

# Cabinet Agenda

**Monday, 7 October 2019 at 6.00 pm**

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

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		Page No.
1.	Apologies for Absence	
2.	Declaration of Interests	
3.	Minutes of Last Meeting	1 - 6
4.	Update on the Social Lettings Agency <i>(Andrew Palmer, Assistant Director, Housing and Built Environment)</i> <i>(Cabinet Decision)</i>	7 - 28
5.	Polling Places Review 2019 <i>(Jane Hartnell, Director of Corporate Services and Governance)</i> <i>(Council Decision)</i>	29 - 70
6.	Land at Whitworth Road <i>(Peter Grace, Assistant Director, Financial Services and Revenues)</i> <i>(Cabinet Decision)</i>	71 - 76
7.	Acquisition of land in Ore Valley <i>(Peter Grace, Assistant Director, Financial Services and Revenues)</i> <i>(Cabinet Decision)</i>	77 - 84
8.	Churchfield Business Centre <i>(Peter Grace, Assistant Director, Financial Services and Revenues)</i> <i>(Cabinet Decision)</i>	85 - 88

9.	Old Town Hall <i>(Peter Grace, Assistant Director, Financial Services and Revenues)</i> <i>(Cabinet Decision)</i>	89 - 92
10.	Cornwallis Street Car Park - Potential Development <i>(Peter Grace, Assistant Director, Financial Services and Revenues)</i> <i>(Cabinet Decision)</i>	93 - 102
11.	Constitutional Amendments <i>(Christine Barkshire-Jones, Chief Legal Officer)</i> <i>(Council Decision)</i>	103 - 156
12.	Museum Committee Recommendations <i>(Victoria Conheady, Assistant Director, Regeneration and Culture)</i> <i>(Cabinet Decision)</i>	157 - 164
13.	Notification of Additional Urgent Items	
14.	Urgent Items (if any)	

# Agenda Item 3

## CABINET

2 SEPTEMBER 2019

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

### **192. APOLOGIES FOR ABSENCE**

None.

### **193. DECLARATION OF INTERESTS**

None.

### **194. MINUTES OF LAST MEETING**

**RESOLVED** – that the minutes of the Cabinet meeting held on 8th July 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 number 198b were agreed without being called for discussion.

### **195. MEDIUM TERM FINANCIAL STRATEGY AND 2019/20 MID-YEAR FINANCIAL REVIEW**

The Assistant Director, Financial Services and Revenues presented a report outlining the Medium Term Financial Strategy.

The council looks to forecast its financial position over the medium term in order to ensure it can align corporate objectives with available resources.

The Medium Term Financial Strategy (MTFS) seeks to identify the financial risks that will affect the annual budgets for each of the next 5 years (with projections to 2028/29) in order that key priorities can be matched to expected funding.

The Assistant Director informed the Cabinet that there remains uncertainty on the level of resources that will be available to the Council beyond next year. Further detail should be set out in the forthcoming spending review with a funding settlement expected in December.

In response to a suggestion that the Council should increase its capital asset disposal programme the Assistant Director confirmed that assets are reviewed on a regular basis and there are plans to dispose of assets, however not all disposals are large enough to come to Cabinet for approval.

Councillor Chowney proposed approval of the recommendations of the report, seconded by Councillor Fitzgerald.

## CABINET

2 SEPTEMBER 2019

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

### **RESOLVED:**

**1. Approve the Medium Term Financial Strategy. (by 7 for, to 2 against)**

**2. The Council take the robust actions necessary in this financial year and throughout the 2020/21 budget processes to achieve a sustainable budget. (unanimously)**

### Reasons for the decision:

The council matches its available resources to its priorities across the medium term.

The Council needs to achieve savings of some £3.2m in order to achieve a sustainable budget in 2020-21. To date some £1.81m savings have been identified and there are estimated to be some £548,000 of reserves that could be used to help in the transition to a lower spending Council - subject to significant savings being achieved in 2019/20.

This leaves some £1.496m of savings still to identify. The report provides the opportunity to assess the council's resources to assist the review of corporate priorities. The Council must be prepared for continued ongoing reductions in funding, greater volatility in its income streams, economic uncertainty and the need to continually ensure limited resources are properly aligned to targets.

### **196. MANAGEMENT RESPONSE TO OVERVIEW & SCRUTINY REVIEW OF REGENERATION FUNDING**

The Director of Operational Services presented a report to provide a response to the Overview and Scrutiny Committee review of regeneration funding.

The Director noted that the report includes Maze Hill as an affected ward which isn't the case.

The council is currently working together with East Sussex County Council (ESCC) and Rother District Council (RDC) to review the impact of regeneration programmes and to identify the priorities for the next period.

The Council's financial position remains extremely difficult and Councillors will face tough choices around next year's budget. Any increase in activity not funded by new external funding will need to be found by achieving savings elsewhere. In this kind of context, it is critical to be clear that sustainable benefits to residents are expected to accrue from any new activity and to be precise about what these might be.

## CABINET

2 SEPTEMBER 2019

Councillor Barnett, chair of the scrutiny regeneration review addressed the meeting. Councillor Barnett noted that the report was agreed unanimously by the Overview and Scrutiny Committee. The review highlighted that whilst there has been a lot of success in the town over the past ten years there is evidence to show that the poorest residents are relatively worse off. The focus needs to be building on the good work already done to support those living in the poorest areas.

Councillor Chowney proposed amending recommendation 4 to make clear the Council will investigate the possibility of maintaining a focus on specific areas through area champions.

Councillor Forward thanked Councillor Barnett, the review team and all officers involved.

Councillor Chowney proposed approval of the report, subject to the amendment to recommendation 4, seconded by Councillor Forward.

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

- 1. Cabinet thanks the review team for their report.**
- 2. Recommendation 1 is agreed, but that it is noted that actions that grow the wider Hastings economy will be critical to creating new opportunity for economic inclusion.**
- 3. Recommendation 2 is agreed.**
- 4. To accommodate recommendation 3 the Council will investigate how a greater focus could be given to representing local neighbourhoods through officer area champions.**
- 5. Recommendation 4 is agreed. A “project board” drawn from Cabinet members will have oversight of the programme to be adopted in the forthcoming budget.**
- 6. Overview & Scrutiny members are invited to comment upon the Hastings and Rother Task Force review.**

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

The kind of action that will address long term symptoms and causes of poverty are lack of employment opportunities added to factors like education, health and skills.

The council is actively engaged in trying to stimulate growth. The council can contribute to both growth and economic inclusion. Through partnership with the Clinical Commissioning Group (CCG) and others it supports health initiatives and its housing programmes focus upon dealing with both the causes and consequence of poverty.

## CABINET

2 SEPTEMBER 2019

Previous neighbourhood based work was part of a nationally funded programme aimed at the UKs most disadvantaged local authority areas. Hastings programme included funding for staff to support neighbourhood provision together with a programme of area based grants. The Local Strategic Partnership had oversight of this programme with 21 key targets aimed at “gap closing” on key performance figures. Additionally, Hollington had a Greater Hollington Neighbourhood Pathfinder operating in the previous decade.

Since this funding ceased the council has faced year on year reduction of its budgets. Additionally The Connecting Hastings & Rother Together (CHART), Community Led Local Development (CLLD) and Opportunity Area are significant programmes and the council should focus on how these might be built upon and extended into the future.

The current budget of the council does not easily permit new areas of unfunded work to be developed. It is likely there will be less staff and financial resources available in 2020/21 and moving forward.

### **197. CENTRAL ST LEONARDS RENEWAL AREA EXIT REVIEW**

The Assistant Director, Housing & Built Environment submitted a report to present the results of the exit review for the St Leonards Renewal Area.

The report was presented by the Housing Renewal Manager.

Cabinet declared the Central St Leonards Renewal Area on the 18 December 2003. Following a review of the area in 2013, which identified significant progress, the project was extended for a further five years to November 2018.

An exit review was undertaken for the Central St Leonards Renewal Area by RJFP Resourcing (who also undertook the review in 2013) in order to highlight successes.

Councillor Cox spoke as the ward councillor for Central St Leonards. On behalf of herself and Councillor Webb she welcomed the report laying out the improvements to the area since 2003 and thanked those involved. Councillor Cox asked for a commitment that if funding was restored by the Government renewal area status would be reapplied to Central St Leonards. Furthermore she requested that a watching brief on the area is maintained by the Leader of the Council, portfolio holders and officers.

Councillor Batsford proposed approval of the recommendations of the report, seconded by Councillor Forward.

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

#### **1. That the contents of the report are noted.**

Reasons for the decision:

## CABINET

2 SEPTEMBER 2019

Following the end of the 15 year St Leonards Renewal Area an exit review has been undertaken. The results of this review are presented as an appendix to the report.

### **198. URGENT ITEMS**

#### **198.1 12/13 York Buildings (Part 1)**

The Assistant Director Financial Services & Revenues presented a report to seek approval for additional capital funding to convert the upper floors to six flats.

The Assistant Director informed the Cabinet that costs had risen by £89,000. However, borrowing costs have decreased which makes the scheme slightly more viable. If the additional funding is not approved there will still be costs involved in retaining and repairing the building.

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

#### **RESOLVED (by 7 for, to 2 against):**

**To increase the capital budget to convert the upper floors to 6 flats to £846,000 (was previously £757,000).**

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

Following delays with obtaining consent to discharging conditions of the listed building consent and changes required to the original specification the project costs have increased. However with the historically low interest rates there is still a window of opportunity to convert the derelict 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. The estimated additional income increases from that reported in July 2018 despite the cost increase; this is the result of reductions in overall borrowing costs.

#### **198.2 12/13 York Buildings (Part 2)**

The Assistant Director Financial Services & Revenues presented a report to seek approval for additional capital funding to convert the upper floors to six flats.

The Assistant Director informed the Cabinet that costs had risen by £89,000. However, borrowing costs have decreased which makes the scheme slightly more viable. If the additional funding is not approved there will still be costs involved in retaining and repairing the building.

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

## CABINET

2 SEPTEMBER 2019

**RESOLVED** (by 7 for, to 2 against):

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Reasons for the decision:

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(The Chair declared the meeting closed at. 7.46 pm)

# Agenda Item 4



**Report to:** Cabinet

**Date of Meeting:** 7 October 2019

**Report Title:** Update on Social Lettings Agency Business Case

**Report By:** Andrew Palmer, Assistant Director Housing and Built Environment

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## Purpose of Report

Cabinet previously approved the development of a new business case for the council's Social Lettings Agency (SLA). This report gives an overview of the business case and the next steps required to implement the new approach.

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## Recommendation(s)

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

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## Reasons for Recommendations

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.

## Introduction

1. 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 for homeless households. Households are accommodated in properties leased by the council from private landlords.
2. The council is now experiencing an acute rise in demand for emergency accommodation. The profile of placements has also changed, with an increasing number of families living in emergency accommodation. In 2018/19 the council spent a total of £1,417,131 on emergency accommodation, incurring a net cost of £699,870 after housing benefit recovery.
3. The current crisis in homelessness means that the council must continue to explore opportunities to manage its use of emergency accommodation more cost effectively. Expanding the existing private sector leasing scheme is key to improving access to access to accommodation for homeless households and avoiding lengthy stays in emergency accommodation. The council has also invested in its own emergency accommodation, which is cheaper than traditional bed and breakfast accommodation. It is now proposed to build upon this and proceed with a second round of investment.
4. It was the council's intention that the SLA would also provide management services for all properties owned by Hastings Housing Company (HHC), and use its income from management fees to offset the cost of the private sector leasing scheme. The business case for HHC is currently being reviewed to take account of revised lending costs and future investment levels, and it is unlikely that further existing street properties will be acquired in the short term. The SLA will not receive the previous level of income from management fees to offset the cost of expanding the private sector leasing scheme. These costs will therefore need to be met from the council's revenue budget at least in the medium term.

## Increasing Demand for Emergency Accommodation

5. The number of people living in emergency accommodation has increased by 192% over the past 3 years, from 51 at the end of 2016/17 to 149 at the end of 2018/19. The average length of stay has also increased significantly.
6. There are currently 155 placements living in emergency accommodation for an average of 161.1 days. Of the current placements, 78 households were families.
7. Some of the key factors impacting rising demand for emergency accommodation are:
  - i. Lack of affordable accommodation in the private rented sector. There is an increasing affordability gap between LHA and average rents in the private sector, meaning accommodation is inaccessible for benefit-dependant households. As the market for private rented accommodation has become competitive, landlords are often reluctant to accept tenants with a poor history of tenancy sustainment.
  - ii. Limited supply and low turnover of social housing – turnover of social housing is currently around 0.92% of the total stock. Average waiting times

on the housing register are 537 days, although this can be significantly higher for family sized accommodation.

- iii. Clients with increasingly complex needs are accessing mainstream homelessness services. Funding to social care services has been reduced. The county council's community based support service was reduced and 12 units of supported accommodation have been closed. As a result, individuals with increasingly complex needs are accessing mainstream homelessness services and emergency accommodation. These individuals often have low levels of independent living skills and struggle to find new accommodation. Given the lack of supported accommodation locally, many are placed in general needs emergency accommodation.
  - iv. The Homelessness Reduction Act, which came into force in April 2018, expanded the duties for local authorities to provide emergency accommodation for homeless households.
8. The current trend of increasing use of emergency accommodation also has a financial impact on the council. A breakdown of the average cost of bed and breakfast accommodation is set out below.

Number of bedrooms	LHA per week	Average cost per week in bed and breakfast	Number of placements
Studio	£69.77	£177	0
1 bed	£94.81	£177	77
2 bed	£123.90	£261	50
3 bed	£164.75	£301	16
4 bed	£201.49	£380	11
5 bed	£201.49	£417	1

## Social Lettings Agency

### Current Position

9. The SLA currently manages 20 units of accommodation through the private sector leasing scheme. Of the current tenants, at least 40% are owed a full homelessness duty by the council. This means that the council would have to

provide them with emergency accommodation, if they were not living in a SLA leased property.

10. A current breakdown of the properties leased by the SLA is listed below, together with the cost of providing the equivalent accommodation in bed and breakfast:

Number of bedrooms	Number of units currently leased by the SLA	Cost per annum of SLA lease	Cost per annum in bed and breakfast
HMO	10	£33,892	£92,040
1 bed	4	£17,654	£36,816
2 bed	1	£5,630	£13,572
3 bed	5	£39,084	£78,260
<b>Total</b>		<b>£96,260</b>	<b>£220,688</b>

11. Arrears for personal contributions, which are paid by people living in HMOs, currently stand at £23,671 against a target of £13,063. Tenants often fall into arrears as a result of delays processing their Universal Credit claims. Payments for properties leased by the SLA are now met by housing benefit. Officers are now working with tenants to develop repayment plans to bring this figure in line with the target.
12. If the council were to terminate the SLA now, its spend on emergency accommodation would increase significantly. It is also unlikely that we would be able to source a sufficient number of emergency accommodation placements locally to meet demand.

### Future approach

13. 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 HHC.

### Private Sector Leasing Scheme

14. Demand for homelessness services is likely to continue to increase over the next 4 years. Expanding the private sector leasing scheme will provide the council with a cost-effective alternative to emergency accommodation placements. This

is because the council often has to pay above market rents to secure emergency accommodation on a night by night basis.

15. The SLA currently leases 20 units of accommodation, it is proposed to increase this by a further 36 units (25x 2 bedroom units, 7x 3 bedroom units, 4x 4 bedroom units) over the next 18 months to reflect the rising demand for emergency accommodation. This will bring the total number of properties leased by the SLA to 56 by the end of March 2021.
16. The SLA will prioritise leasing family sized accommodation, as this achieves the biggest savings on our emergency accommodation spend. New placements will be for households who are owed a full homelessness duty and would otherwise be living in emergency accommodation provided by the council. Once the new approach has been agreed, the SLA team will use existing contacts, including the National Landlords Forum, to begin securing new properties.
17. Households living in properties leased through the SLA will be supported to find alternative accommodation in the social and private rented sector as soon as possible. Achieving this through-put is essential to maximise the costs avoided in emergency accommodation. Two dedicated housing management officers will equip households with the skills they need to access and sustain new accommodation and minimise the risk of them becoming homeless again in the future. The council will also provide financial support, such as interest free loans for rent in advance and deposits, to improve access to private rented accommodation.
18. Properties will be leased for a period of 3 years, with the option for either the council or landlord to terminate the lease with 3 months notice. Rent payments to the landlord will be guaranteed for the duration of the lease and fixed at the 2019 median private rent. Leasing properties in this way will enable the council to respond to any changes in demand for emergency accommodation placements.

The council is able to re-coup some of these costs through the LHA. Although the council will need to top-up these payments to bring them in line with median market rents, this will be cheaper than securing traditional emergency accommodation. For the second round of leasing, the total net cost to the council through the SLA will be £100,324, compared to a net cost of £264,955 if the council were to place the same households in emergency accommodation.

19. A full breakdown of the types of properties the SLA will be seeking to lease can be found at [appendix A](#).

### **Management services for council-owned temporary accommodation**

20. In October 2018, Cabinet set aside a capital budget of £3,142,614 for the council to purchase its own emergency accommodation. This approach is cheaper than securing the same accommodation by traditional routes and provides greater flexibility over the management of housing stock.

21. The original capital allocation is now fully committed, and the council has identified a total of 17 units of accommodation (8x 2 bedroom units, 8x 3 bedroom units and 1x 4 bedroom unit).
22. In July 2019, Cabinet instructed the Assistant Director for Housing and Built Environment to develop a further round of capital investment in temporary accommodation. The report indicated an indicative budget of £2,500,000, by reallocating capital funding which had been set aside for HHC to be invested in emergency accommodation instead. The investment will be financed by a loan from the public works loans board and forms part of the council's treasury management strategy. A full breakdown can be found in [appendix A](#).
23. The additional investment will enable the council to acquire a further 15 units of accommodation (13 x 2 bed units and 2x 4 bed units) by the end of March 2021. The profile of properties to be acquired has been based on current emergency accommodation placements, as set out in paragraph 9.
24. A second round of investment will bring the total number of units of council-owned temporary accommodation managed by the SLA to 32 by the end of March 2020, with the total costs avoided in the region of £300,000 per annum. The SLA will provide property management services, including organising repairs and maintenance.

### **Management services for properties owned by Hastings Housing Company (HHC)**

25. The SLA manages 1 property on behalf of HHC. The property comprises two self-contained flats and a 3 room HMO. The remaining HHC portfolio is largely let as general needs market rented housing and managed externally by a local provider for a fee. This is a pragmatic arrangement which recognises the councils current limitations in terms of the management capacity but it does affect the level of return that the housing company is able to achieve on the properties.
26. Under the management arrangement between the SLA and HHC, the SLA achieves an income of 8% of rent for managing the existing property. The SLA is projected to achieve an income of £4,307 per annum in management fees from HHC.
27. It had originally been intended that HHC would continue to acquire street purchases and that these would be managed by the SLA. However, the latest CIPFA guidance on council borrowing has necessitated a review of the HHC business case, and it has been necessary to suspend the street property acquisition programme whilst the implications of this upon the company and councils investment return is fully considered.
28. It is the intention that the SLA will increase the number of properties it manages for HHC in the future, as further acquisitions are made or the company develops its own units. This is most likely to occur in situations where it can acquire or develop new homes directly as part of new development proposals.

29. However, in the medium term the income achieved from managing HHC-owned properties will not be sufficient to offset the cost of the private sector leasing scheme and the council will need to continue to support the SLA through the alternative means outlined.

### **Staffing**

30. It is proposed to create a second housing management officer role within the SLA to include a second housing management officer post. This is to reflect the additional units of accommodation managed through the scheme and also the enhanced level of support that will be provided to households to secure long term housing.
31. The SLA will be managed by the following staff:
- 1x FTE housing operations manager
  - 2x FTE housing management officers
32. The Housings Operations Manager and 1 Housing Management Officer are currently in post. It is proposed that funding of £28,000 will be reallocated from the Accessing the Private Rented Sector project to part-fund the second Housing Management Officer role in 2019/20. Beyond March 2020, the costs of all three roles will need to be met from the SLA budget.

### **Management Services**

33. Other local authorities have seen similar increases in their use of emergency accommodation and are now considering leasing properties in the private rented sector and acquiring their own temporary accommodation. There may be scope for the SLA to manage properties on behalf of other local authorities in return for a management fee. This additional income might offset the net cost of the SLA to the council.
34. A separate report will be brought to Cabinet if it is viable for the SLA to provide management services for other local authorities.

### **Project Board**

35. The ongoing development of the SLA will continue to be overseen by a project board, comprising colleagues from housing, legal and financial services.

