

CHARITY COMMITTEE

18 MARCH 2019

Present: Councillor S Beaney (Chair), Councillor Batsford (Vice-Chair) Councillor Rogers and Chris May (The Protector).

14. APOLOGIES FOR ABSENCE

None

15. DECLARATIONS OF INTEREST

<u>Councillor</u>	<u>Minute</u>	<u>Interest</u>
S Beaney	17 - Foreshore Trust Events Grant 2019-2020 and Pilot Grant Recommendations	Personal – Involved in the setting up of 'Love Hastings Love Yourself'

16. MINUTES OF PREVIOUS CHARITY COMMITTEE HELD ON 10 DECEMBER 2018

RESOLVED that the minutes of the Charity Committee held on 10 December 2018 be accepted as a correct record.

17. FORESHORE TRUST EVENTS GRANT 2019-2020 & PILOT GRANT RECOMMENDATIONS

The External Funding Manager presented a report on the recommendations of the Grant Advisory Panel (GAP) in respect of applications for Events Grants 2019 - 2020 and Combined Grant Pilot.

The Foreshore Trust Events Grants Fund is a small grants scheme to increase public enjoyment of the Foreshore Trust's land by encouraging a year-round programme of events. Around £36,638 is available for the 2019-20 financial year for small grants of up to £2,000 each.

Andrew Colquhoun, Chair, Foreshore Trust Grants Advisory Panel explained to the Committee the process that the Grants Advisory Panel undertook in reaching its recommendations.

Of the 11 applications considered, GAP recommended to the Charity Committee that 8 of these be approved for funding at various levels, totalling £15,812, with some subject to conditions. All the events are to be delivered within a year of approval of the grant.

At the GAP AGM there was approval to develop a pilot grant programme for a year from April 2019 to March 2020, combining the events and small grants programmes. The £30,000 allocated to the current events grant programme and the £60,000 of the small grants programme to be combined into one pot for the pilot. This was suggested

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because of the low uptake of the events grant programme and the high uptake of the small grants, so that the funding could be allocated fully throughout the year.

The Committee thanked the Grant Advisory Panel for their work.

The Chair of the Grants Advisory Panel thanked the External Funding Manager and his team for their support throughout the grants process.

Councillor Batsford proposed a motion to approve the recommendations in the report, seconded by Councillor Rogers.

RESOLVED (unanimously):

That the Charity Committee accepts the Events Grants recommendations of the GAP as set out in Appendix 1 and A-C, including the proposed combined small and event grant programme pilot 2019-20.

Reasons for recommendation:

1. The GAP has appraised the merits of the applications received for Events Grant support and has made a number of recommendations for grant awards for the period 2019/20. These were assessed with detailed discussion on each application at a GAP meeting held 22 January 2019.
2. Additionally, after the GAP AGM and subsequent consideration by the panel at the January 2019 meeting, there was approval to develop a pilot for a year from April 2019 to March 2020 of a combined events and small grants programme. The £30,000 allocated to the current events grant programme and the £60,000 of the small grants programme to be combined into one pot for the pilot. This was suggested because of the low uptake of the events grant programme and the high uptake of the small grants, so that the funding could be allocated fully throughout the year.

18. FORESHORE TRUST BUSINESS PLAN 2019/20 – 2024/25

The Assistant Director, Regeneration and Culture, presented a report on the five year Business Plan for the period 2019/20 – 2024/25.

The business plan follows on from the earlier five year plan and is based upon current knowledge of maintenance, income, required capital works and proposals for new activities. It will be subject to review and modification as developing proposals and investigations are completed, most significantly in relation to the Stade facilities and the White Rock Baths area.

The new items which have been included are as follows:

- a. Funding for the 2019 Herring fair

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- b. The option to explore new income generating activities within renewable energy
 - c. Advance notice of a new charitable giving scheme which will be developed over the next 18 months
7. Other new items include the new management arrangements for the Stade Hall and Classroom on the Coast.

It was noted that the Coastal Users Group (CUG) were broadly supportive of the plan and their comments can be found in the minutes of the CUG meeting on 12 March 2019 in the accompanying reports pack. However she highlighted the comments made with regards to:

- the larger charitable grants scheme - and the importance of consultation with the Grants Advisory Panel
- the importance of the blue economy and water quality

The Committee thanked the Assistant Director for an exciting and forward thinking business plan.

