

# CABINET

7 OCTOBER 2019

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

## 199. APOLOGIES FOR ABSENCE

None.

## 200. DECLARATION OF INTERESTS

Councillor	Minute	Interest
Forward	208	Prejudicial – Owns a property close to the site

## 201. MINUTES OF LAST MEETING

**RESOLVED** – that the minutes of the Cabinet meeting held on 2<sup>nd</sup> September 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 minutes number 202, 203, 205, 208, and 209 were agreed without being called for discussion.

## 202. UPDATE ON THE SOCIAL LETTINGS AGENCY

The Assistant Director, Housing and Built Environment submitted a report outlining the revised business case for the Social Lettings Agency.

The report was presented by the Assistant Director and the Strategic Housing and Projects Manager.

The Social Lettings Agency (SLA) was set up with the primary purpose of helping to improve access to good quality, well managed, accommodation in the private rented sector. Households are accommodated in properties leased by the council from private landlords.

The revised model for the SLA has 3 main elements; expanding the private sector leasing scheme as an alternative to emergency accommodation, property management services for council-owned temporary accommodation and property management services for properties owned by Hastings Housing Company.

Councillor Batsford proposed approval of the recommendations, seconded by Councillor Fitzgerald.

The Chair agreed to vote on each recommendation separately, as shown in the resolution below.

**RESOLVED**

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- 1. That Cabinet supports the revised business case for the Social Lettings Agency and the next steps to implement the new model (by 7 for, to 2 against).**
- 2. Cabinet approves the investment strategy for the Social Lettings Agency (by 7 for, to 2 against).**
- 3. To continue to explore options to generate additional income through the social lettings agency, including providing management services to other local authorities (by 7 for, to 2 against).**
- 4. To approve capital funding of £2,575,000 for additional investment in temporary accommodation (unanimously).**

### Reasons for the decision:

The purpose of the SLA is to improve access to good quality, well managed accommodation in the private rented sector for homeless households. The council needed to review the business case for the SLA, following changes to government funding for temporary accommodation and revised growth forecasts for the councils Housing Company.

Under the new model, the existing private sector leasing scheme will be expanded, to help reduce the council's use of emergency accommodation. The SLA will continue to provide management services for council-owned temporary accommodation. The SLA will also manage one of the properties owned by Hastings Housing Company, with the expectation that this role will be expanded in the future, as and when the company acquires more properties.

### **203. POLLING PLACES REVIEW 2019**

The Director of Corporate Services and Governance submitted a report on the findings and evaluation of the recent review and the Acting Returning Officer's subsequent recommendations.

The Electoral Administration Act 2006 (Section 16, EAA 2006) introduced a duty for all UK parliamentary polling districts and polling places to be reviewed by the end of 2007 and thereafter to be reviewed periodically.

The polling district boundaries in 6 of the 16 wards were reviewed in order to achieve, where possible, a more equal number of electors. This will mean a number of polling station changes for electors within the borough.

The wards affected are:

- Ashdown (A1, A2, A3)
- Gensing (G1, G2, G2A)
- Old Hastings (J1, J2)
- St Helens (L1, L2)
- Silverhill (M1, M1A, M2, M2A, M2A, M2B)

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- Wishing Tree (P1, P1A, P2)

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

### **RESOLVED**

**1. To recommend that Council adopts the Acting Returning Officer's recommendations (as appended to this report) and publish the results of the review.**

**2. Delegate authority to the Director of Corporate Services and Governance to amend any decisions made under this review with regard to polling places or polling stations, should there be an urgent or necessary need.**

#### Reasons for the decision:

The council must regularly review the division of its parliamentary constituency area (within the borough boundary) into polling districts and the places where electors are asked to vote. The council must comply with the requirements of the Electoral Administration Act 2006 (Section 16, EAA 2006) and complete regular reviews of all polling districts and polling places. The council has a duty to ensure that the most suitable premises are used as polling places with regard to the needs of the electorate, subject to availability.

#### **204. LAND AT WHITWORTH ROAD**

The Assistant Director, Financial Services and Revenues submitted a report to seek approval to proceed with marketing the land at Whitworth Road.

The land is allocated for Employment B use classes in the Local Plan: site reference LRA8 - Land in Whitworth Road, The Ridge West.

The Council has received proposals to develop the land, but the uncertainty around development costs does not make it attractive for the Council to develop the site itself.