### **Financial Implications**

36. It had originally been intended for the SLA to become cost neutral to the council by the end of 2019/20, due to the additional income received in management fees from HHC. HHC is not currently planning to make further street acquisitions at present. Therefore, this is no longer considered to be achievable.
37. The number of people living in emergency accommodation has increased on average by 54% each year for the past 3 years. So far in 2019/20, demand for emergency accommodation has begun to stabilise. We are therefore projecting that demand will increase at a slower rate of 38% each year for the next 3 years.

However, this is a demand-led service and given the underlying economic drivers for the increase, further rises in demand cannot be ruled out.

Year	Net spend on emergency accommodation without the new model	Net spend on emergency accommodation with the new model
2019/20 budget projection	£680,118	N/A
2019/20 revised budget projection	£965,230	£935,816
2020/21	£1,330,508	£1,051,520
2021/22	£1,896,986	£1,387,416

38. If the new model agreed, the projected spend on emergency accommodation will be £1,051,520 in 2020/21, if demand continues to increase.

39. The table below sets out the running costs of the social lettings agency:

	2019/20 budget projection	2019/20 revised budget projection	2020/21	2021/22
Employees	£57,210	£74,380	£111,030	£111,030
Premises	£21,350	£26,195	£46,150	£46,150
Transport	£600	£156	£310	£310
Supplies and Services	£316,200	£155,949	£315,580	£419,550

Support Services	£11,130	£11,130	£11,130	£11,130
Income	-£391,100	-£201,907	-£300,457	-£371,237
Grant funding	-£26,000	-£65,903	£0	£0
<b>Net cost</b>	<b>-£10,610</b>	<b>£0</b>	<b>£183,743</b>	<b>£216,933</b>

40. The revised supplies and services and income projections for 2019/20 reflect that a number of leases have come to an end in this financial year and the new housing benefit arrangements for SLA properties.
41. The council is heavily reliant on Flexible Homelessness Support Grant to offset the cost of the social lettings agency and emergency accommodation. The level of grant the council will receive in 2020/21 and 2021/22 has not yet been confirmed. If the grant were to be discontinued in the future, the costs of the SLA and emergency accommodation would need to be met from the council's core budget.
42. If the council carries out a further round of capital investment in its own emergency accommodation it will incur additional revenue costs to repay the loan from the public works loans board, it will also receive additional income in respect of Local Housing Allowance:

Loan repayments	£225,759
Local Housing Allowance income	£235,266
Net income:	-£9,507

43. The new income will be used to offset the running cost of the SLA. If the council were to discontinue the SLA it's spend on emergency accommodation would increase, as it would need to offer alternative accommodation to the households currently living in leased properties. The council would also incur additional costs in terms of the management of its own emergency accommodation.
44. The factors which are underpinning the rise in emergency accommodation are unlikely to change in the short term. Therefore it is essential that the council continues to find cost effective ways of accommodating homeless households, by purchasing its own emergency accommodation and leasing properties from the private rented sector.

## **Availability of Social Housing**

45. Social housing is increasingly inaccessible for households leaving emergency accommodation. Turnover of social housing is low, currently around 0.92% of total social housing stock. The average waiting time on the housing register is 537 days, although this can be significantly higher for family sized accommodation.
46. The council has been working to develop a service level agreement with Optivo, which would enable them to make a small proportion of their housing stock (around 7 units per year) available as temporary accommodation. The service level agreement is currently being finalised and we expect it to be in place by November.
47. Under current arrangements, households priority banding is downgraded on the housing register when they move into a property leased by the SLA. It is proposed that this practice is stopped under the new model, to support households access accommodation in the social sector.
48. It is proposed that the council also undertakes a review of its allocation policy for social housing, to reflect changes in demand for homelessness services.

## **Reliance on external funding**

49. The council is heavily reliant on external funding streams, principally from the Ministry for Housing, Communities and Local Government (MHCLG), to enhance its homelessness prevention activities. Whilst the additional resources are welcomed, the short term nature of much of the funding creates challenges when developing a strategic approach to addressing homelessness.
50. The SLA is currently partly funded from the council's FHSG allocation. The MHCLG has not indicated if FHSG payments will continue to be made beyond March 2020, it has therefore been assumed that the running costs for the SLA will need to be met from the council's revenue budget from April 2020 onwards. If further FHSG funding is announced, there may be scope for the council to offset some of the running costs for the SLA using the grant.
51. In March 2019, the council secured additional funding through the MHCLG's Accessing the Private Rented Sector funding stream, for a project which provides tenancy sustainment support for households leaving emergency accommodation. The project was mobilised during quarter 1. In its first 6 weeks of operation the officers have successfully prevented 4 new placements in emergency accommodation and secured move on for 6 families from emergency accommodation. The MHCLG is due to announce new funding opportunities in November 2019 and we will explore opportunities to continue this approach through the funding.
52. Hastings Borough Council led a successful bid, in partnership with Rother District Council, Education Futures Trust, Fellowship of St Nicholas and Sussex Community Development Association for a project proving specialist employability and tenancy sustainment support for homeless households,

particularly those living in emergency accommodation. The project is due to be mobilised in autumn 2019.

### **Policy Implications**

53. Once the new model has been agreed, the SLA team will work closely with the council's legal and finance team to review and update our working practices to reflect the new approach.

### **Conclusion**

54. It has not been possible to develop a model for the SLA which is independent of financial contributions from the council, at least in the medium term.
55. However, given the increasing demand for emergency accommodation it is essential that the council continues to improve access to accommodation in the private sector through the expanded leasing scheme. Terminating the existing scheme would also see the council's spend on emergency accommodation increase further.
56. Acquiring further units of temporary accommodation is an important way the council can manage its use of emergency accommodation more cost-effectively and reflects good practice from other local authorities.
57. A combined model of increasing the number of units of temporary accommodation owned by the council and expanding the private sector leasing scheme, will ensure the council retains the flexibility to respond to changes in demand for accommodation.
58. SLA's remain a key part of national policy for addressing increases in emergency accommodation. The Rowntree Foundation is currently lobbying government to increase LHA rate in line with private rents, which would improve the viability of such schemes.
59. Assessing likely future demand for temporary accommodation is problematic given the large number of variables involved. Best estimates therefore have to take account of current spend and the recent trajectory in recent years whilst considering the potential impact of any existing or planned compensatory measures introduced. There may well be a case for a further expansion of the acquisition programme depending upon the impact of the measures outlined in this report.
60. Officers will undertake a further assessment over the coming months as the programme proceeds to review our position at the end of the current financial year. We will also undertake a full review in March 2021, when we are expecting the new model to reach full capacity in terms of leased properties and council-owned accommodation. This will enable us further assess progress, respond to any further changes to market conditions and confirm our future approach.

### **Next Steps**

61. The table below sets out the next steps to mobilise the new SLA scheme:

Action	Key milestone	Due date (provisional)	Responsible
Draft Management Agreement between HHC and Hastings Borough Council	Management agreement in place	September 2019	Property and Contracts Officer / Strategic Housing and Projects Manager
Finalise Housing Management procedures.	Revised Management Procedures in place	October 2019	Housing Operations Managers
Finalise payment processes under the new SLA models	Payment processes finalised.	October 2019	Housing Operations Managers
Promote the new SLA models to landlords.	New SLA models promoted at Landlords Forum	October 2019	Housing Operations Managers
Go live with new SLA models and keep under monthly performance review.	Project plan finalised by SLA and Temporary Accommodation Group.	November 2019	Housing Operations Managers

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## Wards Affected

All wards

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## Implications

Relevant project tools applied? Yes

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

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

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## **Additional Information**

Appendix A – SLA Scope  
Appendix B - Key Assumptions  
Appendix C – Risk Register

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## **Officer to Contact**

Officer Name Michael Courts  
Officer Email Address [mcourts@hastings.gov.uk](mailto:mcourts@hastings.gov.uk)  
Officer Telephone Number 01424 451315

## Appendix A – SLA Scope

### Private Sector Leasing Scheme

The table below sets out the projections for the properties the SLA will be seeking to lease, based on current emergency accommodation placements:

Number of bedrooms	LHA per week claimed by the SLA	Median private rent	Number of properties required	Net cost through the SLA
2 bed	£113.63	£162.00	25	£62,881
3 bed	£150.58	£207.00	7	£20,537
4 bed	£194.72	£276.00	4	£16,906

For the second round of leasing, the total net cost to the council through the SLA will be £100,324, compared to a net cost of £264,955 if the council were to place the same households in emergency accommodation.

### Emergency Accommodation Acquisitions

Set out in the tables below are the capital and revenue costs for a second round of investment. The projections are based on experience from the first round of acquisitions:

#### Capital costs

	Purchase price	Stamp Duty	Refurbishment Costs	Fixtures and Fittings
13x 2 bed units (based on a purchase price of £140,000)	£1,820,000	£58,500	£65,000	£32,500
2x 4 bed (based on a purchase price of £280,000 per property)	£560,000	£16,500	£10,000	£12,500
Sub Total	£2,380,000	£75,000	£75,000	£45,000
<b>Total</b>	<b>£2,575,000</b>			

## Appendix B – Key Assumptions

### Hastings Housing Company (HHC) –

- The SLA will continue to manage 5 units of accommodation on behalf of HHC until at least 31 March 2023.
- SLA will not manage any further properties on behalf of HHC between 2019/20 and 2022/23.
- Beyond 2023, the number of properties acquired by HHC will be subject to a separate business case and the council's broader capital programme.
- Rent back will be at 8% below the rent that Hastings Borough Council receives to cover the management charge.
- The majority of HHC properties will be let at a market rent, rather than LHA level rent.
- HHC as a landlord will be responsible for the maintenance costs of its portfolio.

### Private Sector Leasing Scheme –

- The SLA will lease 2 new properties each month, on average, in 2019/20 (based on previous experience operating the existing SLA).
- Landlords of existing properties leased to the SLA will accept the terms of the new leases.
- New leases will be based on median market rents.
- Landlords will remain responsible for the maintenance costs of their properties.
- The council will be liable to cover the cost of any damage to the property caused by the tenants (listed as property handback costs in the budget). The council's liability for damage will be limited at 5 weeks rent.

- Housing Renewal will inspect SLA properties and any category 1 hazards will be addressed before a lease is signed.
- The SLA will prioritise leasing family-sized accommodation (minimum 2 bedrooms), as this achieves the biggest savings on emergency accommodation spend.
- The SLA will not prioritise leasing further HMO's, as these have a higher impact on management resources within the SLA.
- Exit costs will be reduced, as liabilities for tenant damage has been reduced within the new leases.
- Tenants will be issued with a non-secure tenancy.

### Temporary Accommodation

- The 17 units of accommodation already acquired will be retained by the council until at least 31 March 2023.
- A further round of capital investment is approved, allowing the council to acquire a further 15 units of accommodation by 31 March 2021.
- Prioritising purchasing modern, low maintenance, family-sized accommodation.
- The council will be responsible for the maintenance costs of its properties. These works will be carried out by the council's authorised contractor.
- The personnel costs for managing temporary accommodation will be absorbed within the SLA.
- Any category 1 hazards will be identified during the purchase process, and addressed before households are placed in the accommodation.

Smaller blocks of accommodation will be prioritised, to minimise the risk of anti-social behaviour.

## Appendix C – Risk Register

Risk	Likelihood	Impact	Mitigation
1. Not enough landlords willing to rent properties under the <b>model</b> .	Low	High	<ul style="list-style-type: none"> <li>Consider financial assessments to require rent top ups from tenants where affordable.</li> <li>Initial feedback from landlords indicates interest in a guaranteed rent model.</li> <li>Evidence of operating the SLA leasing scheme since 2015 is that a procurement rate of 2 per month is typical for a scheme offering guaranteed rents in Hastings.</li> </ul>
2. Tenants experience poor property conditions and a risk to their health.	Low	High	<ul style="list-style-type: none"> <li>All properties will be inspected by the council under HSSRS before being managed and will receive 6 monthly inspections thereafter.</li> <li>All properties will be installed with smoke alarms and carbon monoxide detectors (where required) and will be tested every 6 months.</li> </ul>
3. Lower than anticipated level of rental income	Low	High	<ul style="list-style-type: none"> <li>Ensure enough officer resource is allocated to income recovery</li> <li>The Sla team will work closely with temporary accommodation officers to minimise void periods</li> <li>Utilise eviction procedures</li> <li>Implement UC exemption</li> </ul>
4. Level of rent arrears is higher than projected.	Low	Med	<ul style="list-style-type: none"> <li>Ensure rent account management software is utilised</li> <li>Utilise eviction procedures</li> <li>Ensure enough officer resource is allocated to income recovery</li> <li>Overall viability of the SLA will be reviewed monthly by the project group.</li> </ul>

			•
5. Level of government grant available in future years is not sufficient to make the SLA viable.	Low	High	<ul style="list-style-type: none"> <li>• All properties managed by the SLA can be terminated if scheme is not viable.</li> <li>• Overall viability of the SLA will be reviewed monthly by the project group</li> <li>• The justification for the SLA is based on avoiding costs in emergency accommodation; therefore any additional costs would need to be met from the council's core budget.</li> </ul>
6. Income reduces as a result of the implementation of benefit reforms or changes in statutory guidance.	Low	High	<ul style="list-style-type: none"> <li>• Regularly review the viability of scheme</li> <li>• All agreements will contain break clauses and can be terminated.</li> <li>• Tenants can be rehoused by the Housing Options team where needed.</li> </ul>
7. A high number of households require rehousing if SLA is unviable beyond March 2020 because grant funding is not available.	Low	High	<ul style="list-style-type: none"> <li>• The Housing Options service has expertise to rehouse households in the PRS and social housing</li> <li>• Landlords may wish to keep tenants under alternative property management readily available in the market</li> <li>• Maximise time available to achieve rehousing by close project and performance monitoring</li> </ul>
8. Reputational risk to the council	Low	Med	<ul style="list-style-type: none"> <li>• Communication and project plan</li> <li>• Regular project performance monitoring</li> <li>• Council corporate scrutiny procedures.</li> </ul>
9. The government intends for UC to be fully rolled out in longer-term. Change in HB subsidy back to UC.	High	Low	<ul style="list-style-type: none"> <li>• SLA is currently exempt from UC</li> <li>• HBC continue to engage with MHCLG and DWP on future plans for UC full rollout.</li> <li>• Keep viability under review.</li> <li>• Overall viability of the SLA will be reviewed monthly by the project group</li> </ul>

10. Higher than anticipated level of voids	Low	High	Ensure re-let times are kept to a minimum by: 1) identifying tenants in advance 2) timely repairs and void turnaround 3) close housing management to ensure timely rent payments, minimal evictions and minimal absconding
11. Accommodation becomes unaffordable for tenants	Low	Low	<ul style="list-style-type: none"> <li>• Ensure regular property inspections and accounts management to ensure incomes are maximised</li> <li>• Work with Housing options team and wider partners to find alternative accommodation for tenants who cannot afford accommodation.</li> </ul>
<b>Exit Strategy</b>			
12. Demand for emergency accommodation falls and the council retains void units	Low	Med	<ul style="list-style-type: none"> <li>• The purpose of a mixed approach of property acquisitions and expanding the private sector leasing scheme is to give the council flexibility to respond to changes in demand for emergency accommodation. If demand for a particular type of property falls, leases can be terminated early and placements made in council-owned accommodation instead.</li> </ul>
13. House prices fall and the council is unable to recover its capital investment	Low	Med	<ul style="list-style-type: none"> <li>• The council can recover its capital investment in emergency accommodation by disposing of the properties to HHC or on the open market.</li> <li>• If there is an economic downturn, demand for homelessness services and emergency accommodation is likely to rise. The council is unlikely to seek to dispose of its accommodation in these conditions.</li> <li>• If economic conditions improve and demand for homelessness services</li> </ul>

			reduces, the council will be able to dispose of its properties in favourable market conditions.
<b>Governance</b>			
Regular project reviews		<ul style="list-style-type: none"> <li>• The SLA project board will continue to meet quarterly to review progress with the new scheme.</li> <li>• An interim review will be undertaken in March 2021, to assess the impact of the new approach.</li> <li>• A full review will be undertaken in summer 2022, to assess the future options for the SLA.</li> </ul>	

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# Agenda Item 5



**Report to:** Cabinet

**Date of Meeting:** 7 October 2019

**Report Title:** Review of Polling Districts and Polling Places 2019

**Report By:** Jane Hartnell  
Director of Corporate Services and Governance

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## Purpose of Report

To report the findings and evaluation of the recent review and the Acting Returning Officer's subsequent recommendations.

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## Recommendation(s)

- 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.**

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## Reasons for Recommendations

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.

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## Introduction

1. 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.
2. The Council's last full review under the legislation was completed and approved in February 2013. An interim review was completed and approved in January 2017. This was necessary due to changes made following a ward boundary review as completed by the Local Government Boundary Commission for England (LGBCE).
3. Due to the changes made as part of the boundary review, it has been necessary to review the polling districts in some wards as there is a large disparity in electorate numbers between each polling district. 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)
  - Wishing Tree (P1, P1A, P2)
4. We have taken into consideration logistical issues within the polling district, e.g. public transport links and natural geographic terrain. We have also endeavoured to ensure that electors are not greatly disadvantaged by any move in polling district boundaries.
5. The Council must seek to ensure that, until the next full review, all electors within the borough boundary of the Hastings and Rye parliamentary constituency, have such reasonable facilities for voting as are practicable in the circumstances, and to ensure that, as far as is reasonable and practicable, the polling places are accessible to all electors, including those who are disabled.
6. The arrangements made for UK parliamentary elections are also used at other elections.
7. The final proposals will be reported to Full Council on 23 October 2019. Assuming the proposals are agreed, the revised electoral register will be published on 1 December 2019.
8. The Electoral Commission has no role in the review process itself. However, it can consider comments if people do not think the review has met the reasonable requirements of electors or taken sufficient account of the needs of disabled electors.

9. The following are not covered by the review:

- Boundaries of UK parliamentary constituencies;
- Borders and names of local authorities and electoral areas within local authorities; and
- Electoral ward boundaries

### **Local People's Views**

10. The consultation has actively sought comments from people who have particular expertise in relation to access to premises or facilities for persons who have different forms of disability. Any elector within the Hastings and Rye parliamentary constituency may make representations. Although not specifically required in law, the consultation carried out by the Council has included local political parties and elected representatives.

### **Equalities and Community Cohesiveness**

11. Electoral Services staff have previously visited every polling place to carry out an access audit, taking account of the needs of disabled voters. Questionnaires were also issued to each polling place under consideration, in order to provide us with a detailed overview of facilities and accessibility.

### **The Review Process**

12. The timetable for the Review is set out as:

- Notice of start of review: 15 July 2019
- ARO's Representations published: 15 July 2019
- Closing date for representations: 26 August 2019
- Final proposals heard by Cabinet: 7 October 2019
- Recommendations considered and decision made by Full Council: 23 October 2019
- Revised electoral register published: 1 December 2019

13. The council consulted the Acting Returning Officer (ARO), Jane Hartnell, who is also the Returning Officer for all other elections and referenda.

14. A cross party review group was set up with Councillors Patmore and Rogers, Jane Hartnell (ARO and Director of Corporate Services and Governance), Chris Barkshire-Jones (Chief Legal Officer), Katrina Silverson (Electoral Services Manager) and Sam Townshend (LLPG & GIS Technician). The group has met at regular intervals; they have considered representations received and reviewed proposals for polling district boundary changes. Their comments and recommendations have been taken into account and incorporated where appropriate over the course of the review.

15. Following the conclusions of the review group, the council consulted the ARO in respect of the proposed polling district boundary changes and one potential polling

station change. She agreed with the proposals made and would further .investigate the use of the proposed alternative polling station.

### **Conclusion of the review / publishing stage**

16. Due to the disparity in electorate numbers between some polling districts, as highlighted above, the review group and ARO have proposed the following changes in the 6 affected wards:

- Ashdown ward - move approximately 660 electors from polling district A1 to polling districts A2 (475 electors) and A3 (185 electors)
- Gensing ward - move approximately 600 electors to from polling district G1 to polling district G2
- Old Hastings ward - move approximately 540 electors from polling district J1 to polling district J2
- St Helens ward - move approximately 200 electors from polling district L1 to polling district L2 and approximately 30 electors from polling district L2 to polling district L1
- Silverhill ward - move approximately 770 electors from polling district M2 to polling district M1
- Wishing Tree ward - move approximately 700 electors from polling district P1 to polling district P2

17. A list of streets and properties affected by the proposed changes can be found appended to this report.

18. The ARO is proposing to keep the existing polling place arrangements and to make changes only where circumstances require. An alternative polling station suggestion was raised by Councillor Patmore towards the end of the review and this will be investigated as soon as possible. The venue suggested is:

- Polling district M2 (currently St Luke's United Reformed Church Hall, Alma Terrace to Church of Jesus Christ of Latter Day Saints, Ledsham Avenue)

19. Throughout the review, any working papers, correspondence, etc. have been available for public inspection through the Electoral Services office at Muriel Matters House. All relevant items (correspondence, representations, notes of meetings, ARO's proposals etc.) will be published when the review has been completed.