The Assistant Director, Financial Services and Revenues informed the Committee that paragraph 6 of the business plan should read that £97,000 has been set aside for the annual provision of charitable grants, not £670,000. Additionally, in paragraph 39 of the business plan, the balance in Trust accounts at 31 March 2018 should read £1,555,000 not £1,399,000 and paragraph 40 should read a surplus of £364,000 not £82,000.

The Committee noted these amendments.

The Protector asked if the funding of the Herring Fair could be considered a charitable purpose. In response it was felt that the fair had a role in supporting the local fishing community, Hastings residents and businesses and visitors to Hastings in the 'off season'. It was underlined that the running of the fair was being reviewed to move it toward a self-sustaining model. The Assistant Director, Regeneration and Culture, confirmed that the Herring Fair will be supported for 1 year and will be reviewed in 2020.

Councillor Batsford proposed a motion to approve the recommendations, subject to the proposed amendments in the business plan, seconded by Councillor Rogers.

RESOLVED (unanimously):

- 1. That the Business Plan as appended to this report be approved.**

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2. That the Committee delegate authority for any minor modifications to the Assistant Director of Regeneration and Culture in consultation with the Chair of the Charity Committee.

Reasons for recommendation:

The Charity Committee requires a business plan to support its decision-making on the use of Trust assets and surpluses.

19. SEAFRONT CYCLE HIRE AND DECKCHAIRS – SERVICE REVIEW & PROPOSAL FOR SUMMER 2019 AND 2020 CONCESSION

The Assistant Director, Regeneration and Culture submitted a report to review the 2018 cycle hire and deck chair provision based at Pelham beach and to present options for 2019 and 2020, on behalf of the Foreshore Trust for the benefit and enjoyment of her majesty's citizens.

Keith Duly, Leisure Development Manager, presented the report to the Committee.

The proposal presented includes:

- An extension of the season through 15 pre-advertised opening days during weekends in April-June and September-October. Dates to coincide with events in the area and periods of forecasted good weather.
- A reduction to 5 days per week (Friday-Tuesday) throughout the school summer holidays.
- An extension of the opening hours (opening at 10am), due to feedback from hirers that they would have preferred an earlier opening time.
- It is likely that the subsidy for the provision in 2019 will be approximately £7,000, and in 2020 approximately £5,000, due to projected income.
- However it is recommended for prudence to include the full service costs within the Trust budget.

In response to a question regarding accessibility for disabled users it was confirmed that the cycle hire service has 1 full access bike.

It was noted that recommendation 1 of the report should be amended to make clear the Committee is approving funding for 2019/20 and 2020/21.

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Councillor Batsford proposed a motion to approve the recommendations in the report, subject to the proposed amendment, seconded by Councillor Rogers.

RESOLVED (unanimously):

- 1. That the Charity Committee considers allocating Foreshore Trust funding for service provision as outlined in the appended proposed business model document provided through HBC's Active Hastings service up to a projected cost of £12,005 for 2019/20 and £9,255 for 2020/21.**
- 2. That a further report is brought to Charity Committee after the 2020 season to review services provision to date and outline future operational options for 2021.**

Reasons for recommendation:

There is continuing demand for both cycle and deckchair hire during peak season (school summer holidays) as well as a reduced weekend service between April and October. There is little demand for this service outside of those times other than adhoc group bookings.

Experience gained from previous year's operation has shown that in order to continue to provide cycle hire benefiting users of the foreshore, a level of subsidy will be required as minimum staffing costs and maintenance exceed income.

20. LIFEGUARD SERVICE 2018 REVIEW

The Marketing and Major Projects Manager presented a report to update the Committee on the 2018 lifeguard service in Hastings.

In 2018 lifeguards rescued two people, assisted fifteen, performed major first aid on four casualties and minor first aid on 55. In addition some 12,796 members of the public were spoken to on 'preventative actions'.

All of the RNLI's key performance indicators were met, and no complaints were received about the service, either by the RNLI or by Hastings Borough Council.

It was noted that, with service enhancements and no management costs, the current lifeguard provision is being delivered for less than 75% of the 2016 costs when the service was provided in-house.

