer for the site and that, Carter Jonas, were to negotiate further to agree Heads of Terms in order to make a recommendation to Cabinet.

For the Cabinet to determine whether to let the site on a long lease, it is required to consider any objections received where land consists or forms part of an open space. Such objections relate to the loss of open space rather than any specific development proposals which may subsequently be forthcoming.

145. NOTIFICATION OF ADDITIONAL URGENT ITEMS

146. APPROVAL OF THE PAY POLICY STATEMENT FOR 2019/20

The Director of Corporate Services and Governance presented a report to approve the Pay Policy Statement for 2019/20, as required by the Localism Act 2011.

Staff are thanked for their work in producing the pay policy.

The lowest pay band in the Council is higher than the Government minimum wage.

The Council takes its responsibilities as an employer seriously and ensures all staff take pride in the work they do across the Council's departments.

Councillor Rogers proposed approval of the recommendations of the Director of Corporate Services and Governance's report. This was seconded by Councillor Forward

RESOLVED (Unanimously) that:

- 1. That CMG recommends the Pay Policy to Full Council for approval.**

The reason for this decision was:

The Localism Act 2011 requires Hastings Borough Council to prepare and publish an annual pay policy statement. The purpose of such a statement is to provide information about Council policies on a range of issues relating to the pay of its workforce, particularly its senior staff and its lowest paid employees. A Pay Policy must be prepared for each financial year and must be approved by Full Council, and published.

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147. URGENT ITEMS (IF ANY)

148. COMMERCIAL PROPERTY PURCHASES (PART 2 REPORT)

CONFIDENTIAL BUSINESS

Councillor Forward proposed a motion for the exclusion of the public from the meeting, seconded by Councillor Rogers.

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 referred to in the relevant report.

147. COMMERCIAL PROPERTY PURCHASES (PART 2 REPORT)

The Assistant Director Financial Services and Revenues presented a report to consider the potential purchase of a commercial property.

It was previously resolved that should the property return the market the Council would declare an interest in purchasing the property. It is understood the Council is not the lowest bidder but is a preferred bidder considering its track record on completion.

Councillor Chowney proposed approval of the recommendations of the Assistant Director’s report. This was seconded by Councillor Fitzgerald.

RESOLVED (Unanimously) that:

- 1. Delegated authority is given to the Chief Finance Officer in consultation with the Leader of the Council to purchase.**

The reason for this decision was:

The site presents significant employment opportunities and likewise a significant Business Rate income. Whilst there may be opportunities to redevelop the site in future years the need to retain the site for employment space is a priority, as is the need to retain Business Rate income. Some of the building is only partially occupied giving the opportunity to relook at usage and the potential for the Council to be directly involved in driving greater economic regeneration.

(The Chair declared the meeting closed at. 6.50 pm)