20. Once the council has agreed on the proposals they will be published on the council's website.

### **The ARO's representations and other representations, including risk management**

21. In addition to contacting the various stakeholders, the council consulted the ARO for the Hastings & Rye constituency. The ARO is required to make representations to the authority and in doing so must include information as to the location of polling stations (existing or proposed) within polling places (existing or proposed). Rother

District Council has consulted the ARO in respect of those wards within Rother that form part of the Hastings and Rye constituency. Rother District Council will make a decision in respect of those.

22. The ARO must also take account of the following:

- The council must seek to ensure that all electors have such reasonable facilities for voting as are practicable in the circumstances.
- The council must seek to ensure that so far as is reasonable and practicable every polling place is accessible to electors who are disabled.
- Ideally, the polling place should be in its own polling district.
- Ideally, no polling place should be shared by two wards.
- Where possible, “natural” boundaries should be used, e.g. railways, major roads, etc.
- All properties in a minor road or estate should, ideally, be in the same polling district.
- Polling places should be “logical”; that is, electors should not have to pass another polling place to get to their own polling place.

23. Appended to this report is a summary of the ARO's comments and recommendations to the council.

24. Each polling district has one or more polling places allocated to it and the polling place is the premises, including the exterior access points, in which polling stations are situated. During this review, most existing polling places were found to be satisfactory.

25. The paragraphs below highlight areas where concerns have been identified or about which comments have been received. In each case every effort has been made to identify an alternative location or to resolve the problem.

26. In M2 polling district (Silverhill ward), the ward councillors raised concerns over the location of the polling station, citing difficulty in parking and also a fair distance from electors in the polling district. An alternative venue has been recommended and will be investigated as soon as possible.

27. In D3 polling district (Castle ward), the county councillor suggested that electors in the lower part of the polling district may be better served by the D2 polling station as it gave easier accessibility. The review group considered this suggestion, in consultation with the ARO, but concluded that the current boundary was satisfactory.

28. In L2 polling district (St Helens ward), the ward councillor suggested that a small number of properties in St Helen's Park Road, sited between Fearon Road and Keppel Road, should be moved into polling district L1 as the polling station for this polling district is sited within a very short distance. The review group, in consultation with the ARO, were happy to accept this proposal.

29. Any risk associated to changing a polling district boundary, polling place or polling station has been taken into account as part of the review and the ARO has been consulted at each stage of the process. None of the proposals offered within this are considered high risk in the context of the review and its remit.

### **Challenging the outcome of the review**

30. Following the conclusion of the local authority's review, certain persons have a right to make representations to the Electoral Commission. There are only two grounds on which a representation may be made. These are that the local authority has failed to meet the reasonable requirements of the electors in the constituency and that insufficient account of accessibility to disabled persons of the polling station(s) within a polling place has been made.

31. More detailed information is available on the Electoral Commission website - [www.electoralcommission.org.uk](http://www.electoralcommission.org.uk)

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### **Wards Affected**

All wards

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### **Implications**

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

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

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### **Additional Information**

Proposal document, including ARO recommendations  
List of properties affected by proposed polling district boundary changes  
Ward maps for areas affected by proposed polling district boundary changes

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### **Officer to Contact**

Katrina Silverson, Electoral Services Manager  
[ksilverson@hastings.gov.uk](mailto:ksilverson@hastings.gov.uk)  
01424 451747



## **Appendix**

Review of Polling Districts and Polling Places in Hastings  
Full review (July – October 2019)

### **Proposals document**

Electorate as at **1 July 2019**

## HASTINGS AND RYE CONSTITUENCY

### Ashdown Ward

PD Letters	Polling Place	Electorate	Issues, Options and considerations	(Acting) Returning Officer/Local Authority Proposal	Reasons
A1	Hastings Centre, The Ridge, Hastings TN34 2SA	1,800	Situated outside of the polling district (as no suitable accommodation within). Good access. Free off-road parking for electors and excellent public transport links.  Currently a dual polling station with polling district F1.	No change.  Tellers' area: Outside main entrance, ensuring access to venue not blocked. If inclement weather, maximum of 2 tellers in alcove area in foyer.	Currently the most suitable venue within the immediate area.  There are no issues with duality of this venue.  No complaints have been made about the duality of this venue
A2	St Johns Church Room, Upper Church Road, St Leonards on Sea TN37 7BS	655	Situated within polling district. Satisfactory access. Unrestricted on-street parking and satisfactory public transport links.	No change.  Tellers' area: Outside main entrance, ensuring access to venue not blocked.	Currently the most suitable venue within the polling district.  No complaints have been made about this venue.
A3	Bannatyne Spa Hotel (Montgomerie Suite), Battle Road, St Leonards on Sea TN38 8EA.	1,530	Situated just outside of the polling district. Free off-road parking for electors and satisfactory public transport links.	No change.  Tellers' area: Outside main entrance. Maximum of four tellers in outer foyer area.	Currently the most suitable venue within the immediate area.

The polling district boundaries for A1, A2 and A3 will need to be reviewed in order to make for better equality of electorate numbers.

**Baird Ward**

<b>PD Letters</b>	<b>Polling Place</b>	<b>Electorate</b>	<b>Issues, Options and considerations</b>	<b>(Acting) Returning Officer/Local Authority Proposal</b>	<b>Reasons</b>
B1	Elim Pentecostal Church, Elphinstone Avenue, Hastings TN34 2DJ	1,667	Situated within the polling district. Level access. Unrestricted on-street parking and public transport links nearby.	No change  Tellers' area: Outside main entrance, ensuring access to venue not blocked.	Currently the most suitable venue within the polling district.  No complaints have been made about this venue
B2	Broomgrove Community Centre, Junction Malvern Way/Chiltern Drive, Hastings TN34 3PY	2,098	Situated within the polling district. Level access and good lighting. Unrestricted on-street parking and allocated disabled parking.	No change  Tellers' area: Outside main entrance, ensuring access to venue not blocked.	Currently the most suitable venue within the polling district.

The polling district boundaries for this ward do not need to be reviewed.

**Braybrooke Ward**

<b>PD Letters</b>	<b>Polling Place</b>	<b>Electorate</b>	<b>Issues, Options and considerations</b>	<b>(Acting) Returning Officer/Local Authority Proposal</b>	<b>Reasons</b>
C1	St Mark's United Reformed Church Hall, Hughenden Place, Hastings TN34 3TB	1,765	Situated within the polling district. Temporary lighting installed on polling day. Satisfactory access. Restricted on-street permit parking, but excellent public transport links.	No change  Tellers' area: Raised patio area outside, ensuring access to venue not blocked.	No other suitable venue in polling district.
C1A*	St Mark's United Reformed Church Hall, Hughenden Place, Hastings TN34 3TB	157	Situated within the polling district. Temporary lighting installed on polling day. Satisfactory access. Restricted on-street permit parking, but excellent public transport links.	Tellers' area: as above .	No other suitable venue in polling district.
C2	Amherst Tennis Club, Amherst Gardens, Hastings TN34 1TU	1,923	Situated within the polling district. Satisfactory access (with use of ramp). Unrestricted on-street parking and public transport links in near vicinity. Temporary lighting installed on polling day.	No change  Tellers' area: Outside venue, at the top edge of the entrance ramp ensuring view to polling station is obscured and access to venue is not blocked.	Currently the most suitable venue in polling district.
C2A*	Amherst Tennis Club, Amherst Gardens, Hastings TN34 1TU	64	Situated within the polling district. Satisfactory access (with use of ramp). Unrestricted on-street parking and public transport links in near vicinity. Temporary lighting installed on polling day.	Tellers' area: as above	Currently the most suitable venue in polling district.

\*In due course, polling districts C1A and C2A will be aligned with C1 and C2 respectively. However, until the completion of the parliamentary boundary review (currently with parliament for decision), they will need to be kept separately as any parliamentary constituency by-election will need to be conducted in accordance with the previous ward boundaries.

The polling district boundaries for this ward do not need to be reviewed.

## Castle Ward

PD Letters	Polling Place	Electorate	Issues, Options and considerations	(Acting) Returning Officer/Local Authority Proposal	Reasons
D1	His Place Church Hall, Robertson Street, Hastings TN34 1HL	1,681	Situated within polling district. Level access and good lighting. Within pedestrianised zone of town centre. Restricted on-street permit parking, but excellent public transport links.	No change  Tellers' area: Outside main entrance or within outer lobby, ensuring access is not blocked.	Currently the most suitable venue within the polling district.  No complaints have been made about this venue.
D2	Quaker Meeting House (formerly known as Friends), South Terrace, Hastings TN34 1SA	1,357	Situated within polling district. Level access and good lighting. Available on-street pay parking and excellent public transport links.	No change  Tellers' area: Outside main entrance, ensuring access to venue not blocked. In inclement weather, maximum of 2 tellers in lobby area.	Currently the most suitable venue within the polling district.  No complaints have been made about this venue.
D3	Mendham Memorial Hall, Vicarage Road, Hastings TN34 3LZ	1,575	Situated within polling district. Level access and good lighting. Restricted on-street permit parking, but nearby public transport links.	No change  Tellers' area: Outside main entrance, ensuring access to venue not blocked. In inclement weather, maximum of 3 tellers in lobby area by staircase.	Currently the most suitable venue within the polling district.  No complaints have been made about this venue.

The polling district boundaries for this ward do not need to be reviewed.

## Central St Leonards Ward

PD Letters	Polling Place	Electorate	Issues, Options and considerations	(Acting) Returning Officer/Local Authority Proposal	Reasons
E1	The Royal Victoria Hotel, Marina, St Leonards on Sea TN38 0BD	2,290	Situated within the polling district. Level access and good lighting. Limited on-street pay parking, allocated disabled parking and good public transport links.	No change  Tellers' area: Outside main entrance, ensuring access to venue not blocked. If inclement weather, maximum of 3 tellers may stand at the back of the main reception area.	Currently the most suitable venue within the polling district.  No complaints have been made about this venue
E1A*	The Royal Victoria Hotel, Marina, St Leonards on Sea TN38 0BD	314	Situated within the polling district. Level access and good lighting. Limited on-street pay parking, allocated disabled parking and good public transport links.	Tellers' area: as above	Currently the most suitable venue within the polling district.  No complaints have been made about this venue
E2	Christ Church Parish Centre, 2 Christchurch Courtyard, London Road, St Leonards on Sea TN37 6GL	2,121	Situated within the polling district. Satisfactory access (permanent ramps installed) and good lighting. Limited on-site parking, allocated disabled parking and excellent public transport links.	No change  Tellers' area: Outside main entrance in courtyard area, by memorial.	Currently the most suitable venue within the polling district.  No complaints have been made about this venue

\*In due course, polling district E1A will be aligned with E1. However, until the completion of the parliamentary boundary review (currently with parliament for decision), they will need to be kept separately as any parliamentary constituency by-election will need to be conducted in accordance with the previous ward boundaries.

he polling district boundaries for this ward do not need to be reviewed.

**Conquest Ward**

PD Letters	Polling Place	Electorate	Issues, Options and considerations	(Acting) Returning Officer/Local Authority Proposal	Reasons
F1	Hastings Centre, The Ridge, Hastings TN34 2SA.	1,579	<p>Situated within the polling district. Good access. Free off-road parking for electors and excellent public transport links.</p> <p>Currently a dual polling station with polling district A1.</p>	<p>Change to Hastings Centre, The Ridge, Hastings TN34 2SA.</p> <p>Tellers' area: Outside main entrance, ensuring access to venue not blocked. If inclement weather, maximum of 2 tellers in alcove area in foyer.</p>	<p>Situated within the polling district.</p> <p>There are excellent public transport links, also dedicated, free off-road parking for electors. The venue is modern, spacious and well lit, with no access issues.</p> <p>No complaints have been made about the duality of this venue</p>
F2	St Peter and St Paul Church Hall (entrance via Grange Avenue), Parkstone Road, Hastings TN34 2QE	2,229	<p>Situated within the polling district. Level access and good lighting. Unrestricted on-street parking and good public transport links.</p>	<p>No change</p> <p>Tellers' area: Outside main entrance, ensuring access to venue not blocked.</p>	<p>Currently the most suitable venue within the polling district.</p> <p>No complaints have been made about this venue</p>

The polling district boundaries for this ward do not need to be reviewed.

## Gensing Ward

PD Letters	Polling Place	Electorate	Issues, Options and considerations	(Acting) Returning Officer/Local Authority Proposal	Reasons
G1	YMCA, The Y Sportscentre, St Paul's Road, St Leonards on Sea TN37 6RS	2,993	Situated within the polling district. There is satisfactory access, although the separate disabled access is not ideal. Public transport links in nearby vicinity.	No change  Tellers' area: Outside main entrance, ensuring access to venue not blocked. If inclement weather, maximum of 2 tellers in foyer.	No other suitable venue in polling district.
G2	St John's Parish Hall, Brittany Road, St Leonards on Sea TN38 0RD	1,250	Situated within the polling district. Level access and good lighting. Unrestricted on-street parking and public transport links in near vicinity.	No change  Tellers' area: Outside main entrance, ensuring access to venue not blocked.	Currently the most suitable venue within the polling district.  No complaints have been made about this venue
G2A*	St John's Parish Hall, Brittany Road, St Leonards on Sea TN38 0RD	253	Situated within the polling district. Level access and good lighting. Unrestricted on-street parking and public transport links in near vicinity.	Tellers' area: as above	Currently the most suitable venue within the polling district.  No complaints have been made about this venue

\*In due course, polling district G2A will be aligned with G2. However, until the completion of the parliamentary boundary review (currently with parliament for decision), they will need to be kept separately as any parliamentary constituency by-election will need to be conducted in accordance with the previous ward boundaries.

The polling district boundaries for G1, G2 and G2A will need to be reviewed in order to make for better equality of electorate numbers.

## Hollington Ward

PD Letters	Polling Place	Electorate	Issues, Options and considerations	(Acting) Returning Officer/Local Authority Proposal	Reasons
H1	Robsack Community Centre, Bodiam Drive, St Leonards on Sea TN38 9TW	1,348	Situated within the polling district. Level access and good lighting. Unrestricted on-street parking and good public transport links.	No change  Tellers' area: Outside main entrance, ensuring access to venue not blocked. In inclement weather, maximum of 3 tellers in foyer area.	Currently the most suitable venue within the polling district.  No complaints have been made about this venue
H2	Tilekiln Community Centre, Tilebarn Road, St Leonards on Sea TN38 9PA	1,251	Situated within the polling district. Level access and good lighting. Unrestricted on-street parking and good public transport links.	No change  Tellers' area: Outside main entrance (to side of path), ensuring access to venue not blocked	Currently the most suitable venue within the polling district.  No complaints have been made about this venue
H3	Hollington Youth Club, 1 Wishing Tree Road North, St Leonards on Sea TN38 9LL	1,284	Situated within the polling district. Level access and good lighting. Unrestricted on-street parking and good public transport links.	No change  Tellers' area: Outside main entrance on forecourt, ensuring access to venue not blocked.	Currently the most suitable venue within the polling district.  No complaints have been made about this venue

The polling district boundaries for this ward do not need to be reviewed.

**Maze Hill Ward**

<b>PD Letters</b>	<b>Polling Place</b>	<b>Electorate</b>	<b>Issues, Options and considerations</b>	<b>(Acting) Returning Officer/Local Authority Proposal</b>	<b>Reasons</b>
I1	Arthur Easton Centre, St Michael's Hospice, 25 Upper Maze Hill, St Leonards on Sea TN38 0LB	1,575	Situated within the polling district. Level access and good lighting. Limited on-street parking and public transport links in near vicinity.	No change  Tellers' area: Outside main entrance under covered area. Telling must not interfere with hospice activity.	Currently the most suitable venue within the polling district.
I1A*	Arthur Easton Centre, St Michael's Hospice, 25 Upper Maze Hill, St Leonards on Sea TN38 0LB	4	Situated within the polling district. Level access and good lighting. Limited on-street parking and public transport links in near vicinity.	Tellers' area: as above	Currently the most suitable venue within the polling district.
I2	The Taplin Centre, Healey House, 3 Upper Maze Hill, St Leonards on Sea TN38 0LQ	1,933	Situated within the adjoining polling district (I1). Level access and good lighting. Unlimited on-street parking and public transport links in near vicinity.	No change.  Tellers' area: Outside main entrance on sloped drive area, ensuring access to venue not blocked.	No other suitable venue found so far within the polling district.
I2A*	The Taplin Centre, Healey House, 3 Upper Maze Hill, St Leonards on Sea TN38 0LQ	260	Situated within the adjoining polling district (I1). Level access and good lighting. Unlimited on-street parking and public transport links in near vicinity.	Tellers' area: as above	No other suitable venue found so far within the polling district.

\*In due course, polling districts I1A and I2A will be aligned with I1 and I2 respectively. However, until the completion of the parliamentary boundary review (currently with parliament for decision), they will need to be kept separately as any parliamentary constituency by-election will need to be conducted in accordance with the previous ward boundaries.

The polling district boundaries for this ward do not need to be reviewed.

**Old Hastings Ward**

<b>PD Letters</b>	<b>Polling Place</b>	<b>Electorate</b>	<b>Issues, Options and considerations</b>	<b>(Acting) Returning Officer/Local Authority Proposal</b>	<b>Reasons</b>
J1	All Souls Hall, Athelstan Road, Hastings TN35 5JE	2,447	Situated within the polling district. Satisfactory access and good lighting. Limited on-street parking and public transport links in near vicinity.	No change  Tellers' area: Outside main entrance, ensuring access to venue not blocked.	Currently the most suitable venue within the polling district.  No complaints have been made about this venue
J2	All Saints Church Hall, All Saints Street, Hastings TN34 3BG	1,533	Situated within the polling district. Satisfactory access and good lighting. Restricted on-street permit parking and good public transport links.	No change.  Tellers' area: Outside main entrance, ensuring access to venue not blocked.	Currently the most suitable venue within the polling district.  No complaints have been made about this venue

The polling district boundaries for J1 and J2 will need to be reviewed in order to make for better equality of electorate numbers.

**Ore Ward**

<b>PD Letters</b>	<b>Polling Place</b>	<b>Electorate</b>	<b>Issues, Options and considerations</b>	<b>(Acting) Returning Officer/Local Authority Proposal</b>	<b>Reasons</b>
K1	Salvation Army Hall, 418 Old London Road, Hastings TN35 5BB	1,843	Situated within the polling district. Level access and good lighting. Small allocation of on-site parking and excellent public transport links.	No change  Tellers' area: Outside main entrance, ensuring access to venue not blocked.	Currently the most suitable venue within the polling district.  No complaints have been made about this venue
K1A*	Salvation Army Hall, 418 Old London Road, Hastings TN35 5BB	2	Situated within the polling district. Level access and good lighting. Small allocation of on-site parking and excellent public transport links.	Tellers' area: as above	Currently the most suitable venue within the polling district.  No complaints have been made about this venue
K1B*	Salvation Army Hall, 418 Old London Road, Hastings TN35 5BB	247	Situated within the polling district. Level access and good lighting. Small allocation of on-site parking and excellent public transport links.	Tellers' area: as above	Currently the most suitable venue within the polling district.  No complaints have been made about this venue
K2	Downs Farm Community Centre, Crowborough Road, Hastings TN35 5EA	1,777	Situated within the polling district. Level access and good lighting. Unrestricted parking and public transport links in near vicinity.	No change  Tellers' area: Outside main entrance, ensuring access to venue not blocked. Otherwise, a maximum of three tellers may convene in hallway area.	Currently the most suitable venue within the polling district.  No complaints have been made about this venue

\*In due course, polling districts K1A and K1B will be aligned with K1. However, until the completion of the parliamentary boundary review (currently with parliament for decision), they will need to be kept separately as any parliamentary constituency by-election will need to be conducted in accordance with the previous ward boundaries.

The polling district boundaries for this ward do not need to be reviewed.