The Chair asked if the RNLI could be formally commended by the Committee for their work. The Committee agreed to send a formal letter of thanks, signed by the Chair, to the lifeguards, followed by a photo with lifeguards and Committee members when the season begins.

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Councillor Rogers proposed a motion to approve the recommendations in the report, seconded by Councillor Batsford.

RESOLVED (unanimously):

That the charity committee notes the excellent lifeguard service provided by the RNLI on the town's beaches in 2018, and thanks the RNLI for the service they provided.

Reasons for recommendation:

To acknowledge the excellent service the RNLI lifeguards provided in 2018

21. PART OF UPPER PROMENADE BUILDING AT FORMER WHITE ROCK BATHS

The Assistant Director, Financial Services and Revenues presented a report to consider use of the Upper Promenade Building at Former White Rock Baths.

Part of the Upper Promenade Building of the Former White Rock Baths, known as The Hub, was let to Hastings Pier Charity but the lease was surrendered following them going into administration.

The Source (Hastings) Ltd have a lease of most of the remainder of the building and under the terms of the agreement they have a right of first refusal if the Charity lease of The Hub expires or ends. This is on the proviso that agreement of suitable commercial terms are agreed at an open market rent.

The Assistant Director, Regeneration and Culture, informed the Committee that the Coastal Users Group (CUG) are able to call on all Charity Committee agenda items to comment. The Committee noted that, although the group was made aware that this report could be found in the reports pack for this Committee meeting, the report was not called at the CUG meeting on 12 March 2019 and no comments were made.

Councillor Batsford proposed a motion to approve the recommendations in the report, seconded by Councillor Rogers.

RESOLVED (unanimously):

That Charity Committee delegates to the Estates Manager in consultation with the Chair the authority to agree the final terms of the lease.

Reasons for recommendation:

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The premises are currently vacant following Hastings Pier Charity going into administration and Source Park (Hastings) Ltd have a right of first refusal under the terms of their existing lease of other parts of the building.

22. HASTINGS & ST LEONARDS ANGLING ASSOCIATION

The Assistant Director, Financial Services and Revenues presented a report to seek approval to settle the rent review at Hastings and St Leonards Angling Association.

Land at Marine Parade is leased to Hastings & St Leonards Angling Association for use as a clubhouse and boat compound. Their lease is for 20 years from December 2013 with 5 yearly rent reviews and the first review is due on 9 December 2018.

In order to deal with any potential conflict of interest between Hastings Borough Council and the Trust an independent valuation of the reviewed rent has been obtained from Dyer & Hobbis.

The Chair proposed amending the recommendation to clarify that the Committee will delegate authority to the Estates Manager in consultation with the Chair.

The Committee was informed that at the Coastal Users Group meeting on 12 March 2019 this item was not called for discussion.

Councillor Rogers proposed a motion to approve the recommendations in the report, subject to the proposed amendment, seconded by Councillor Batsford.

RESOLVED (unanimously):

That Charity Committee delegates to the Estates Manager in consultation with the Chair the authority to settle the rent review.

Reasons for recommendation:

The lease contains a provision for a rent review.

23. INSURANCE AND CASH COLLECTION CONTRACTS

The Assistant Director, Financial Services and Revenues presented a report to agree the procurement arrangements through the East Sussex Procurement Hub for the Insurance and Cash Collection Contracts.

Hastings Borough Council's current Insurance Contract expires on 31 March 2019. The East Sussex Procurement Hub has already gone out to tender with seven councils, including Hastings Borough Council, with a view to obtaining the most economically advantageous contract. The contract will be for 5 years fixed term.

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The Assistant Director, Financial Services and Revenues informed the Committee that the insurance contract has been awarded to the existing supplier via delegated authority.

Councillor Rogers proposed a motion to approve the recommendations in the report, seconded by Councillor Batsford.

RESOLVED (unanimously):

To agree that authority be given to the Assistant Director Finance and Revenues (Chief Finance Officer) in consultation with the Chair of the Charity Committee to determine final contract terms and conditions and award a contract to the suppliers that offer the most economically advantageous tenders in respect of Insurance and Cash Collection.

Reasons for recommendation:

The current insurance contract expires on 31 March 2019 and the cash collection contract expires on 31 August 2019.