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

### **RESOLVED**

**1. To add the land to the Council's Land and Property Disposal Programme.**

#### Reasons for the decision:

This land is not straight-forward to develop, and is considered surplus to Council requirements.

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Adding the land to the Land and Property Disposal Programme will allow the Council to progress with marketing to hopefully achieve a sale of the freehold.

### **205. ACQUISITION OF LAND IN ORE VALLEY**

The Assistant Director, Financial Services and Revenues submitted a report to seek approval for Hastings Borough Council to take ownership of areas of green space in the Ore Valley.

The report was presented by the Director of Corporate Services and Governance and the Estates Manager.

In July 2017 Cabinet resolved to take ownership of the Former Power Station site and green space in the Ore Valley from Hastings & Bexhill Renaissance Ltd (HBRL) subject to the outcome of due diligence.

HBRL are now marketing the site inviting offers.

The land comprises 2 parcels of land east and west of Broomgrove Road and measuring approximately 3.66 hectares and 1.27 hectares.

Due diligence has been undertaken and both the Council and HBRL wish to proceed with the transfer of the green space land as it is intended that HBRL is wound up.

It was noted that the Council may consider looking at ways to protect the land from future development.

Councillor Chowney proposed approval of the recommendations, seconded by Councillor Evans.

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

- 1. To purchase the freehold of the land.**
- 2. To fund the initial repairs and maintenance costs from the Council's reserves (Ore Valley Reserve), estimated at some £57,000 (excluding VAT).**
- 3. The Director of Operational Services considers options for the long term management and maintenance arrangements of this area of land and brings forward a further report if necessary.**
- 4. The Ore Valley reserve is used to fund the ongoing maintenance and inspection costs of the land transferred until the long term arrangements are in place.**

Reasons for the decision:

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To enable the social and economic regeneration of Ore Valley and the surrounding area.

There are significant responsibilities in owning land, and the initial costs of making the land accessible can be funded from a reserve set aside for this particular purpose. The Assistant Director, Financial Services and Revenues submitted a report to seek approval for Hastings Borough Council to take ownership of areas of green space in the Ore Valley.

The report was presented by the Director of Corporate Services and Governance and the Estates Manager.

In July 2017 Cabinet resolved to take ownership of the Former Power Station site and green space in the Ore Valley from Hastings & Bexhill Renaissance Ltd (HBRL) subject to the outcome of due diligence.

HBRL are now marketing the site inviting offers.

The land comprises 2 parcels of land east and west of Broomgrove Road and measuring approximately 3.66 hectares and 1.27 hectares.

Due diligence has been undertaken and both the Council and HBRL wish to proceed with the transfer of the green space land as it is intended that HBRL is wound up.

It was noted that the Council may consider looking at ways to protect the land from future development.

Councillor Chowney proposed approval of the recommendations, seconded by Councillor Evans.

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- 4. The Ore Valley reserve is used to fund the ongoing maintenance and inspection costs of the land transferred until the long term arrangements are in place.**

### **Reasons for the decision:**

To enable the social and economic regeneration of Ore Valley and the surrounding area.

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There are significant responsibilities in owning land, and the initial costs of making the land accessible can be funded from a reserve set aside for this particular purpose.

The potential transfer of responsibilities for the land to a “conservation group” could help to enhance and protect the biodiversity of the area, particularly given the very limited resources that the Council has and expects to have in the future.

Until such time as the long term future of the site is secured there will be regular inspection and maintenance costs incurred e.g. trees, paths, drainage, signage, and particularly fences.

### **206. CHURCHFIELD BUSINESS CENTRE**

The Assistant Director, Financial Services and Revenues submitted a report to seek an increase in the budget for Churchfields Business Centre.

At Cabinet on 4 March it was agreed to include Sidney Little Road Business Incubator Hub (now known as Churchfields Business Centre) within the Capital programme with an estimated budget, including fees, of £2.8m. This was subject to Local Growth Funding of £500,000 which has since been granted.

The consultants have worked up detailed designs and the estimated costs are now £3.3m.

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

### **RESOLVED:**

**To agree to increase the budget from £2.8m to £3.3m subject to receiving £300,000 funding from Connecting Hastings and Rother Together (CHART) Programme – Community led Local Development (CLLD).**

Reasons for the decision:

As outlined in the body of the report the overall cost of development has increased at detailed design stage.