**St Helens Ward**

<b>PD Letters</b>	<b>Polling Place</b>	<b>Electorate</b>	<b>Issues, Options and considerations</b>	<b>(Acting) Returning Officer/Local Authority Proposal</b>	<b>Reasons</b>
L1	Christ Church Blacklands Church Hall, Laton Road, Hastings TN34 2ES	2,535	Situated at the very edge of the polling district. Satisfactory access (with ramp). Unrestricted on-street parking and public transport links in near vicinity. Small lobby area for tellers.	No change  Tellers' area: Maximum of 3 tellers in foyer area. No tellers to stand outside the entrance as access too narrow.	No other suitable venue within the polling district.  No complaints have been made about this venue.
L2	Hastings United Football Club, Pilot Field, Elphinstone Road, Hastings TN34 2AX	1,408	Situated at the very edge of the polling district. Level access, separate entrance for wheelchair users and good lighting. Unrestricted on-street parking and good public transport links.	No change  Tellers' area: Outside main entrance at bottom of ramp, ensuring access to venue not blocked.	No other suitable venue within the polling district.  No complaints have been made about this venue.

Page 48

The polling district boundaries for L1 and L2 will need to be reviewed in order to make for better equality of electorate numbers.

**Silverhill Ward**

PD Letters	Polling Place	Electorate	Issues, Options and considerations	(Acting) Returning Officer/Local Authority Proposal	Reasons
M1	St Luke's United Reformed Church Hall, Alma Terrace, St Leonards on Sea TN37 6QT	1,158	Situated within the polling district and forms part of a dual polling place. Level access and good lighting. Limited on-street parking and good public transport links.	No change  Tellers' area: Outside main entrance, ensuring access to venue not blocked	Currently the most suitable venue within the polling district.  No complaints have been made about the duality of this venue.
M1A*	St Luke's United Reformed Church Hall, Alma Terrace, St Leonards on Sea TN37 6QT	98	Situated within the polling district and forms part of a dual polling place. Level access and good lighting. Limited on-street parking and good public transport links.	Tellers' area: as above	Currently the most suitable venue within the polling district.  No complaints have been made about the duality of this venue.
M2	St Luke's United Reformed Church Hall, Alma Terrace, St Leonards on Sea TN37 6QT	2,051	Situated outside the polling district (but within the ward boundary) and forms part of a dual polling place. Level access and good lighting. Limited on-street parking and good public transport links.	No change  Tellers' area: Outside main entrance, ensuring access to venue not blocked	No other suitable venue within the polling district.  No complaints have been made about the duality of this venue
M2A*	St Luke's United Reformed Church Hall, Alma Terrace, St Leonards on Sea TN37 6QT	189	Situated within the polling district and forms part of a dual polling place. Level access and good lighting. Limited on-street parking and good public transport links.	Tellers' area: as above	Currently the most suitable venue within the polling district.  No complaints have been made about the duality of this venue.
M2B*	St Luke's United Reformed Church Hall, Alma Terrace,	528	Situated within the polling district and forms part of a	Tellers' area: as above	Currently the most suitable venue within the

	St Leonards on Sea TN37 6QT		dual polling place. Level access and good lighting. Limited on-street parking and good public transport links.		polling district.  No complaints have been made about the duality of this venue.
M2C*	St Luke's United Reformed Church Hall, Alma Terrace, St Leonards on Sea TN37 6QT	96	Situated within the polling district and forms part of a dual polling place. Level access and good lighting. Limited on-street parking and good public transport links.	Tellers' area: as above	Currently the most suitable venue within the polling district.  No complaints have been made about the duality of this venue.

\*In due course, polling districts M1A, M2A, M2B and M2C will be aligned with M1 and M2 respectively. However, until the completion of the parliamentary boundary review (currently with parliament for decision), they will need to be kept separately as any parliamentary constituency by-election will need to be conducted in accordance with the previous ward boundaries.

The polling district boundaries for M1, M1A, M2, M2A, M2B and M2C will need to be reviewed in order to make for better equality of electorate numbers.

**Tressell Ward**

<b>PD Letters</b>	<b>Polling Place</b>	<b>Electorate</b>	<b>Issues, Options and considerations</b>	<b>(Acting) Returning Officer/Local Authority Proposal</b>	<b>Reasons</b>
N1	Christ Apostolic Church, 1 The Ridge (Entrance Clifton Road), Hastings TN34 2AA	1,241	Situated at the very edge of the polling district. Satisfactory access and good lighting. Limited on-street parking and public transport links in near vicinity.	No change  Tellers' area: Outside main entrance, ensuring access to venue not blocked	Currently the most suitable venue within the polling district.  There is unrestricted roadside parking available and good public transport links.  No complaints have been made about this venue.
N1A*	Christ Apostolic Church Room, 1 The Ridge (Entrance Clifton Road), Hastings TN34 2AA	70	Situated at the very edge of the polling district. Satisfactory access and good lighting. Limited on-street parking and public transport links in near vicinity.	Tellers' area: as above	Currently the most suitable venue within the polling district.  There is unrestricted roadside parking available and good public transport links.  No complaints have been made about this venue.
N2	The Bridge Community Centre, 361 Priory Road, Hastings TN34 3NW	2,049	Situated within the polling district. Level access and good lighting. Limited on-street parking and good public transport links.	No change.  Tellers' area: Outside main entrance, ensuring access to venue not blocked. Otherwise, a maximum of three tellers may convene in hallway area.	Currently the most suitable venue within the polling district.  There is unrestricted roadside parking available and good public transport links.  No complaints have been

					made about this venue.
N2A*	The Bridge Community Centre, 361 Priory Road, Hastings TN34 3NW	71	Situated within the polling district. Level access and good lighting. Limited on-street parking and good public transport links.	Tellers' area: as above	Currently the most suitable venue within the polling district.  There is unrestricted roadside parking available and good public transport links.  No complaints have been made about this venue.
N2B*	The Bridge Community Centre, 361 Priory Road, Hastings TN34 3NW	235	Situated within the polling district. Level access and good lighting. Limited on-street parking and good public transport links.	Tellers' area: as above	Currently the most suitable venue within the polling district.  There is unrestricted roadside parking available and good public transport links.  No complaints have been made about this venue.

\*In due course, polling districts N1A, N2A and N2B will be aligned with N1 and N2 respectively. However, until the completion of the parliamentary boundary review (currently with parliament for decision), they will need to be kept separately as any parliamentary constituency by-election will need to be conducted in accordance with the previous ward boundaries.

The polling district boundaries for this ward do not need to be reviewed.

**West St Leonards Ward**

<b>PD Letters</b>	<b>Polling Place</b>	<b>Electorate</b>	<b>Issues, Options and considerations</b>	<b>(Acting) Returning Officer/Local Authority Proposal</b>	<b>Reasons</b>
O1	West St Leonards Community Centre, 130 Bexhill Road, St Leonards on Sea TN38 8BL	2,021	Situated within the polling district. Level access and good lighting. Limited on-street parking and satisfactory public transport links.	No change  Tellers' area: Outside main entrance, ensuring access to venue not blocked	No other suitable venue in polling district.  No complaints have been made about this venue.
O2	West St Leonards Primary Academy, West St Leonards School, Harley Shute Road, St Leonards on Sea TN38 8BX	1,618	Situated within the polling district. Level access but external lighting and electronic gate access needs to be addressed as inconsistent. Unrestricted on-site parking and satisfactory public transport links.	No change  Tellers' area: Outside main entrance, ensuring access to venue not blocked	No other suitable venue within the polling district.  No complaints have been made about this venue.

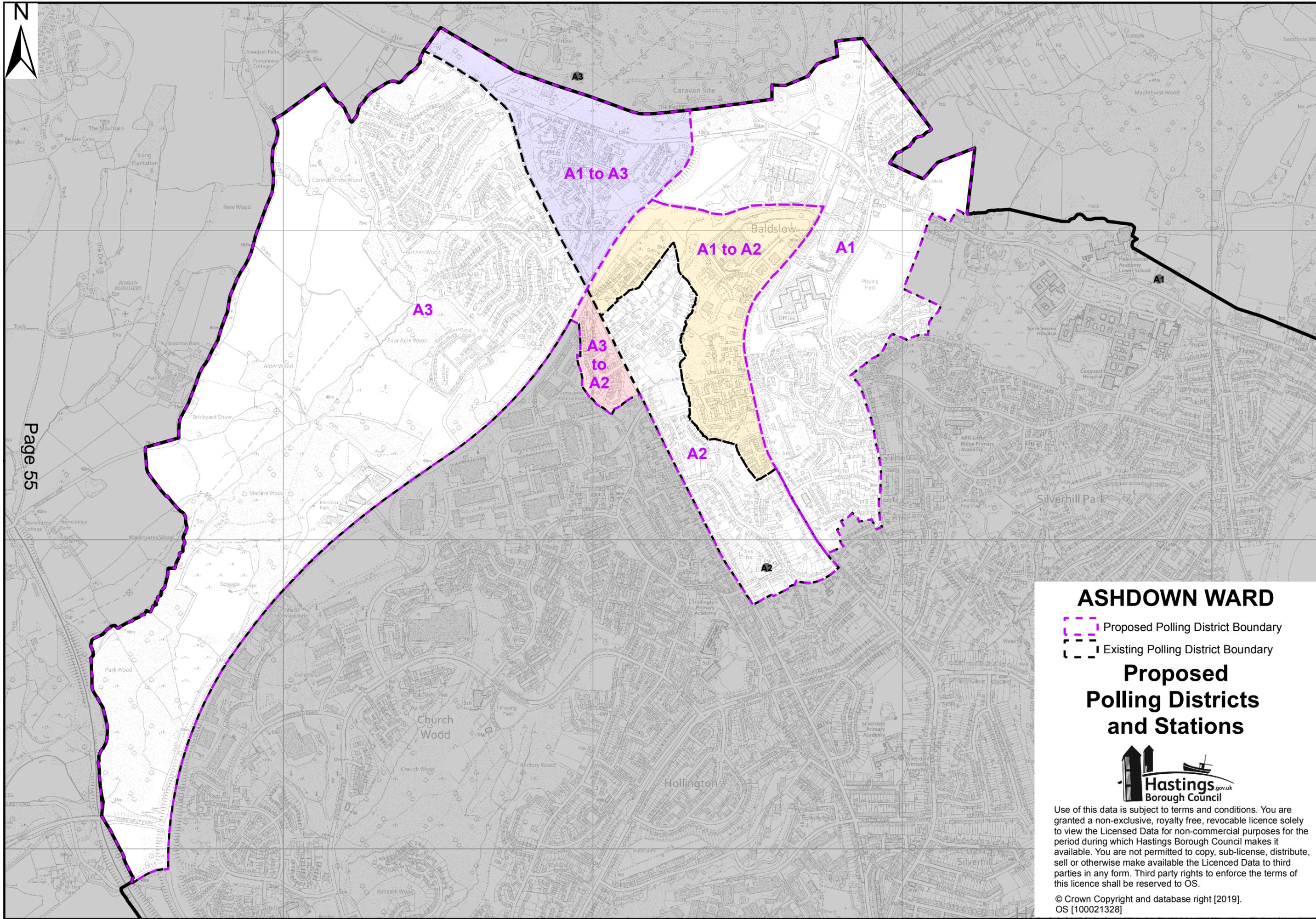
The polling district boundaries for this ward do not need to be reviewed.

## Wishing Tree Ward

PD Letters	Polling Place	Electorate	Issues, Options and considerations	(Acting) Returning Officer/Local Authority Proposal	Reasons
P1	Hollington Parish Room, 177 Wishing Tree Road, St Leonards on Sea TN38 9LD	2,344	Situated within the polling district. Level access but no external lighting other than street lighting. Limited on-street parking and satisfactory public transport links.	No change  Tellers' area: Outside main entrance, ensuring access to venue not blocked. In inclement weather, maximum of 2 tellers in foyer area.	No other suitable venue within the polling district.  No complaints have been made about this venue.
P1A*	Hollington Parish Room, 177 Wishing Tree Road, St Leonards on Sea TN38 9LD	420	Situated within the polling district. Level access but no external lighting other than street lighting. Limited on-street parking and satisfactory public transport links.	Tellers' area: as above	No other suitable venue within the polling district.  No complaints have been made about this venue.
P2	Four Courts Community Centre, Sydney Close, St Leonards on Sea TN38 9DD	1,510	Situated within the polling district. Level access and good lighting. On-site parking and satisfactory public transport links.	No change  Tellers' area: Outside main entrance, ensuring access to venue not blocked	Currently the most suitable venue within the polling district.  No complaints have been made about this venue.

\*In due course, polling district P1A will be aligned with P1. However, until the completion of the parliamentary boundary review (currently with parliament for decision), they will need to be kept separately as any parliamentary constituency by-election will need to be conducted in accordance with the previous ward boundaries.

The polling district boundaries for P1, P1A and P2 will need to be reviewed in order to make for better equality of electorate numbers.



## ASHDOWN WARD

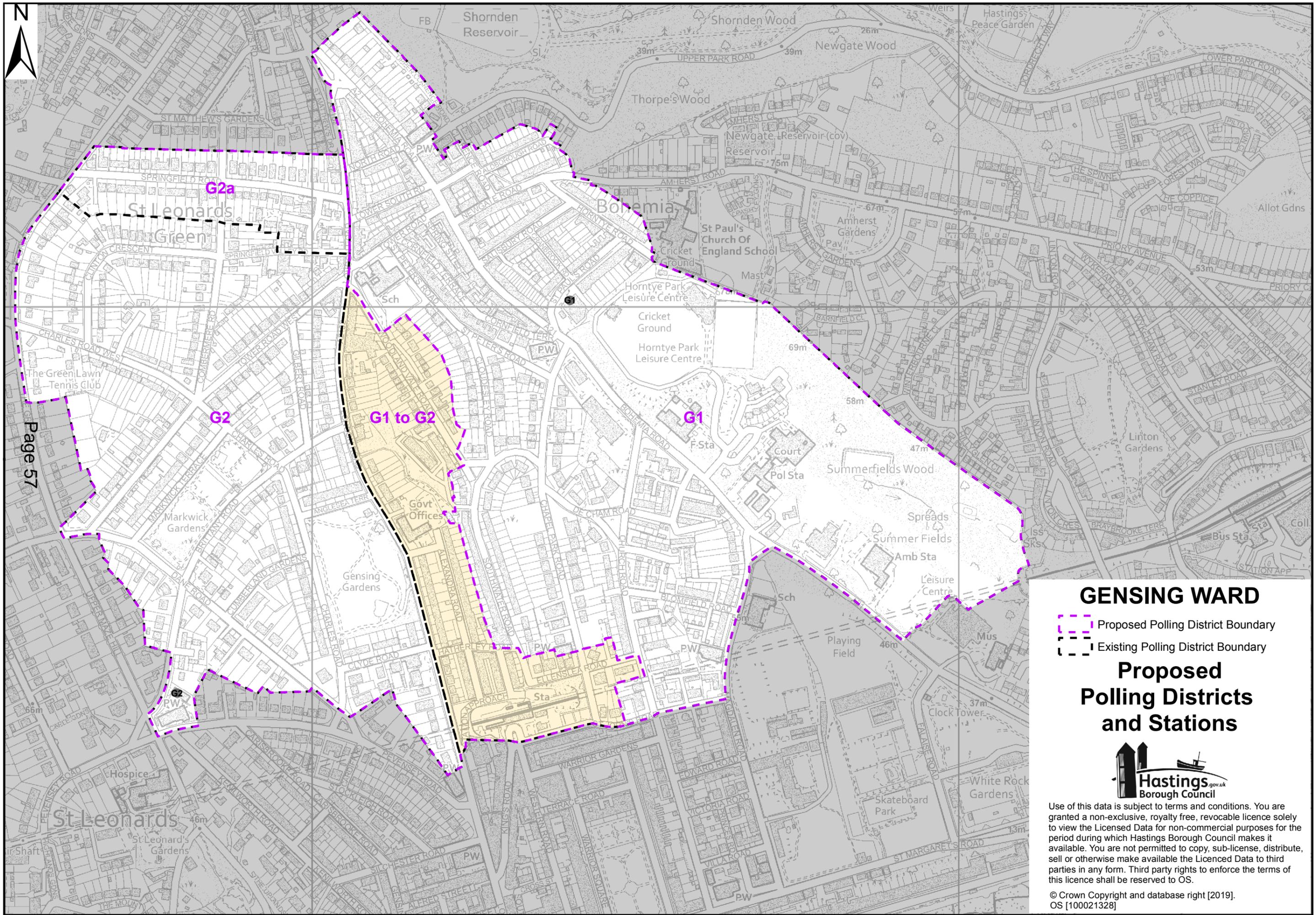
-  Proposed Polling District Boundary
-  Existing Polling District Boundary

### Proposed Polling Districts and Stations



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## GENSING WARD

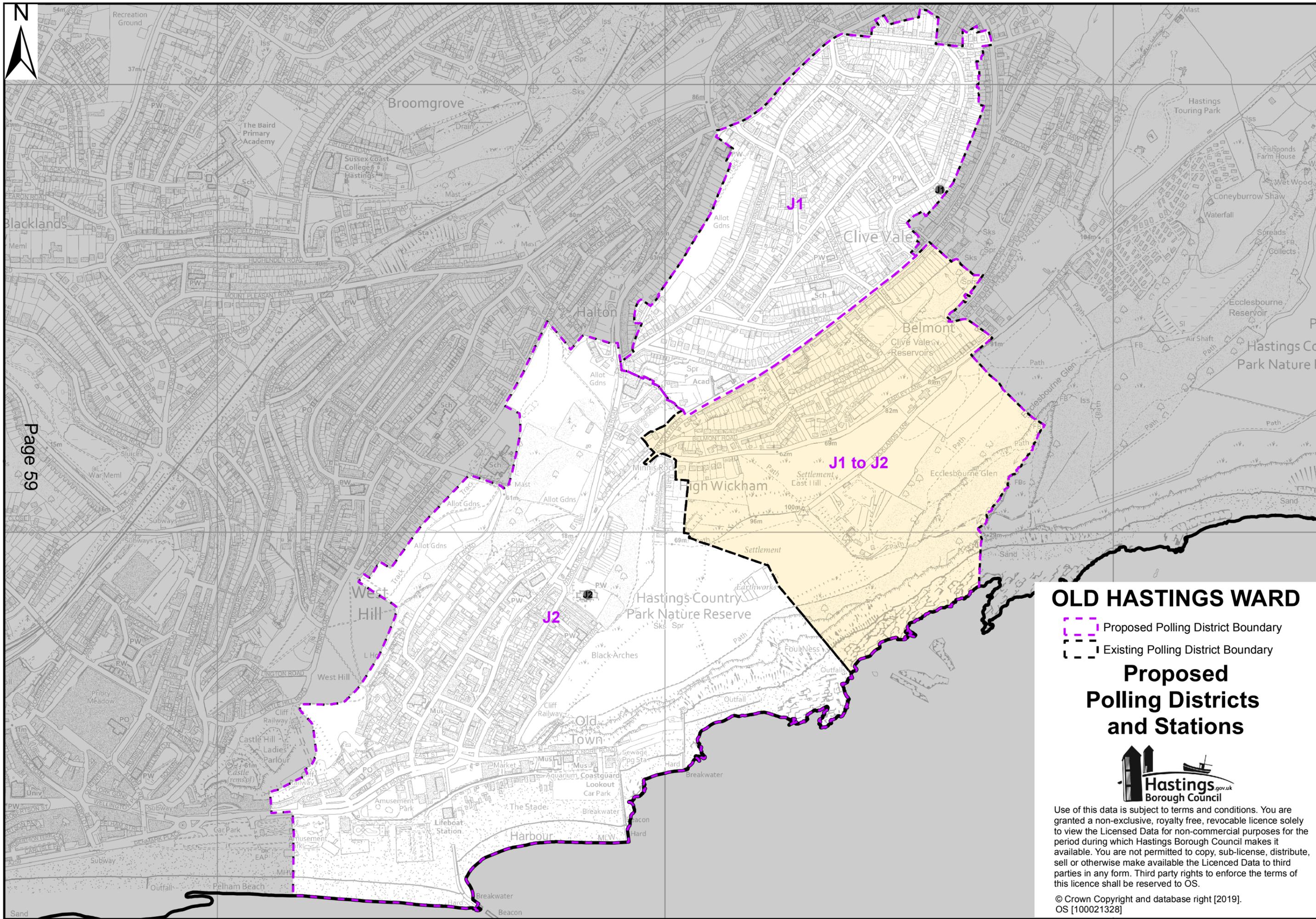
-  Proposed Polling District Boundary
-  Existing Polling District Boundary