24. FORESHORE TRUST 2019/20 BUDGET AND FINANCE REPORT

The Chief Accountant presented a report, submitted by the Assistant Director, Financial Services and Revenues, to advise members of the Committee on the current year's financial position (2018/19) and to determine the budget for 2019/20.

The budget agreed in March 2018 identified budgeted income at £1,400,000 and expenditure at £1,020,000. The budgeted surplus for the year being £380,000 after direct governance costs, but before distribution of grants, capital charges and before use of Reserves.

Income is currently projected to exceed the budget by a small amount. The amount of rental income anticipated is now £12,000 more than budgeted for due to new lets at better terms. Investment income and car parking income remain on budget.

Expenditure is expected to be £28,000 above budget. This is due to an anticipated overspend of £49,000 on charitable activities, offset by £9,000 lower than budgeted governance costs in respect of legal and professional fees and reduced maintenance expenditure as the £12,000 put aside for maintaining and operating a water play feature for the White Rock Fountain is unlikely to be incurred this financial year.

The Committee thanked Officers for their work.

Councillor Rogers proposed a motion to approve the recommendations in the report, seconded by Councillor Batsford.

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RESOLVED (unanimously):

1. To agree the current financial position for 2018/19.
2. The allocation of general grants for 2019/20 be set at £60,000 and event grants £37,000.
3. Approve the proposed expenditure funded from Reserve – albeit further approval to proceed is required for a few schemes.
4. Approve the budget for 2019/20.
5. Financial monitoring reports continue to be presented to each meeting of the Charity Committee.
6. Approve the car parking charges for 2019/20 (Appendix 4).

Reasons for recommendation:

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 2018/19 in respect of operating income and expenses. Once grant and project costs are taken into account a surplus of £110,000 is anticipated against a budgeted deficit of £99,000.

25. MINUTES OF COASTAL USERS GROUP 12 MARCH 2019

The minutes of the Coastal Users Group (CUG) meeting held on 12 March 2019 were submitted for members to note.

The Assistant Director, Regeneration and Culture informed the Committee that it was Councillor Cox who declared an interest as a member of the Planning Committee, not Councillor Levane as stated on page 3 of the minutes.

The Chair confirmed that as per the agreed procedure regarding planning applications agreed in November 2018; feedback on CUG advice, if contrary to a decision the Foreshore Trust make, would be formally recorded at the subsequent Charity committee meeting post planning committee decision.

The Committee noted the following comments in the minutes in relation to The Stade Family Amusement Park.

Paragraph 2 page 3:

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“The meeting expressed its disappointment with the decision. There was general agreement that previously expressed concerns had not been taken into account by the Charity Committee, and further disappointment that despite recent meetings and agreed processes, feedback has not been received from the committee as to why CUG’s advice was not taken.”

In response the Chair advised that members of the Charity Committee felt that they took on board the comments of the CUG, and noted the following;

- They reworded their comments, and arranged a site visit with the architects, who also took on board the worries about the proposed rerouting of the path.
- The architect assured members of the Charity Committee that visibility will be maintained along the whole length of the path to provide some safety after dark, and have supplied a drawing to that effect, showing the height of the planting.
- They also assured members that no “tunnel” will be created by the proposed construction. Rather an upper floor will be built over the lower area which will remain open to view through, and there will be no buildings immediately opposite.
- Some of these improvements are to comply with requirements of the lease and the others will improve the look of the area without losing any pedestrian access. The Chair’s understanding is that the whole area in question is the subject of the lease and therefor there has been no “landgrab”.

Paragraph 3, page 3:

“There was also no consultation with CUG before a new lease was granted to the tenant in 2016 and despite disappointment being expressed back at the time, feedback was not received from the committee.”

The Chair informed the Committee it is believed that this is incorrect. The agenda of the Charity Committee in March 2016 listed the lease of the Stade amusements as an item. This would have been discussed, if called, at the Coastal Users Group meeting on the 17th March 2016. CUG received a further verbal update by officers in September 2016.

The Committee noted that a request has been made for officers to draw up a briefing document which covers planning, specifically in relation to consents and planning processes. It was confirmed that officers are working on this document.

Further details of this planning application can be found on the Hastings Planning Portal [here](#).

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RESOLVED that the minutes of the Coastal Users Group meeting held on 12 March 2019 be received and noted.

(The Chair Declared the Meeting Closed at 7.02pm)