### **207. OLD TOWN HALL**

The Assistant Director, Financial Services and Revenues submitted a report to seek approval for Hastings Borough Council to consider the disposal of the Old Town Hall, High Street, Hastings.

The report was presented by the Director of Corporate Services and Governance and the Estates Manager.

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The property became vacant in October 2018 as the lease was surrendered due to the tenant encountering financial difficulties.

Dyer & Hobbis were appointed to market the property for lease in November 2018. There has been very little interest and only one offer received to date which was well below the revised guide rent.

If the Council retain the building there are various costs that will need to be met over and above the day to day holding costs.

Councillor Chowney proposed approval of the recommendations, seconded by Councillor Forward.

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

#### **Dispose of the Old Town Hall**

##### Reasons for the decision:

The property is considered surplus to Council requirements and has significant holding costs.

In the absence of interest in renting the building at a commercial rental, the Council has considered a number of options. These have included disposal, refurbishment, rental for alternative use and to seek a change of use from Planning. The property is listed as an asset of community value.

#### **208. CORNWALLIS STREET CAR PARK - POTENTIAL DEVELOPMENT**

Councillor Forward left the chamber during discussion of this item due to a prejudicial interest.

The Assistant Director, Financial Services and Revenues and the Assistant Director, Regeneration and Culture submitted a joint report to consider the potential development of a hotel on Cornwallis Street car park.

The report was presented by the Director of Corporate Services and Governance, the Assistant Director, Regeneration and Culture and the Estates Manager.

The Council has been approached by a developer/hotel chain for the redevelopment of the Cornwallis Street car park with a new hotel.

A conditional offer has been made (subject to board approval, planning, and contract) for an 80 room hotel on the site on the following basis:

- 80 bed hotel and restaurant
- 25 year lease
- Substantial rent

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The council has an obligation to test the market and ensure best value. It is proposed that in order to minimise timescales the Council will undertake initial surveys of the site.

The Assistant Director highlighted that Hastings has fewer serviced beds than neighbouring seaside towns and the development would support growth in the local tourism economy.

It was noted that the site is allocated for residential development within the Development Plan (Site Ref HTC2).

Councillor Chowney proposed approval of the recommendations, seconded by Councillor Rogers.

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

- 1. Agree to market the site, in accordance with EU procurement rules, on the basis that the Council develops the site for a hotel operator and lets the site on a long lease (20 years or more). The works only to commence once lease terms are agreed.**
- 2. Agree to include the potential development of the site, at an estimated cost of £7m within the Capital programme when determining the Capital Programme, Capital Strategy, and Treasury Management Strategy as part of the 2020/21 budget setting process.**
- 3. Agree to undertake the surveys required now for the subsequent development of the site at an estimated cost of up to £30,000 - funded from the General Reserve.**
- 4. Agree to appoint an external legal firm now to draw up the procurement documents and necessary legal documentation at an estimated cost of up to £40,000 - funded from the General Reserve.**

### **Reasons for the decision:**

The site is within the local development plan, earmarked for residential and retail.

The site presents a significant opportunity to further economic development and tourism within Hastings and St Leonards and to attract a major hotel within the town centre has been an aspiration for the Council for some time.

A viable option has been presented to the Council for a development and if the Council wishes to take the opportunity, it will need to move quickly. The EU procurement rules are complex, as will be the lease arrangements, and therefore external expertise in this instance is required.



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### **209. CONSTITUTIONAL AMENDMENTS**

The Chief Legal Officer submitted a report to recommend 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 Arrangement Group and/or changes in legislative provisions or working practices.

The proposed amendments are as a result of updating and tidying up of the Constitution. Changes are being proposed to Parts 1, 2, 4, 6, 8 and 9 of the Constitution.

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

#### **RESOLVED:**

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

#### **Reasons for the decision:**

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

### **210. MUSEUM COMMITTEE RECOMMENDATIONS**

The Assistant Director, Regeneration and Culture submitted a report to seek approval for the recommendations of the Museum Committee meeting held on 9 September 2019.

Cabinet is required to consider the recommendations of the Museum Committee as the Committee has no formal decision making powers and acts as an advisory committee of Cabinet.

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

#### **RESOLVED:**

**That Cabinet note and approve the recommendations of the Museum Committee meeting held on 9 September 2019.**

#### **Reasons for the decision:**

The Museum Committee has no formal decision making powers and acts as an advisory committee to Cabinet.

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(The Chair declared the meeting closed at. 7.21 pm)