## Proposed Polling Districts and Stations



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### OLD HASTINGS WARD

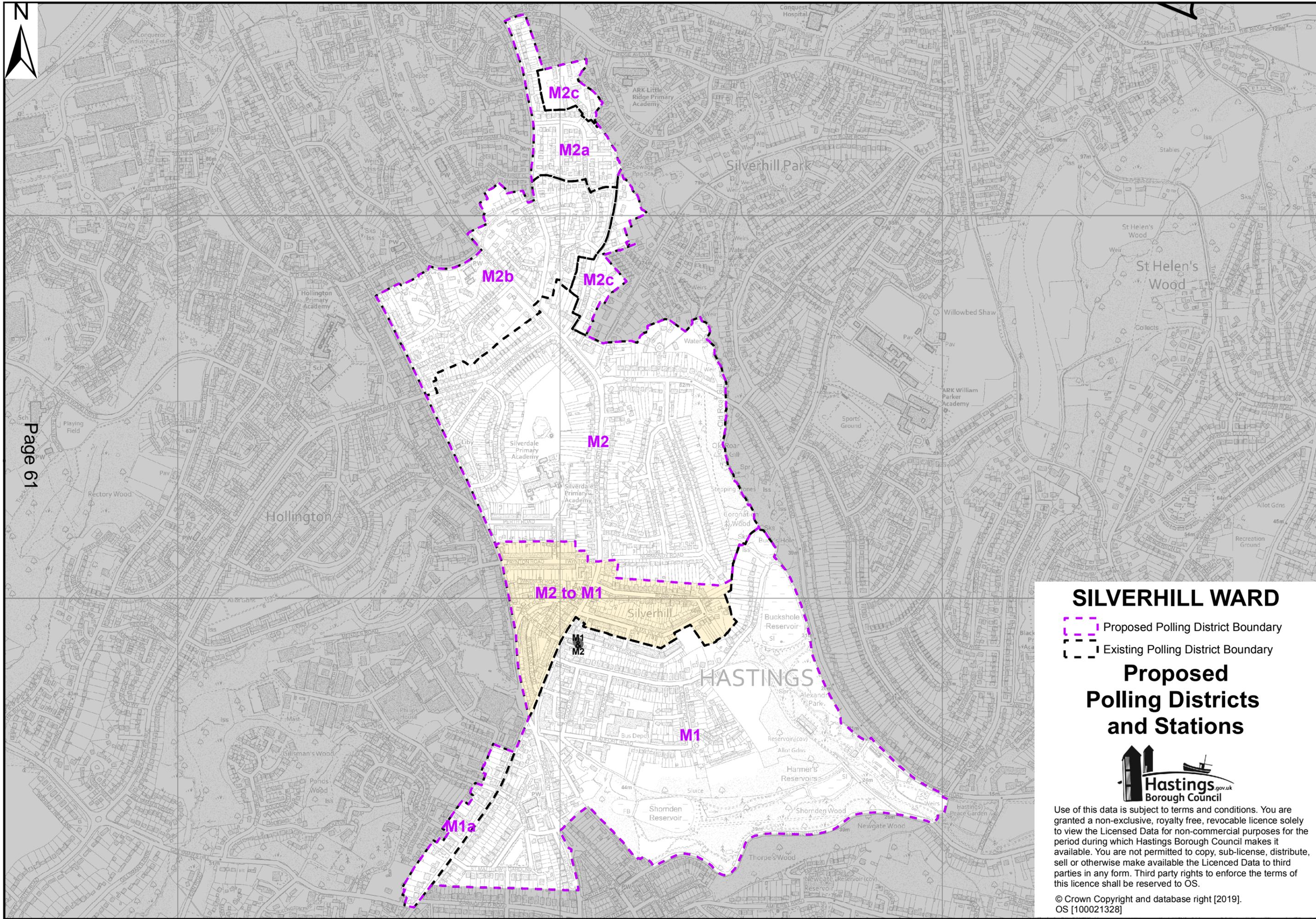
-  Proposed Polling District Boundary
-  Existing Polling District Boundary

### Proposed Polling Districts and Stations



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# SILVERHILL WARD

-  Proposed Polling District Boundary
-  Existing Polling District Boundary

## Proposed Polling Districts and Stations

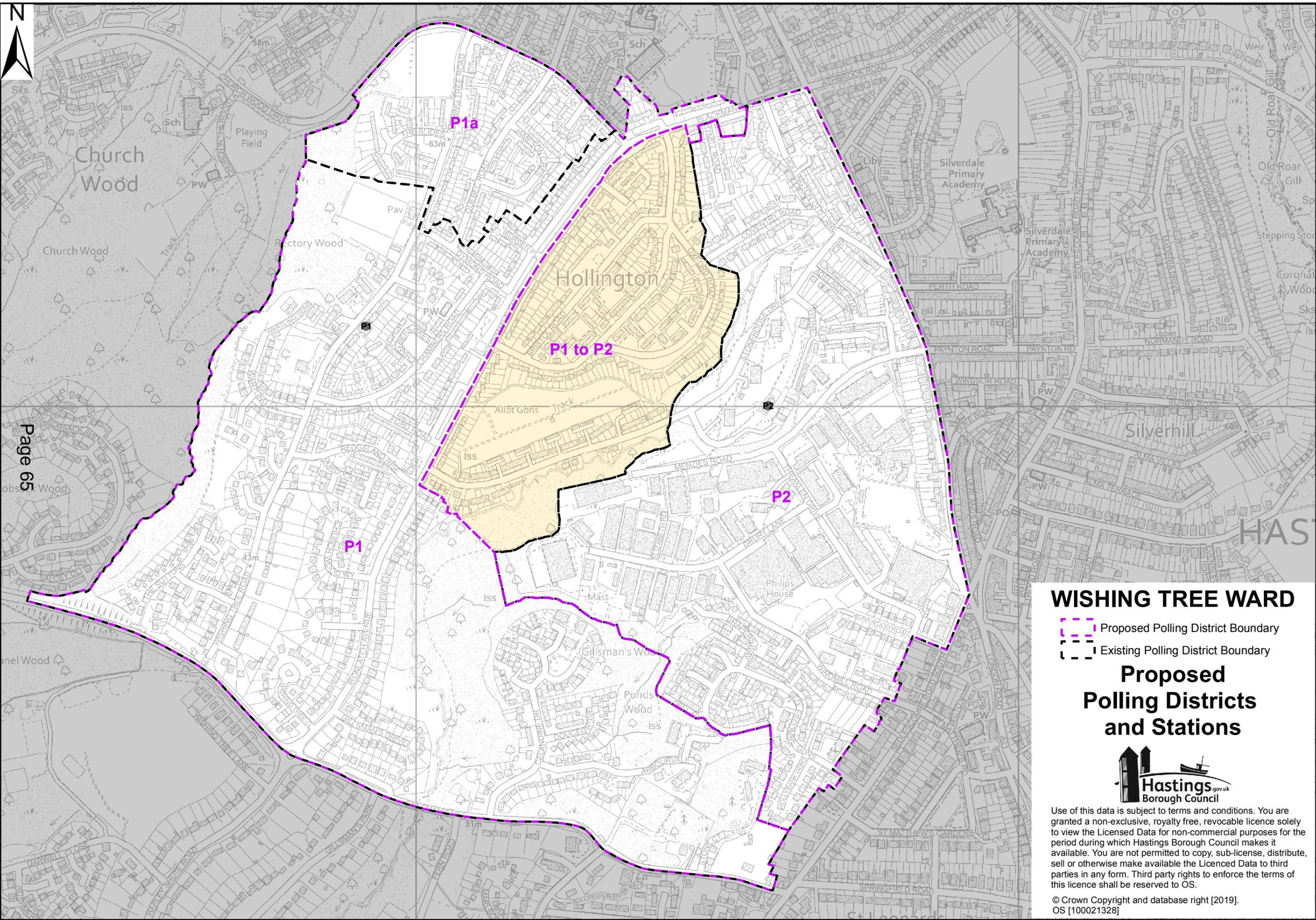


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## WISHING TREE WARD

-  Proposed Polling District Boundary
-  Existing Polling District Boundary

### Proposed Polling Districts and Stations



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**Polling Districts and Polling Places Review 2019 – Properties affected by  
polling district boundary changes**

Ward	Original polling district	New polling district	Streets affected	Properties affected
Ashdown	A1	A2	Beauport Home Farm Close  Harlequin Gardens  John Macadam Way  Sedlescombe Road North  Seven Acre Close  Thomas Brassey Close	All properties  All properties  All properties  460-492 (Evens) - including 1-2 Wayside & 1-8 The Willows  All properties  All properties
Ashdown	A1	A3	Agincourt Close  Battle Road  Beauport Gardens  Brede Close  Campkin Gardens  Crecy Close  Fletcher Avenue  Regent Place  St Kitts Close  Stonelink Close  The Ridge West  Trafalgar Close  Waterloo Close	All Properties  440 & 1-3 The Hawthorns  All Properties  All Properties  All Properties  All Properties  All Properties  All Properties  All Properties  Beauport South Lodge & Hawthorn Cottage  All Properties  All Properties

Ashdown	A3	A2	Augustus Way Carinus Gardens Hadrian Gardens Marcus Gardens	All Properties All Properties All Properties All Properties
Gensing	G1	G2	Alexandra Road Chapel Park Road Ellenslea Road Hampden Close Hatherley Road London Road St Johns Road Stainsby Street Woodland Vale Road	All Properties 1-3 (Odd) All Properties The Larches 1-4 (All) 91-249 (Odd) 23-25 (All) All Properties All Properties
Old Hastings	J1	J2	Barley Avenue Barley Lane  Belmont Road Boyne Road Gurth Road Harold Road Rocklands Lane	All Properties 2-42 (Evens) & 19-93 (Odd) & Bay Tree Barn & 1-5 The Firs  All Properties All Properties All Properties 14-244 (Evens) & 75-77 (Odd) All Properties
St Helens	L1	L2	Birch Way Baird Drive Hillside Road	All Properties All Properties 15-45 (Odd)

			St Helens Park Road	75
St Helens	L2	L1	St Helens Park Road	40-52 (Evens)
Silverhill	M2	M1	Alma Villas Battle Road Burry Road Duke Road Duke Street Duke Terrace Paynton Road Sedlescombe Road North Silverlands Road Stevenson Road Windsor Road	All Properties 16-42 (Evens) All Properties All Properties All Properties All Properties All Properties 2-88 (Evens) 87-107 (Odd) All Properties All Properties All Properties
Wishing Tree	P1	P2	Blackman Avenue Bristol Road Larkfield Close Lewis Road Newhaven Walk Oxford Road Stonehouse Drive	27A-33 (Odd) 47-175 (Odd) All Properties All Properties All Properties All Properties All Properties 90-200 (Evens) 141-207 (Odd)

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# Agenda Item 6



**Report to:** Cabinet

**Date of Meeting:** 7 October 2019

**Report Title:** Land in Whitworth Road

**Report By:** Peter Grace  
Assistant Director Financial Services & Revenues  
(Chief Finance Officer)

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## **Purpose of Report**

To seek approval to proceed with marketing the land

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## **Recommendation(s)**

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

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## **Reasons for Recommendations**

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

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.

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## Background

1. The land is allocated for Employment B use classes in the Local Plan: site reference LRA8 - Land in Whitworth Road, The Ridge West. It measures 2.51 hectares and is shown edged in black on the attached plan.
2. The site is located at the head of a shallow valley formed by the Hollington Stream. It falls within a Local Wildlife Site, is partially wooded and a small part is affected by Flood Zone 3.
3. The partial construction of the Queensway Gateway Road through the land has opened up access and it is therefore considered that is an appropriate time to proceed to bring it to market.
4. We have had potential interest in the area south of the roundabout as shown approximately by a dashed line on the plan. There hasn't been any interest in the area to the north of the roundabout but this could be used to access the adjoining land (not owned by the Council) which is also allocated for Employment B use classes.
5. The Council has received proposals to develop the land, but the uncertainty around development costs do not make it attractive for the Council to develop the site itself.

## Proposal

6. To enable us to achieve best consideration we would seek to appoint external Agents.
7. We would ask 3 Agents to submit proposals to include: reasoned advice on the method of sale, a view on the strategy to be adopted (including timescales and any overage provisions) and any actions to enhance the value of the site, proposals for marketing and an indication of the current value of the land.
8. Due to the nature of the site it is likely that offers may be subject to planning.

## Economic/Financial Implications

9. If an acceptable offer is received and the land is subsequently sold this will realise a capital receipt for the Council and eliminate holding costs (management etc.).

### Timetable of Next Steps

10. Please include a list of key actions and the scheduled dates for these:

Action	Key milestone	Due date (provisional)	Responsible
Appoint Agent to	Get quotes from	ASAP after	Estates Manager

market	Agents Appoint Agent	Cabinet ASAP after quotes received	Estates Manager
Market for sale with a closing date for offers	Prepare particulars then market	To be agreed	Estates Manager/appointed Agent
Accept offer	Consider offers  Agree heads of terms for sale with successful bidder	After closing date  After offer accepted in principle	Assistant Director Financial Services & Revenues in consultation with the Leader  Agent
Complete sale	Legal instructed  Contracts exchanged  Sale completes	Timescales depend on whether sale is subject to planning	Estates Manager/Legal

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## Wards Affected

Ashdown

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## Implications

Relevant project tools applied? Yes/~~No~~

Have you checked this report for plain English and readability? Yes/No

Climate change implications considered? Yes/~~No~~

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	No
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**

Appendix 1 - plan.

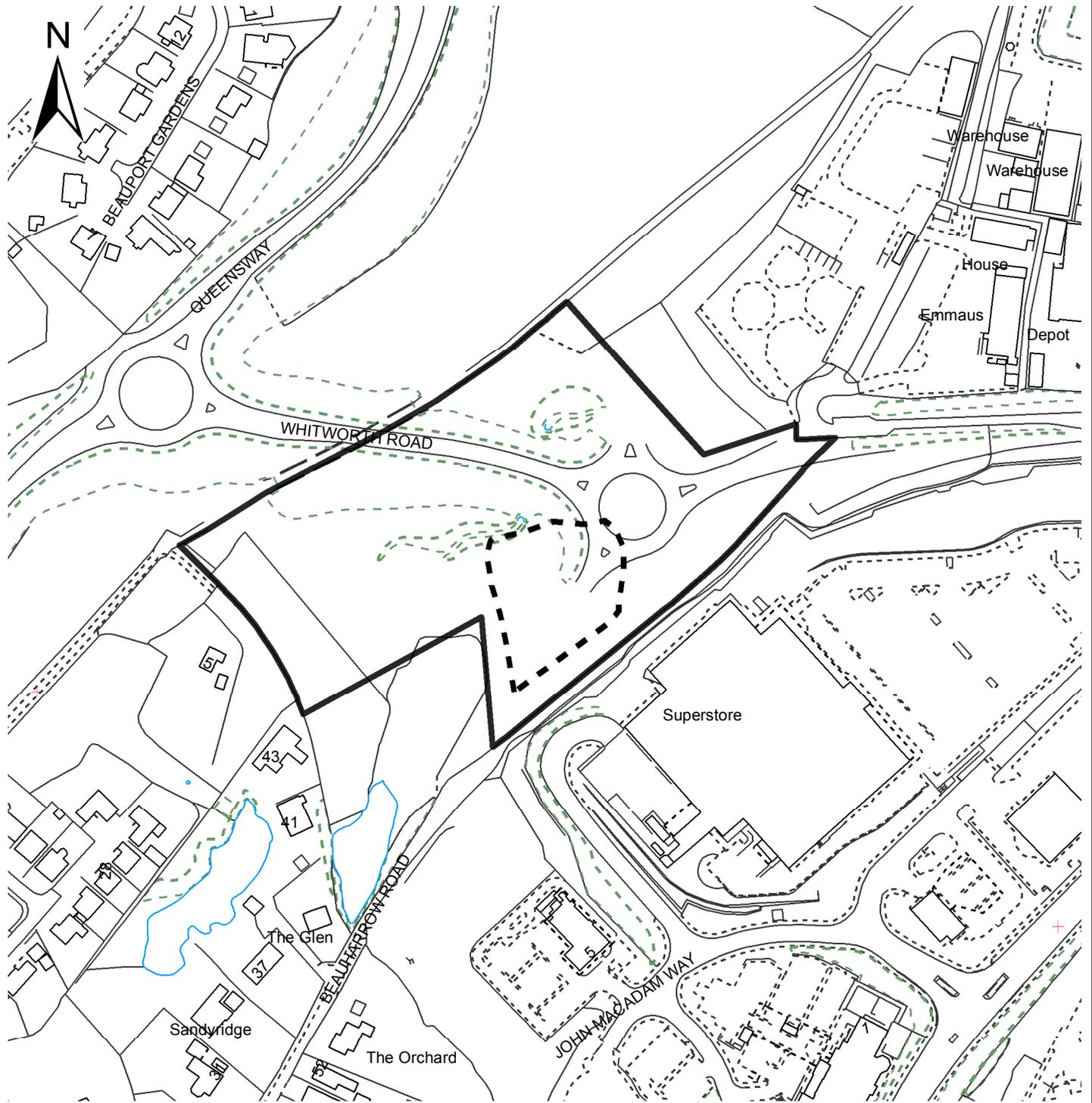
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**Officer to Contact**

Amy Terry  
aterry@hastings.gov.uk  
01424 451640

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Land at Whitworth Road  
St Leonards-on-sea

 Local Plan Allocated Site LRA8  
 Development Platform C



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**Estates Manager:**  
**Amy Terry** M.R.I.C.S.  
Muriel Matters House, Breeds Place,  
Hastings, East Sussex TN34 3UY  
Tel: 01424 451085  
email: [estates@hastings.gov.uk](mailto:estates@hastings.gov.uk)

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# Agenda Item 7



**Report to:** Cabinet

**Date of Meeting:** 7 October 2019

**Report Title:** Acquisition of Land in Ore Valley

**Report By:** Peter Grace  
Assistant Director Financial Services & Revenues  
(Chief Finance Officer)

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## Purpose of Report

To seek approval for Hastings Borough Council to take ownership of areas of green space in the Ore Valley.

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## Recommendation(s)

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.

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## Reasons for Recommendations

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 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.



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## Introduction

1. 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.
2. HBRL are now marketing the Former Power Station Site inviting offers.

## Proposal

3. The 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.
4. The land comprises 2 parcels of land east and west of Broomgrove Road as shown edged red on the attached plan and measuring approximately 3.66 hectares and 1.27 hectares.
5. The land to the west of Broomgrove Road contains a deep pond and will need to be fenced off to prevent public access.
6. The land to the east of Broomgrove Road is openly accessible and forms mainly a woodland area with some maintained and cut back paths and some informal paths.

## Economic/Financial Implications

7. The Council holds an earmarked reserve for Ore Valley in the sum of £250,000.
8. Heads of Terms have been agreed in principle subject to Cabinet and HBRL Board approval:
  - a. Sale price £1 (one Pound); and
  - b. The Council to meet HBRL's legal costs up to £4,000 plus VAT.
9. Costs have been obtained for the fence (metal palisade) required for the western parcel (£23,455). The eastern parcel also requires work for which costs have, in the main, been obtained. One area, which incorporates a steep set of old steps needs to be redesigned, and will require drawings before the work can be costed. Works on this parcel are estimated at some £34,000 (some £57,000 in total).
10. Future maintenance costs are expected to be minimal and the intention is to fund this from the reserve but look to work with any willing local community groups (the eastern parcel is currently maintained by volunteer/s) to ensure future sustainability. It is recommended that the Director of Operational Services, or his representative work to identify alternative longer term arrangements for the management and maintenance of the land.

11. The Council's Ore Valley reserve stands at £250,000. The initial legal fees for HBRL are estimated to be up to £4,000. The Council's costs are expected to be much lower, but could involve land registry fees etc. – say £1,000. Initial maintenance costs are estimated at £57,000. Total initial costs of acquisition and maintenance are estimated at £62,000 leaving a net balance on the reserve of some £188,000.
12. Given the financial position of the Council it is recommended that the reserve be used to fund the ongoing inspection and repair costs of the land parcels until the future management and maintenance arrangements are determined.

## Conclusion

13. If Cabinet and the HBRL Board approve the transfer then respective solicitors will be instructed to proceed with the acquisition as soon as practically possible.

### Timetable of Next Steps

14. Please include a list of key actions and the scheduled dates for these:

Action	Key milestone	Due date (provisional)	Responsible
Instruct Legal Services to proceed with the acquisition	Cabinet 7 October 2019 HBRL Board approval	After Cabinet and subject to HBRL Board approval (date tbd)	Estates Manager
Acquisition completes		Estimated 2 months after approvals	Legal Services
Future Management Arrangements & Initial & Ongoing maintenance and Inspection	Following Acquisition	Following Acquisition	Director of Operational services

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## Wards Affected

Baird

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## Implications

Relevant project tools applied? Yes/No

Have you checked this report for plain English and readability? Yes/No

Climate change implications considered? Yes/No

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	No
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

Appendix 1 - plan.  
Report to Cabinet 17 July 2017.

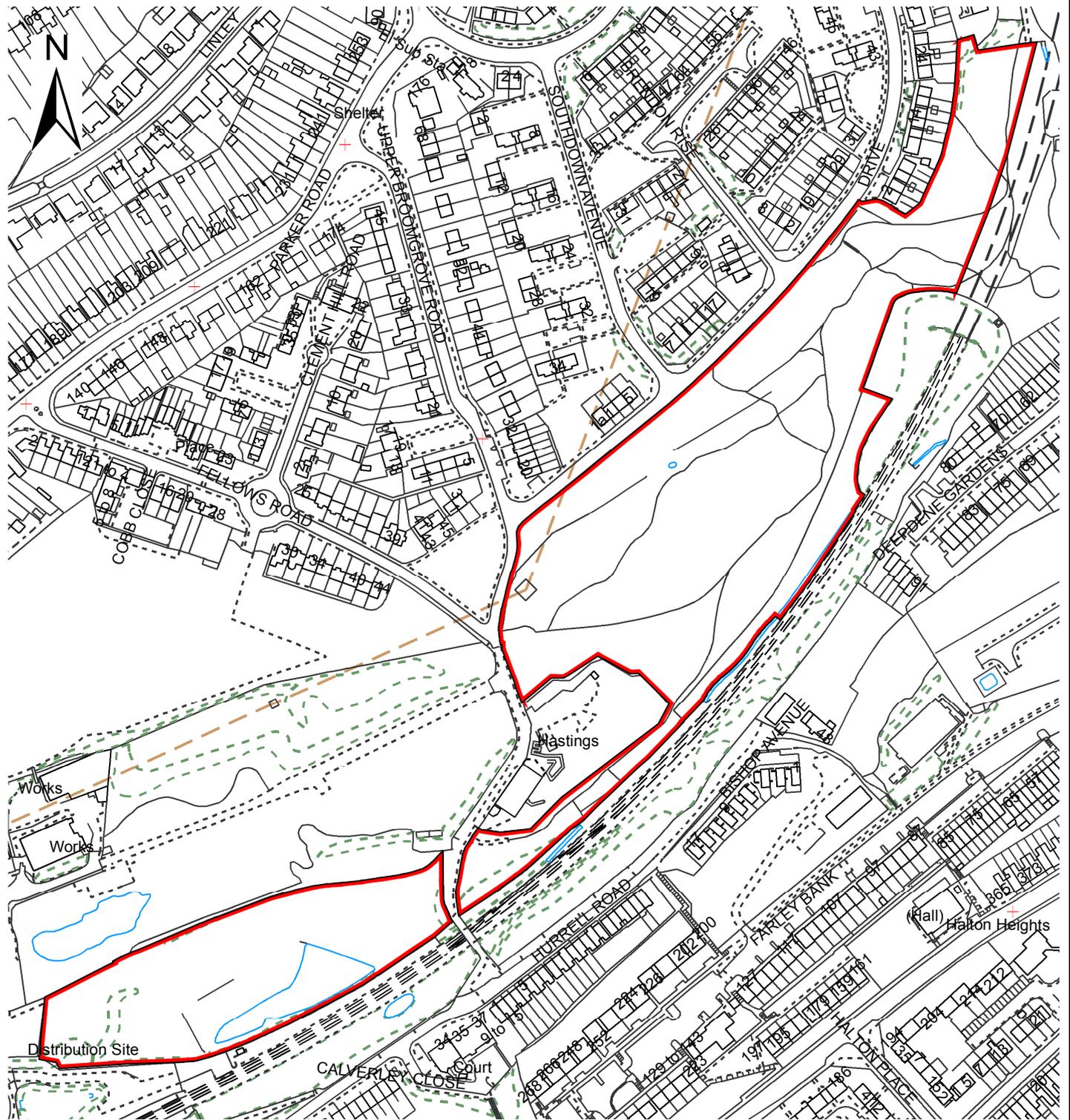
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### Officer to Contact

Amy Terry  
aterry@hastings.gov.uk  
01424 451640

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Land at Ore Valley



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Estates Manager:  
**Amy Terry** M.R.I.C.S.  
Muriel Matters House, Breeds Place,  
Hastings, East Sussex TN34 3UY  
Tel: 01424 451085  
email: estates@hastings.gov.uk

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# Agenda Item 8



**Report to:** Cabinet

**Date of Meeting:** 7 October 2019

**Report Title:** Churchfields Business Centre

**Report By:** Peter Grace  
Assistant Director Financial Services & Revenues  
(Chief Finance Officer)

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## **Purpose of Report**

To put forward a case for agreeing to increase the budget.

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## **Recommendation(s)**

- 1. 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)**

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## **Reasons for Recommendations**

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

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## Introduction

1. 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.

## Economic/Financial Implications

2. The consultants have now worked up detailed designs and the estimated costs are now £3.3m.
3. This figure includes £300,000 worth of costs that we have made an application to Connecting Hastings and Rother Together (CHART) Programme – Community led Local Development (CLLD). We hope to have a decision on this funding in October.
4. The increase in overall costs is mainly due to ecology and arboricultural measures which have arisen following detailed surveys and sustainability measures which are works required to achieve BREEAM excellent/very good for the CHART funding in addition to the £300,000.

## Risk Management

5. Work is underway to close the funding gap by cost engineering and use of alternative budgets (e.g. solar panels funded by the energy income generation budget).

## Environmental Issues

6. As detailed above measures will be included in line with ecology and arboricultural reports
7. Also sustainability measures will need to be included to obtain BREEAM excellent/very good.

## Conclusion

- 8.

### Timetable of Next Steps

9. Please include a list of key actions and the scheduled dates for these:

Action	Key milestone	Due date (provisional)	Responsible

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**Wards Affected**

Hollington.

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**Implications**

Relevant project tools applied? Yes/~~No~~

Have you checked this report for plain English and readability? Yes/~~No~~

Climate change implications considered? Yes/~~No~~

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	Yes
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**

Report to Cabinet 4 March 2019.

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**Officer to Contact**

Officer Name Amy Terry  
Officer Email Address aterry@hastings.gov.uk  
Officer Telephone Number 01424 451640

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# Agenda Item 9



**Report to:** Cabinet

**Date of Meeting:** 7 October 2019

**Report Title:** Old Town Hall, High Street

**Report By:** Peter Grace  
Assistant Director Financial Services & Revenues  
(Chief Finance Officer)

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## **Purpose of Report**

To consider the disposal of the Old Town Hall, High Street, Hastings

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## **Recommendation(s)**

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

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## **Reasons for Recommendations**

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.

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## Background

1. The property is a two-storey listed building most recently used as an indoor children's playground.
2. The property became vacant in October 2018 as the lease was surrendered due to the tenant encountering trading/financial difficulties.
3. Dyer & Hobbis were appointed to market the property for lease in November 2018. The guide rent was £25,000 per annum which was reduced to £19,500 per annum on 5 September 2019, and continues to be marketed.
4. There has been very little interest and only one offer received to date which was well below the revised guide rent.

## Economic/Financial Implications

5. If we retain the building there are various costs that will need to be met over and above the day to day holding costs (utilities, maintenance of plant/alarms etc. and weekly inspections). These are detailed below:
  - a. Under current legislation in order to rent the building it needs to have an Energy Performance Certificate (EPC) rating of E or above. Works are required to achieve this and we have listed building and planning consent to install air conditioning. The cost for this is circa £16,000.
  - b. There have been several incidences of lead being stolen from the roof. Listed building consent has been obtained to replace the lead with zinc and the cost for this is circa £32,000.
  - c. The exterior of the building needs attention and the likely cost of complete redecoration is circa £30,000.
6. The option open to the Council is to dispose of the asset, invest the capital receipt, or use it to meet capital expenditure. This avoids maintenance and ongoing costs.

## Planning

7. The current use is D2 Assembly and leisure which is cinemas, music and concert halls, bingo and dance halls (but not night clubs), swimming baths, skating rinks, gymnasiums or area for indoor or outdoor sports and recreations (except for motor sports, or where firearms are used).
8. Planning have advised that a variety of uses could be suitable but the main issue is maintaining an open layout and subdivision vertically is unlikely to be considered.

## Localism Act 2011 (Local People's Views)

9. The property is registered as an asset of community value and the implications for this are as set out below.

10. If an owner wants to sell a registered asset of community value they must advise the local authority (in this case the Council).
11. Once an owner advises of their intention to sell the local authority will invite expressions of interest from any community interest group wishing to be treated as a potential bidder for the asset. This is known as the interim moratorium period and runs for 6 weeks. At this stage the community interest group does not have to provide evidence of an intention to bid or financial resources to make a bid.
12. If an expression of interest is received in the interim moratorium period the asset continues into a full moratorium period. This ends 6 months after the interim moratorium period started.
13. This does not restrict in any way who the owner of the asset can sell the property to, or at what price and it does not confer a right of first refusal to community interest groups, but allows a local community group to prepare and submit a bid for the property.

## Proposal

14. It is proposed that we add the land to our Land and Property Disposal Programme which would allow us to proceed with a freehold disposal.
15. We can then proceed to notify the Council (Planning) of our intention to sell but during the moratorium period we can continue to market the property for rent. By doing that we keep our options open.
16. If no suitable bid is received from a community interest group we can then proceed to sell the property.

## Conclusion

17. As outlined above there has been a lack of interest in renting the property and there are potentially significant costs to be incurred if we continue to hold the building. Disposing of the freehold of the building would produce a capital receipt, eliminate holding costs and also provide the opportunity to find a more useful purpose for an important building in the High Street.

### Timetable of Next Steps

18. Please include a list of key actions and the scheduled dates for these:

Action	Key milestone	Due date (provisional)	Responsible
Notify Council of intention to disposal		After Cabinet	Estates Manager

Consider any expression/s of interest received		After moratorium period	Property Management Group
Market for sale			

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## Wards Affected

Old Hastings

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## Implications

Relevant project tools applied? Yes/No

Have you checked this report for plain English and readability? Yes

Climate change implications considered? N/A

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	No
Environmental Issues	No
Economic/Financial Implications	Yes
Human Rights Act	No
Organisational Consequences	No
Local People's Views	Yes
Anti-Poverty	No

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## Additional Information

For further details on assets of community value <https://www.hastings.gov.uk/my-community/righttobid/>

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## Officer to Contact

Amy Terry  
 aterry@hastings.gov.uk  
 01424 451640

**Report to:** Cabinet

**Date of Meeting:** 7 October 2019

**Report Title:** Cornwallis Street Car Park - Potential Development

**Report By:** Peter Grace (Chief Finance Officer)  
Victoria Conheady (Assistant Director Regeneration & Culture)

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## **Purpose of Report**

To consider the potential development of a hotel on Cornwallis Street Car park (Council owned land).

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## **Recommendations**

- 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 Recommendations

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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## Introduction

1. The Council has been approached by a developer / hotel chain for the redevelopment of the Cornwallis Street car park with a new hotel (with restaurant).
2. 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

## The Site

3. Site extends to 0.54acres (0.22ha) and currently has some 71 car parking spaces. Income for the Council is fairly substantial amounting to some £131,000 in 2018/19 but is offset by rates, repairs and operating costs. Income is some £102,000 net – before central recharges.

## Planning

4. The site is allocated for residential development within the Development Plan (Site Ref HTC2). Possible net capacity 10.

“Flood Zone 2 extends towards the north corner of the site so a flood risk Assessment would be required, and mitigation built into any scheme.

The loss of parking provision through redevelopment of the car park will also need to be addressed in future proposals. The capacity potential of this site indicates that a transport report will be required.”

Within the Hastings Area Action Plan (HAAP) the car park sits within the Queens Road Opportunity Area 3 (OA3) – Policy QR2. The guidance states that:

5. “The Council will support the redevelopment of the car park for a mix of uses including residential development (possible net capacity 20 dwellings) with retail use at ground floor level to create an active frontage on the street.

Proposals will be required to include a children’s play area, pocket park or similar open recreational space.

Consideration will be given to measures to secure public access parking either on the site or elsewhere”.

6. Within the HAAP under the tourism section the significance of the importance of tourism to the local economy is noted. Para 3.66 states “There is a need to enhance the quality of visitor accommodation, facilities and attractions”.
7. Given work since the HAAP, including development of a future high street fund bid, and selection for submission for a Town Deal, within the Stronger Towns Fund, it is evident that the job of regenerating the town centre is far from finished.
8. By developing the site in line with the proposals above, there will not be significant loss of sites for potential town centre residential development, with several undeveloped sites for mixed use also available in the town centre including sites SG1 and SG2.
9. The NPPF recommends that in planning for town centres, a suitable mix of uses should be considered to allow growth and diversity and create new markets. Although some significant progress has been made in both capital projects and other action it is clear that the town centre is “unfinished business.
10. There have been notable successes including the new station, college, health centre and employment spaces at Havelock Place and Lacuna place. With the decision of the Department of Works and Pensions to relocate staff from Ashdown House in premises in the town centre the continuing benefit of this approach can be seen. However, the University Centre is now closed and Brighton University are seeking its dispose of both the sites at Priory square and on Havelock Road.
11. It’s clear that such are the changes in the economy that it may be practical and desirable to adopt a more flexible and pragmatic approach to developing and regenerating our town centre:
  - The demand for town centre office space at the prices required for delivery of new build is likely to be unpredictable in the face of Brexit but also changes in working practices of many companies. There is currently no substantial funding available to deliver such schemes at subsidised rates. It is not clear what national funding scheme(s) might be in place to bring such office development forward.

- Retail will not follow the pattern of ever growing expansion predicted in the past in the face of shopping on line. Additionally there is clear evidence of success of smaller café/restaurants, craft and clothing shops along Queens Road to show new spending patterns emerging by consumers locally.
  - The town has consciously and successfully developed new visitor streams using culture (in its broadest sense) to change our image. However, we are significantly hampered by the small numbers of hotel bedrooms in the borough – of both the “boutique” type but also the chains which provide dependable and affordable accommodation for both visitors and business travellers. In 1951 the town had 8,000 serviced bed spaces and in 2019 this figure has reduced to c1,000. The onward growth of higher value visitor beds must now be regarded as a critical challenge for the town’s future growth.
12. As well as the impactful changes listed above there are significant other opportunities to embrace a town centre with enhanced housing, visitor accommodation, leisure facilities and new markets for smaller scale employment. These include:
- a. The as yet undeveloped station yard site.
  - b. The potential development of the ESK site, potentially alongside Priory car park.
  - c. The future use of the University buildings about which little is yet known and will be developed in schemes being brought forward by new users
  - d. The potential development of the Observer building as a mixture of employment, housing and cultural provision
13. We know that our ideas have attracted positive attention – for instance our Channel 4 bid. However, in an economy where values are still very low bringing forward development is very challenging. It is therefore highly encouraging to have the interest of a national chain in investing here. Not only will the hotel be of significant economic value but it would help establish the message that Hastings is “investable” and open for growth with other potential investors. The council is likely to be increasingly dependent on encouraging private investment alongside reducing public funds in the future.
14. Officer’s views are that it is critically important to bring housing into the town centre and the current situation is encouraging for future mixed development. In that context it makes sense to potentially utilise a site currently designated for very small housing development in this way the loss could reasonably be addressed elsewhere. Although not classified as “employment” in planning terms the hospitality industry is a very significant employer nationally and locally and if the sector increased significantly in size could produce employment at all skill levels in a place easily accessible to local people.

## Proposed Development

15. The development proposed would cover 4 floors :
  - Ground floor: reception area, restaurant and kitchen, plant, linen and laundry rooms
  - First – Third Floors: 80 bedrooms with ensuite bathrooms
  - 35 car spaces for the sole use of the hotel
16. Plans have been drafted by Architects (commissioned by the development partner) and forwarded to the surveyor acting for the hotel chain. An offer has been put forward which is considered to be viable..

## Employment and Tourism Generation

17. In terms of employment, the hotel chain has advised that for a hotel of this size they usually anticipate about 17 staff being employed, 14 of which are full time.
18. Based on standard occupancy rates it has been estimated that there would be some 35,040 people staying overnight per annum. The hotel would make a significant contribution to achieving the policy objectives of furthering tourism in the town and bring substantial benefits to securing the sustainability of the town and night time economy.

## Procurement Rules and Best Value

19. In the private sector it would be possible to simply accept such a development proposal, if desired. In the public sector, Best Value has to be shown, and public procurement rules require the Council to provide an equal opportunity for other providers to submit tenders.
20. It may be the case that there are other operators who would wish to develop the site and provide a higher return to the Council both in terms of the quality of the offer and the financial return.
21. The external specialist legal advice sought indicates that public procurement notices need to be published and the works and developer fees tendered for. This will invariably add to the timescales. The hotel chain concerned is ready to move very quickly and was looking to be on-site in February 2021 (following completion of studies and granting of planning permission). They are aware of the necessity to advertise the opportunity. This is very similar to a scheme in Sevenoaks, whereby a hotel was also built on a Council owned car park and similar procurement processes were required.
22. In order to minimise the timescales it is recommended, subject to Cabinet approval, for the Council to undertake the initial survey reports that would be required for any development on the site; these are estimated to be at a cost of up to £30,000.
23. If Cabinet is supportive of the proposal the Council would outsource the specialist procurement and contract work (estimated at some £40,000) in order to comply with EU procurement legislation both for the developer's services, the works contract, and thereafter the lease to the hotel operator.

## Financial Implications

24. The developer has put forward a preliminary development and finance proposal which in summary shows the retained value of a hotel at some £7.8m. The build cost is currently estimated at some £6.6m. It is recommended that £7m be included within the Capital programme to take account of the procurement delays and contingency.
25. The intention would be for the Council to provide the finance to develop the site and retain ownership. Borrowing costs are estimated at some £264,000 p.a. on a fixed rate 40 year loan, producing a net surplus of some £136,000 p.a. in a full year. Against this would be the loss of income from the car park in its existing use (some £102,000 p.a.) – albeit some of this would be recovered at other car parks.
26. The Council would also expect to receive a greater level of business rate income than from the existing car park (yet to be fully estimated) but is in the region of a doubling of the rateable value from circa £44k to £90k.
27. If the scheme is able to be designed to retain some existing public parking provision the loss of income from the change of use may be slightly reduced. Likewise the displacement to the multi storey car park of Priory Meadow will see an offset of the income lost.
28. Given that the Council would finance the development from day one there would be a period whereby the Council is funding the development without income. The projection being some 12 month build period and a four month rent free period. Assuming an equal spend throughout the construction period of 12 months the estimated borrowing costs would amount to some £107,000 (assuming a 2% interest rate).
29. As an overall estimate of ongoing revenue benefits, assuming say 30% of parking income is recovered at other HBC car parks (30% of £102,000 =£30,600), the net income would amount to some £64,600 increasing to some £85,000 p.a. once business rate retention is considered.

## Capital Programme & Treasury Management

30. Should the Cabinet agree to the inclusion of this project within the Capital programme, the borrowing limits may well have to be raised again for future years. Given that the procurement processes will not be completed before the determination of the budget in February 2020, any changes to borrowing limits could be considered at that stage – they would need to be agreed by full Council and considered in the light of all other capital schemes and proposals and against the background of available resources. If not approved the scheme would stop.

## Risk Management

31. The Council would need to employ the services of an expert surveyor in this instance with expert hotel knowledge rather than solely rely on in-house expertise.

32. Undertaking the surveys may highlight unforeseen costs, or there may be limited interest in the site. The current proposal put forward provides the Council with some solid comfort that any expenditure incurred is not likely to be wasted.
33. The loss of car parking spaces in the locality could itself impact on the sustainability of some business. The available capacity within the Priory Meadow car park and the council's own priory Street car park would no doubt form part of any planning decision.
34. There is a particular risk that the value of the property could decrease as the lease periods reduce. An element of the value is having a good quality tenant who is signed up for a substantial period of time.
35. In looking at an exit strategy, should existing use not be viewed as viable in the years ahead, besides selling, alternative uses would include conversion to residential or even offices if there was sufficient demand.
36. If the due diligence work identifies risks that are thought to be too high or remain unclear, then the development should not proceed.
37. The opportunity for residential development on the site would be lost. However many more sites are being identified. Indeed the Council is looking to develop the empty spaces above its own property in the town centre.
38. The site provides a long term investment return. The property development would fit well with the regeneration and economic development for the town and does not preclude greater investment in the energy generation or housing fields at a later date.
39. The Council in looking to develop the site is not borrowing solely to generate income, and nor would the borrowing levels be disproportionate to the size of the authority and its existing budget. Further guidance is still expected on what borrowing levels constitute "disproportionate", but would be expected to also take into account the different risks that authorities are exposed to already e.g. guarantees, loans to other parties, legal claims, known commitments, etc.
40. The Council is being warned that it should not become overly dependent on commercial property income in the future, given the potential volatility involved. The Council's existing portfolio is not highly geared (funded by borrowing) when taken as a whole and is quite diversified.

## Other Options

### 41. Do Nothing

The Council has very limited resources at present and will need to determine whether this is a priority. Some of the upfront costs are at risk and would be a call on the revenue reserves should the scheme not proceed. The Council would continue to receive the car parking income.

However, the do nothing option does not meet the aspirations that the Council has of

supporting the economic vitality of the town centre and its long term sustainability. Nor does it enhance the tourism offering for the town and those businesses and jobs that rely on it (some 35,040 predicted overnight stays). The do nothing approach does not increase the employment opportunities in the town

#### 42. **A Mixed development – as per local plan**

The local development plan identifies the potential for housing provision (20 units) and some further retail provision. This need for more retail space is being questioned at present. The Council needs a revenue stream more than Capital receipts, and there are already a significant number of sites being identified for housing within the borough e.g. Harrow Lane, Bexhill road, Mayfield E, West Marina.

The Hastings Area Action Plan makes specific reference to the need to increase the quality of the accommodation for tourists. This particular development would clearly increase the mixed development nature of the locality itself.

#### 43. **Sell the Site**

The Council could sell the site on the open market, with or without planning permission. It would also be possible to sell the site on a long lease, based upon a developer building a hotel and sharing some of the subsequent income stream – effectively a ground rent. The Council would need to cover as a minimum the annual net revenue that it receives from the car park. However the financing costs of construction for a private developer would reduce the annual income stream available. It would not be as advantageous financially to the Council and would leave the initial development profit solely with a developer.

### **Local Peoples Views**

44. Local people will certainly have views on this as will the business community. The opportunity to consider the proposals will be available through the planning process.

### **Legal Powers**

45. The Council has powers under the Localism Act and general power of competence to undertake such a development.

### **Climate Change**

46. The construction of hotels in town centres and close to railway stations is, it is understood, now the aspiration of many hotel operators for reasons of sustainable travel and a changing tourism market. It has been made clear to us that they also still require car parking spaces to be on site or in very close proximity.
47. Electric charging points will become a planning permission requirement on new builds shortly, and would be included within any scheme.

48. There is anxiety in some quarters about any new developments and the impact on climate change and sustainability. The building would need to be constructed and operated with sustainability a key priority.

## Conclusion

49. The development of the car park as a hotel would be a substantial step forward in the continued economic development and economic sustainability of Hastings and St Leonards. It would help to retain and enhance the attractiveness to businesses, diversify the property portfolio and could provide the Council with an additional long term income stream. The yields on offer reflect the level of risk.

There remains a significant risk, particular with Brexit, for many investments to fall in value if there is an economic downturn. There could be upside risks in terms of values if transport links to London or along the south coast were to be improved.

## 50. Timetable (outline)

	Date	Responsible Person(s)
Cabinet/Council Reports	7 October 2019	Chief Finance Officer
Tender Documents/Publication/ Evaluation/Acceptance/Award – by Cabinet	8 October 2019 to 30 April 2020	Chief Finance Officer/ Estates Manager/ Legal/ Procurement Hub/ External legal Firm/ Cabinet (award decision)
Full Council – Budget /Capital Strategy/ Treasury Management – Borrowing Approval	26 February 2020	Chief Finance Officer
Exchange Contracts with Premier Inn	31 May 2020	Chief Finance Officer/Estates Manager/ Chief Legal Officer
Planning Application	31 July 2020	Estates Manager
Planning Decision	31 January 2021	Planning
On Site	1 May 2021	Successful Tenderer
Build Complete	31 April 2022	
Handover to Hotel Group	01 May 2022	

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## Wards Affected

Castle.

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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	Yes
Anti-Poverty	No

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## Additional Information

None.

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## Officers to Contact:

Peter Grace ([pgrace@hastings.gov.uk](mailto:pgrace@hastings.gov.uk))

Amy Terry ([aterry@hastings.gov.uk](mailto:aterry@hastings.gov.uk))

Victoria Conheady ([vconheady@hastings.gov.uk](mailto:vconheady@hastings.gov.uk))

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# Agenda Item 11



**Report to:** Cabinet

**Date of Meeting:** 7<sup>th</sup> October 2019

**Report Title:** Amendments to the Council's Constitution

**Report By:** Christine Barkshire-Jones  
Chief Legal Officer and Monitoring Officer

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## **Purpose of Report**

Cabinet is asked to consider the constitutional amendments.

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## **Recommendation(s)**

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

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## **Reasons for Recommendations**

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

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## Introduction

1. 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.
2. Amendments that the Chief Legal Officer is bringing to this meeting 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.
3. The changes were discussed by Working Arrangements Group on 10<sup>th</sup> September 2019. A few minor changes were made by WAG following that meeting which have been incorporated. WAG requested that the proposed change to the number of motions on the agenda for Council be taken off and further discussion had between officers and Councillors on the most effective way of controlling this. For the CAP meeting only the pages of the Constitution with changes on have been attached as appendices to reduce the size of the agenda. Changes are shown as tracked changes in red.
4. Part 1 - Executive Summary – Tidying up and clarification.
5. Part 2 - Articles of the Constitution – Article 2 addition of wording where 'all out' election and election of Councillors for 4 or 2 years. Article 3 addition of paragraph entitled 'Citizen's responsibilities' which states that Citizens must not be violent, abusive or threatening to Councillors or Officers. Article 9 – clarification of role of Independent Person on Standards Committee.
6. Part 4 - Rules of Procedure – Tidying up and clarification of the sections on Petitions and Questions.
7. Part 6 – Councillors allowances. Updating of Table of Councillor's Allowance Scheme as of 15<sup>th</sup> May 2019.
8. Part 8 - Standing Instructions to Authorised Officers – Part 3b – para 43E amendment to allow minor changes to the terms of a draft S106 Agreement in consultation with the Chair of the Planning Committee. Para 46 - Approval of any matters required to be submitted pursuant to conditions imposed on any permission, consent or approval given under the Town and Country Planning Acts deletion of paragraph as all such applications are always determined under delegated authority given their technical nature. Para 45 removal of prior determination for telecommunication applications. Deletion of paragraph as all such applications are determined under delegated authority given the strict time limitations.
9. Part 9 – Financial Rules – changes requested by the Chief Finance Officer.

### Timetable of Next Steps

1. Please include a list of key actions and the scheduled dates for these:

Action	Key milestone	Due date (provisional)	Responsible
Report to Cabinet		7 <sup>th</sup> October 2019	Chief Legal Officer
Report to Full Council		23 <sup>rd</sup> October 2019	Chief Legal Officer

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## Wards Affected

All Wards

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## Implications

Relevant project tools applied? Yes

Have you checked this report for plain English and readability? Yes

Climate change implications considered? Yes

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	No
Environmental Issues	No
Economic/Financial Implications	No
Human Rights Act	No
Organisational Consequences	Yes
Local People's Views	No
Anti-Poverty	No

Organisational Consequences

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## Additional Information

Parts 1, 2, 4, 6, 8 and 9 of the Constitution shown as tracked changes

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## Officer to Contact

Christine Barkshire-Jones, Chief Legal Officer and Monitoring Officer  
 cbarkshire-jones@hastings.gov.uk  
 01424 451731

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## **The Constitution**

### **Part 1 Executive Summary**



## The Council's Constitution

1. Hastings Borough Council agreed a revised Constitution at its meeting on 13<sup>th</sup> February 2019. The Constitution is kept up to date by regular review. This Constitution sets out how the Council operates, how decisions are made and the procedures which are followed to ensure that these are efficient, transparent and accountable to local people. Some of these processes are required by the law, while others are a matter for the Council to choose.
2. The Constitution is divided into 16 articles which set out the basic rules governing the Council's business. More detailed procedures and codes of practice are provided in separate rules and protocols at the end of the document.

## What is in the Constitution

2.3 Article 1 of the Constitution set out its purpose. Articles 2 to 15 explain the rights of citizens and how the key parts of the Council operate. These are:

- Councillors of the Council (Article 2)
- Citizens and the Council (Article 3)
- The Full Council (Article 4)
- Chairing the Council (Article 5)
- **Scrutiny of Policies and Decisions** (Overview and Scrutiny Committee) (Article 6)
- The Cabinet (Article 7)
- Regulatory and other Committees (Article 8)
- The Standards Committee (Article 9)
- Joint arrangements (Article 10)
- Officers (Article 11)
- Decision making (Article 12)
- Finance, contracts and legal matters (Article 13)
- Review and revision of the Constitution (Article 14)
- Suspension, interpretation and publication of the Constitution (Article 15)

## How the Council operates

- 3.4 The Council is composed of 32 councillors, one half elected every other year from May 2004. Councillors are democratically accountable to residents of their ward. The overriding duty of councillors is to the whole community, but they have a special duty to their constituents, including those who did not vote for them.
- 4.5 Councillors have to agree to follow a Code of Conduct to ensure high standards in the way they undertake their duties. The Standards Committee trains and advises them on the Code of Conduct.
- 5.6 All Councillors meet together as the Full Council. Meetings of the Full Council are normally open to the public.
- 6.7 The Council appoints the Leader of the Council, whilst the Leader of the Council appoints the Deputy Leader and other Cabinet members and allocates portfolios to Cabinet members.
- 7.8 Full Council is the main policy arena for the authority. Whilst the budget and many plans and strategies will be produced by the Cabinet, Full Council has complete freedom in deciding whether to accept or amend these proposals, or indeed replace them completely. The Full Council meeting is also the main setting for holding the Cabinet to account, providing an opportunity for members of the Cabinet to be questioned by Councillors or, indeed, members of the public.

## How Decisions are made

- 8.9 The Cabinet is the part of the Council which is responsible for most day-to-day decisions. The Cabinet is made up of the Leader of the Council, the Deputy Leader and between one and eight other councillors as the Leader shall, from time to time, determine. When major decisions are to be discussed or made, these are published in the Cabinet's forward plan in so far as they can be anticipated. Cabinet meetings are generally open for the public to attend except where personal or confidential matters are being discussed. The Cabinet has to make decisions which are in line with the Council's overall policies and budget. If it wishes to make a decision which is outside the budget or policy framework, this must be referred to the Council as a whole to decide, or in accordance with this Constitution.

## Overview and Scrutiny

- 9.10 There are as many Overview and Scrutiny Committees as the Council shall, from time to time determine, who complement the work of the Cabinet and the Council as a whole. The Overview and Scrutiny Committee allows citizens to have a greater sayrole in Council matters by holding public inquiries into matters of local concern. These lead to reports and recommendations which advise the Cabinet and the Council as a whole on its policies, budget and service delivery. Overview and Scrutiny Committee also monitors the decisions of the Cabinet. It can 'call-in' a decision which has been made by the Cabinet but not yet implemented. This enables it to consider whether the decision is appropriate. It may recommend that the Cabinet reconsider the decision. It may also be consulted by the Cabinet or the Council on forthcoming decisions and the development of policy.

## The Council's Staff

11. The Council has people working for it (called 'Officers') to give advice, implement decisions and manage the day-to-day delivery of its services. Some officers have a specific duty to ensure that the Council acts within the law and uses its resources wisely. A Protocol (in part 5 of this Constitution) governs the relationships between Officers and Councillors.

10.

## Citizens' Rights

11.12. Citizens have a number of rights in their dealings with the Council. These are set out in more detail in Article 3. Some of these are legal rights, whilst others depend on the Council's own processes. The local Citizens' Advice Bureau can advise on individuals' legal rights.

12.13. Citizens have the right to:

- vote at local elections if they are registered;
- contact their local councillor about any matters of concern to them;
- obtain a copy of the Constitution;
- present a petition to the Council;
- attend meetings of the Council and its committees or boards except where confidential or exempt matters are being discussed;
- petition to request a referendum on a mayoral form of Cabinet;
- ask questions at ordinary meetings of the Council. A period of up to 30 minutes is allowed for questions to be put by members of the public who live or work in the Borough;
- contribute to investigations by the Overview and Scrutiny Committee if invited to do so;
- find out, from the Cabinet's forward plan, what major decisions are to be discussed by the Cabinet or decided by the Cabinet or a committee of the Cabinet, and when;
- attend meetings of the Cabinet where key decisions are being discussed or decided;
- see reports and background papers, and any record of decisions made by the Council and Cabinet;
- complain to the Council **if they are dissatisfied with the action or lack of action taken by the Council on a matter which is the Council's responsibility about the provision of any of its services in accordance with the Council's Complaints Procedure;**
- complain to the Ombudsman if they think the Council has not followed its procedures properly. However, they should only do this after using the Council's own complaints process;

- complain to the Monitoring Officer if they have evidence which they think shows that a Councillor has not followed the Council's Code of Conduct, and
- inspect the Council's accounts and make their views known to the External Auditor.

13.14. The Council has a policy of open access to files and other records. The Council also holds as many meetings as possible in public, giving access to agenda, reports and many background documents. Whilst the Council adopts a strong policy of openness, there are safeguards to protect individuals' privacy and in relation to legal, commercial, financial or otherwise sensitive information and so some documents may not be publicly accessible.

15. The Council welcomes participation by its citizens in its work. For further information on your rights as a citizen, please contact the Monitoring Officer, Muriel Matters House, Breeds Place, Hastings, East Sussex, TN34 3UY.

14.16. All documents may be inspected on request at the Reception at the Council Offices, Muriel Matters House, Breeds Place, Hastings, East Sussex, TN34 3UY during office opening hours 8.30am to 5.00pm Monday to Friday. Documents are also available to view on the Council's website: [www.hastings.gov.uk](http://www.hastings.gov.uk)

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## **The Constitution**

### **Part 2 Articles of the Constitution**



## Article 2 – Members of the Council

### Composition and eligibility

#### 2.1

- a. Composition. The Council comprises 32 members, otherwise called Councillors. Two Councillors are elected by the voters of each ward in accordance with an order made by the Local Government Boundary Commission for England.
- b. Eligibility. Only registered voters of the Borough or those living or working there will be eligible to hold the office of Councillor.

### Election and terms of Councillors

- 2.2 Half of all Hastings Councillors will be elected every other year from 2004. The terms of office of Councillors is four years starting on the fourth day after being elected and finishing on the fourth day after the date of the next regular election. **If there is a requirement for an 'all out' election for example a boundary change, then of the two Councillors in each ward, the one that receives the highest number of votes will, be elected for a period of 4 years. The other Councillor in each ward will be elected for a period of 2 years to maintain the Council's 2 yearly electoral cycle. four years later.**

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### Roles and functions of all Councillors

#### 2.3

- a. Key roles. All Councillors will:
  - i. collectively be the ultimate policy-makers and carry out a number of strategic and corporate management functions;
  - ii. represent their communities and bring their views into the Council's decision-making process, i.e. become the advocate of and for their communities;
  - iii. deal with individual casework and act as an advocate for constituents in resolving particular concerns or grievances;
  - iv. balance different interests identified within the ward and represent the ward as a whole;
  - v. be involved in decision-making;
  - vi. be available to represent the Council on other bodies; and
  - vii. maintain the highest standards of conduct and ethics.
- b. Rights and duties
  - i. Councillors will have such rights of access to such documents, information, land and buildings of the Council as are necessary for the proper discharge of their functions and in accordance with the law.
  - ii. Councillors will not make public, information which is confidential or exempt or divulge information given in confidence to anyone other than a Councillor or Officer entitled to know it.
  - iii. For these purposes, "confidential" and "exempt" information are defined in the Access to

4

## Article 3 – Citizens and The Council

### Citizens' rights

- 3.1 Citizens have the following rights. Their rights to information and to participate are explained in more detail in the Access to Information Rules in Part 4 of this Constitution:
- a. Voting and petitions. Citizens on the electoral roll for the Borough have the right to vote in elections and to petition a request for a referendum for an elected mayor form of Constitution.
  - b. Information. Citizens have the right to:
    - i. attend meetings of the Council and its committees except where confidential or exempt information is likely to be disclosed, and the meeting is therefore held in private;
    - ii. attend meetings of the Cabinet when key decisions are being considered;
    - iii. find out from the forward plan what key decisions will be taken by the Cabinet and when;
    - iv. see reports and background papers, and any records of decisions made by the Council and the Cabinet; and
    - v. inspect the Council's accounts and make their views known to the External Auditor.
  - c. Participation. Citizens have the right to participate in the Council's question time and may contribute to investigations by the Overview and Scrutiny Committee if invited to.
  - d. Complaints. Citizens have the right to complain to:
    - i. the Council itself under its complaints procedure;
    - ii. the Ombudsman after using the Council's own complaints procedure;
    - iii. the Monitoring Officer about a breach of the Councillors' Code of Conduct.

### 3.2 Citizen's responsibilities

Citizens must not be violent, abusive or threatening to Councillors or Officers.

## Article 4 – The Full Council

### Meanings

#### 4.1

- a. Policy Framework. The policy framework means the following plans and strategies:-

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- i. The Corporate Plan;
- ii. Crime and Disorder Reduction Strategy;
- iii. Plans and strategies which together comprise the Local Plan
- iv. Plan and strategies which together comprise the Housing Strategy
- v. The Pay Policy

Such other plans and strategies as the Council shall, from time to time, determine that shall form part of the policy framework.

- b. Budget. The budget includes the allocation of financial resources to different services and projects, proposed contingency funds, setting the council tax and decisions relating to the control of the Council's borrowing requirement, and the control of its capital expenditure, and the control of its investments.

### Functions of the Full Council

#### 4.2 Only the Council will exercise the following functions:

- a. adopting and changing the Constitution, with the exception of minor amendments, including legislative updates, which will be delegated to the Chief Legal Officer;
- b. approving and adopting the policy framework and the budget
- c. subject to the urgency procedure contained in the Access to Information Procedure Rules in Part 4 of this Constitution, making decisions about any matter in the discharge of a Cabinet function which is covered by the policy framework or the budget where the decision maker is minded to make it in a manner which would be contrary to the policy framework or contrary to or not wholly in accordance with, the budget;
- d. appointing the Leader of the Council;
- e. agreeing and/or amending the terms of reference for Committees of Council, deciding on their composition and making appointments to them;
- e.f. adopting or amending the Councillors' Code of Conduct;
- f.g. agreeing the mechanism for appointments to outside bodies;
- g.h. adopting an allowances scheme under Article 2.5;
- h.i. changing the name of the Borough, conferring the title of honorary alderman or freedom of the Borough;
- j. confirming the appointment and dismissal of the Head of Paid Service, and the dismissal of the Monitoring Officer and Section 151 Officer having taken account of:
  - i. any advice, views or the recommendations of the Employment Committee;
  - ii. the conclusions of any investigation into the proposed dismissal; and

7

i.iii. any representations from the relevant Officer.;

- i.k. making, amending, revoking, re-enacting or adopting bylaws and promoting or opposing the making of local legislation or bills;
- j.l. all local choice functions set out in Part 3 of this Constitution which the Council decides should be undertaken by itself rather than the Cabinet; and
- k.m all other matters which, by law, must be reserved to Council.

### **Council Meetings**

4.3 There are four types of Council meeting:

- a. the annual meeting;
- b. ordinary meetings;
- c. special meetings such as that to set the annual budget;
- d. extraordinary meetings.

And they will be conducted in accordance with the Council Procedure Rules in Part 4 of this Constitution.

### **Responsibility for functions**

4.4 The Council will maintain the tables in Part 3 of this Constitution setting out the responsibilities for the Council's functions which are not the responsibility of the Cabinet.

## Article 5 – Chairing the Council

### Role and function of the Mayor

- 5.1 The Mayor and Deputy Mayor will be elected by the Council annually from amongst the Councillors. The Mayor and in his / her absence, the Deputy Mayor will have the following responsibilities:
- a. to uphold and promote the purposes of the Constitution, and to interpret the Constitution when necessary;
  - b. to preside over meetings of the Council so that its business can be carried out efficiently and with regard to the rights of Councillors and the interests of the community;
  - c. to ensure that the Council meeting is a forum for the debate of matters of concern to the local community and the place at which Councillors who are not on the Cabinet are able to hold it to account;
  - d. to promote the Borough and public involvement in the Council's activities;
  - e. in order to promote the Borough, to attend such civic and ceremonial functions as the Council and he/she determines.

## Article 6 – Overview and Scrutiny Committee

### Terms of reference

- 6.1 At the Annual Meeting the Council shall appoint such Overview and Scrutiny Committee as it sees fit. It will discharge the functions conferred by Section 21 of the Local Government Act 2000.

### General role

- 6.2 Within the terms of reference, the Overview and Scrutiny Committee will:
- a. review and/or scrutinise decisions made or actions taken in connection with the discharge of any of the Council's functions;
  - b. make reports and/or recommendations to the Full Council and/or the Cabinet in connection with the discharge of any functions;
  - c. consider any matter affecting the area or its inhabitants;
  - d. exercise the right to call-in, for reconsideration, decisions made but not yet implemented by the Cabinet; and
  - e. exercise such other functions as shall be allocated to it from time to time by statute or subordinate legislation.

### Specific functions

- 6.3 Policy development and review

The Overview and Scrutiny Committee may:

- i. assist the Council and the Cabinet in the development of its budget and policy framework by in-depth analysis of policy issues;
- ii. conduct research, community and other consultation in the analysis of policy issues and possible options;
- iii. advise the Cabinet on mechanisms to encourage and enhance community participation in the development of policy options;
- iv. question members of the Cabinet and Chief Officers about their views on issues and proposals affecting the area; and
- v. liaise with other external organisations operating in the area, whether national, regional or local, to ensure that the interests of local people are enhanced by collaborative working.

- b. Scrutiny

The Overview and Scrutiny Committee may:

- i. review and scrutinise the decisions made by and the performance of the Cabinet and Council Officers both in relation to individual decisions and overtime;
- ii. review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas;
- iii. question members of the Cabinet and Chief Officers about their decisions and

10

performance, whether generally in comparison with service plans and targets over a period of time, or in relation to particular decisions, initiatives or projects;

- iv. make recommendations to the Cabinet and/or Council arising from the outcome of the scrutiny process;
- v. review and scrutinise the performance of other public bodies in the area and invite reports from them by requesting them to address the Overview and Scrutiny Committee and local people about their activities and performance; and
- vi. question and gather evidence from any person (with their consent).

c. Finance

The Cabinet is required to meet reasonable requests for funding from the Overview and Scrutiny Committee. Funding should be used for specific activities in support of the functions outlined in the Terms of Reference under 6.1. If the Cabinet refuses funding then the Overview and Scrutiny Committee can ask the Full Council to determine whether or not the funding should be granted.

d. Officers

Officer support for Scrutiny Project Groups and other Officer support for the overview and scrutiny function will be arranged by the Continuous Improvement and Democratic Services Manager.

- e. **Annual report: The Overview and Scrutiny Committee may report annually to Full Council on its workings and may make recommendations for consideration of their future work programmes and amended working methods, if appropriate.**

### **Proceedings of Overview and Scrutiny Committee**

- 6.4 The Overview and Scrutiny Committee will conduct its proceedings in accordance with the Overview and Scrutiny Procedure Rules set out in Part 4 of this Constitution.

## Article 7 – The Cabinet

### Role

- 7.1 The Cabinet will carry out all of the local authority's functions which are not the responsibility of any other part of the local authority, whether by law or under this Constitution.

### Form and composition

- 7.2 The Cabinet will consist of the Council Leader (who shall be the Chair of the Cabinet), the Deputy Leader, and at least one, but not more than eight, Councillors appointed annually to the Cabinet by the Leader.

The Local Government Act 2000 provides that the political balance rules do not necessarily apply to a Cabinet or Committees of a Cabinet.

### Leader and Deputy Leader

- 7.3 The Leader will be a Councillor elected to the position of Leader by the Council at the annual meeting or if there is a vacancy in the position of Leader of the Council, the Council shall, at its next meeting, elect a Leader of the Council. The Leader will hold office:
- a. For a term of office which starts on the day of his/her election as Leader, and ends on the day of the post-election annual meeting which follows his/her election as Leader; or until
    - i. he or she resigns from the office; or
    - ii. he or she is no longer a Councillor; or
    - iii. he or she is removed from office by resolution of the Council; or
    - iv. he or she is otherwise disqualified by law or by the Court.
  - b. The Leader shall appoint one of the members of the Cabinet to be the Council's Deputy Leader at the post-election annual meeting. The Deputy Leader shall hold office until:
    - i. the end of the term of the Leader; or
    - ii. the Leader removes the Deputy Leader from office giving written notice of the removal to the Chief Legal Officer; or
    - iii. he or she resigns from office; or
    - iv. he or she is no longer a Councillor; or
    - v. he or she is removed from office by resolution of the Council; or
    - vi. he or she is otherwise disqualified by law or by the Court.
  - c. If for any reason there shall be a vacancy in the position of Deputy Leader, the Leader shall appoint another Deputy Leader from among the members of the Cabinet.
  - d. If for any reason the Leader is unable to act or the office of Leader is vacant, the Deputy Leader must act in his/her place.
  - e. If for any reason the Leader is unable to act or the office of Leader is vacant, and the Deputy Leader is unable to act or the office of Deputy Leader is vacant the remaining

12

## Article 8 – Regulatory and other Committees

### Regulatory and other Committees

8.1 The Council will appoint the Committees set out in Part 3 of this Constitution under the heading Responsibility for Council Functions to discharge the functions described.

### Composition of the Planning Committee, Environment and Safety Committee and Licensing Committee.

8.2

- a. A member of the Cabinet with portfolio will not be able to serve on the Licensing Committee, Environment and Safety Committee or Planning Committee or any other regulatory Committee.
- b. No member of these Committees shall take part in any debate or vote on any matter in relation to which the member has predetermined his/her decision on the matter.
- c. Members whose professional or personal interests might create regular conflict of interest in matters coming before the Planning Committee should not be appointed to the Planning Committee. A member who is about to act in a professional or private capacity in any matter in which the Council has an interest should give notice of such intention to the Monitoring Officer.
- d. The Planning Protocol contained in Part 5 of the Constitution applies to Planning Committee Members.
- e. For all Regulatory Committees, in cases where the Chair or Vice Chair is not available to Chair the meeting (or part of), the Legal Officer **advising the Committee** will ask for a nomination for Chair for the duration of the meeting (or part of). The nomination must be of a permanent member of that Committee and not a substitute. **The nomination must be seconded and a majority vote taken by those Councillors sitting on that Committee.**

## Article 9 – The Standards Committee

### Standards Committee

9.1 The Council will establish a Standards Committee.

#### Composition

9.2 Membership.

- a. The Standards Committee will be composed of five members of the Council. At least one Independent Person will be invited to attend. The Political Balance Rules do not strictly apply to the Standards Committee, but will be applied to the Councillor membership of the Committee. No more than one Councillor member of the Standards Committee may be a member of the Cabinet and that member may not be the Leader of the Council.
- b. The appointment of Independent Person(s) must be approved by a majority of the members of the Council.
- c. A meeting of the Standards Committee will not be quorate unless at least three members are present for its duration.
- d. Members of the Standards Committee may on written application to the Monitoring Officer (or Deputy Monitoring Officer) at least three working days prior to the meeting of the Standards Committee appoint substitutes for that meeting, only if in the opinion of the Monitoring Officer (or Deputy Monitoring Officer) in consultation with the Chair or Vice Chair of the Standards Committee, sitting Councillors have a conflict of interest in any matter to be considered by the Standards Committee at that meeting.

9.3 Independent Persons. The Council must appoint at least one Independent Person to carry out the following advisory functions:

- a. to give the Standards Committee their view on any allegations it has decided to investigate, before a decision is reached;
- b. to give the Standards Committee their view on any sanctions to be imposed, before a decision on sanctions is reached;
- c. to provide support as necessary to the Councillor against whom a standards complaint is made.

#### Role and function

9.39.4 The Standards Committee will have the following roles and functions:-

- a. promoting and maintaining high standards of conduct by Councillors and co-opted members;
- b. assisting Councillors and co-opted members to observe the Councillors' Code of Conduct;
- c. advising the Council on the adoption or revision of the Councillors' Code of Conduct.
- d. monitoring the operation of the Councillors' Code of Conduct;
- e. granting dispensations to Councillors and co-opted members from requirements relating to interests set out in the Councillors' Code of Conduct (this function is also available to the Monitoring Officer);
- f. hearing and determining standards complaints made against Councillors in accordance

15

| with Council procedure and imposing or recommending sanctions where appropriate,.

promotion and maintenance of high standards of conduct through provision of support to the Standards Committee

- d. Conducting investigations. The Monitoring Officer will **conduct investigations or arrange** for investigations into complaints alleging breach of the Code of Conduct **and make reports or recommendations in respect of them to the Standards Committee** in accordance with procedures adopted by the Council.
- e. Proper Officer for access to information. The Monitoring Officer will ensure that Cabinet decisions, together with the reasons for those decisions and relevant officer reports and background papers are made publicly available as soon as possible.
- f. The Monitoring Officer will advise whether decisions of the Cabinet are in accordance with the Budget and Policy Framework.
- g. Providing advice. The Monitoring Officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and budget and policy framework issues to all Councillors.
- h. Restrictions on posts. The Monitoring Officer cannot be the Chief Finance Officer or the Head of Paid Service.

## Functions of the Chief Finance Officer

### 11.4

- a. Ensuring lawfulness and financial prudence of decision making. After consulting with the Head of Paid Service and the Monitoring Officer, the Chief Finance Officer will report to the Full Council, or to the Cabinet in relation to a Cabinet function and the Council's external auditor if he or she considers that any proposal, decision or course of action will involve incurring unlawful expenditure, or is unlawful and is likely to cause a loss or deficiency or if the Council is about to enter an item of account unlawfully.
- b. Administration of financial affairs. The Chief Finance Officer will have responsibility for the administration of the financial affairs of the Council.
- c. Contributing to corporate management. The Chief Finance Officer will contribute to the corporate management of the Council, in particular through the provision of professional financial advice.
- d. Providing advice. The Chief Finance Officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and budget and policy framework issues to all Councillors and will support and advise Councillors and officers in their respective roles.
- e. Give financial information. The Chief Finance Officer may provide financial information to the media, members of the public and the community.

## Duty to provide sufficient resources to the Monitoring Officer and Chief Finance Officer

- 11.5 The Council will provide the Monitoring Officer and Chief Finance Officer with such officers, accommodation and other resources as are in the opinion of these officers sufficient to allow their duties to be performed.

## Conduct

- 11.6 Officers will comply with the Officer's Code of Conduct and the Protocol on

20

## Article 12 – Decision Making

### Responsibility for decision making

- 12.1 The Council will issue and keep up to date a record of what part of the Council or individual has responsibility for particular types of decisions or decisions relating to particular areas or functions. This record is set out in Parts 3 and 8 of this Constitution.

### Principles of decision making

- 12.2 All decisions of the Council will be made in accordance with the following principles:
- a. proportionality (i.e. the action must be proportionate to the desired outcome);
  - b. due consultation and the taking of professional advice from officers;
  - c. respect for human rights (see below for further details);
  - d. a presumption in favour of openness;
  - e. clarity of aims and desired outcomes; and
  - f. reasonable and based only upon relevant information.

e.  
12.3 An and explanation of what options were considered and the reasons for the decisions will be included as part of the record of any decision taken.

### Types of decision

12.3

- a. Decisions reserved to Full Council.  
Decisions relating to the functions listed in Article 4.2 will be made by the Full Council and not delegated.
- b. Key decisions
  - i. A key decision means a Cabinet decision which is likely to involve expenditure or savings in excess of £250,000 or which is likely to have a significant effect on communities living or working in an area comprising two or more wards.
  - ii. A decision taker may only make a key decision in accordance with the requirements of the Cabinet Procedure Rules set out in Part 4 of this Constitution.

### Decision making by the Full Council

- 12.4 Subject to Article 12.8, The Council meeting will follow the Council Procedures Rules set out in Part 4 of this Constitution when considering any matter.

### Decision making by the Cabinet

- 12.5 Subject to Article 12.8, The Cabinet will follow the Cabinet Procedures Rules set out in Part 4 of this Constitution when considering any matter.

### **Decision making by the Overview and Scrutiny Committee**

12.6 The Overview and Scrutiny Committee will follow the Overview and Scrutiny Procedures Rules set out in Part 4 of this Constitution when considering any matter.

### **Decision making by other Committees and Sub-Committees**

12.7 Subject to Article 12.8, Other Committees and Sub-Committees will follow those parts of the Council Procedures Rules set out in Part 4 of this Constitution as apply to them.

### **Decision making by Council bodies acting as tribunals**

12.8 The Council, a Councillor or an officer acting as a tribunal or in a quasi judicial manner or determining/considering (other than for the purposes of giving advice) the civil rights and obligations or the criminal responsibility of any person will follow a proper procedure which accords with the requirements of natural justice and the right to a fair trial contained in Article 6 of the European Convention on Human Rights and the Human Rights Act 1998.

### **Decision making by Ward Councillors**

12.9 The Council and Cabinet are able to delegate authority to individual Ward Councillors to make decisions in relation to matters affecting their ward. Where delegation has been given, the Ward Councillor is required to produce a record of decisions, which are accessible by the public for six years. The Ward Councillor is required to act in accordance with a protocol agreed by the Council or Cabinet when exercising the power.

### **Call-over**

12.10 The Council, Cabinet and Committees may operate a call-over process to determine which matters on the agenda are to be discussed and those that are to be agreed without discussion. The Chair of the meeting may undertake the call-over and all matters which are not called are the subject of a motion from the Chair to agree all matters not called.

## Article 14 – Review and Revision of the Constitution

### Duty to monitor and review the constitution

- 14.1 The Council's Monitoring Officer will monitor and review the operation of the Constitution to ensure that the aims and principles of the Constitution are given full effect.

### Protocol for monitoring and review of constitution by the Monitoring Officer

- 14.2 A key role for the Monitoring Officer is to be aware of the strengths and weaknesses of the Constitution adopted by the Council, and to make recommendations for ways in which it could be amended in order better to achieve the purposes set out in Article 1. In undertaking this task the Monitoring Officer may:
- a. observe meetings of different parts of the Councillor and Officer structure;
  - b. undertake an audit trail of a sample of decisions;
  - c. record and analyse issues raised with him/her by Councillors, Officers, the public and other relevant stakeholders; and
  - d. compare practices in this authority with those in other comparable authorities, or national examples of best practice.

### Changes to the Constitution

- 14.3 Changes to the Constitution will be approved by the Full Council. However, minor changes, not affecting the substance of the Constitution, such as correction of typographical errors, updating of legislation, or changes in job titles or the management structure, may be made by the Directors with the approval of the Monitoring Officer and in consultation with the Leader of the Council and the Chair of Working Arrangements Group.

## Article 15 – Suspension, Interpretation and Publication of the Constitution

### Suspension of the Constitution

15.1

- a. Limit to suspension. The Articles of this Constitution may not be suspended.
- b. Procedure to suspend Standing Orders. The procedure to suspend Standing Orders is set out in Part 4 of this Constitution. The extent and duration of suspensions will be proportionate to the result to be achieved, taking account of the purposes of the Constitution set out in Article 1.

### Interpretation

15.2 The ruling of the Mayor as to the construction or application of this Constitution or as to any proceedings of the Council shall not be challenged at any meeting of the Council. Such interpretation will have regard to the purposes of this Constitution contained in Article 1.

### Publication

15.3

- a. The Monitoring Officer will make available a copy of this Constitution to each Councillor of the authority upon delivery to him/her of that individual's declaration of acceptance of office on the Councillor first being elected to the Council
- b. The Monitoring Officer will ensure that copies are available for inspection **on request at the** Council offices, and other appropriate locations, and can be purchased by members of the local press and the public on payment of a reasonable fee.
- c. The Monitoring Officer will ensure that **the summary of** the Constitution is made readily available within the area and is updated as necessary. The Constitution can be found on the Council's Website at [www.hastings.gov.uk](http://www.hastings.gov.uk).



## **The Constitution**

### **Part 4 Rules of Procedure**



- vi. deal with any business from the last Council meeting;
- ~~vii. consider motions;~~
- vi. **consider any changes to the membership of Committees**
- vii.viii. receive reports from the Cabinet and the Council's Committees and receive questions and answers on any of those reports;
- viii.ix. receive reports about and receive questions and answers on the business of joint arrangements and external organisations.
- ~~ix.i. consider motions;~~
- x. consider any other business specified in the summons to the meeting including consideration of proposals from the Cabinet in relation to the Council's budget and policy framework and reports of the Overview and Scrutiny Committee for debate; and
- xi. **membership of Committees.**

### 3. Extraordinary and Special Meetings

#### Calling extraordinary meetings

- 3.1 Those listed below may request the Chief Legal Officer to call Council meetings in addition to ordinary meetings:
- i. the Council by resolution;
  - ii. the Mayor of the Council;
  - iii. the Monitoring Officer; and
- any five members of the Council if they have signed a requisition presented to the Mayor and he/she has refused to call a meeting or has failed to call a meeting within seven days of the presentation of the requisition.

#### Special Meetings

- 3.2 Special meetings are set in the programme for meetings at the commencement of the municipal year.
- 3.3 The only business which may be considered at an extraordinary or special meeting is the business for which the meeting was called or set as the case may be.
- 3.4 Immediately after any vote is taken at a budget decision meeting of an authority there must be recorded in the minutes of the proceedings of that meeting the names of the persons who cast a vote for the decision or against the decision or who abstained from voting.

### 4. Appointment of Substitute Members of Committees and Sub-Committees

- 4.1 There shall be no substitution of members of the **Standards Committee**, Licensing Committee or the Cabinet. Members of the Cabinet may not be substitutes on Overview and Scrutiny Committee. **The Leader may not**

substitute on Standards Committee.

- 4.2 The political groups may appoint substitute members in accordance with this Rule on Committees and Sub-Committees. Only Councillors who have undergone related training may be substituted to Standards Committee, Planning Committee, Charity Committee and Environment and Safety Committee. Only members of Cabinet may be substituted to Charity Committee.
- 4.3 Substitute members will have all the powers and duties of any ordinary member of the Committee.
- 4.4 Substitute members may attend meetings in that capacity only:
- i. to take the place of the ordinary member for whom they are the designated substitute;
  - ii. where the ordinary member will be absent for the whole of the meeting or, in the case of the Charity Committee, for such item or items as shall be notified to the Chief Legal Officer under iii. below; and
  - iii. after notifying the Chief Legal Officer no later than the commencement of the relevant meeting in the form supplied.

## 5. Time and Place of Meetings

The time and place of meetings will be determined by the Chief Legal Officer and notified in the summons. **All Council meetings unless otherwise determined shall be held in Muriel Matters House, Breeds Place, Hastings.**

## 6. Notice of and Summons to Meetings

The Chief Legal Officer will give notice to the public of the time and place of any meeting in accordance with the Access to Information Rules. At least five clear days before a meeting, the Chief Legal Officer will send a signed summons by post or electronic mail to every member of the Council or leave it at their usual place of residence. The summons will give the date, time and place of each meeting and specify the business to be transacted, and will be accompanied by such reports as are available.

## 7. Chair of Meeting

The ruling of the Mayor as to the construction or application of any of these rules, or as to any proceedings of the Council, shall be final. Subject to the requirement that the election of Mayor is to be the first item for discussion at Annual Council the Mayor shall have power to adjust the order of items on the agenda where he or she considers that it would be in the interests of the proper conduct of the meeting.

The Mayor may adjourn a meeting of the Council for such period as he or she considers appropriate. In the event of an adjournment, the Mayor may, at the time of the adjournment or subsequently, fix a date and time for the meeting to resume. If no date and time is fixed the outstanding business shall be dealt with at the next ordinary meeting of the Council.

The person presiding at the meeting may exercise any power or duty of the Mayor. Where

these rules apply to Committee and Sub-Committee meetings, references to the Mayor also include the Chair of Committees and Sub-Committees.

In the absence of the Mayor and Deputy Mayor, the **Chief Legal Officer**proper officer shall call on any Councillor present at a Council meeting to move that a Councillor can chair the meeting. If discussion arises, the **Chief Legal Officer**proper officer shall exercise the powers of the person presiding to regulate that discussion, and to maintain order at the meeting. This rule shall apply to Committees and Sub-Committees in the same way except that members of Cabinet are not excluded by virtue of this Rule alone.

## 8. Quorum

The quorum of a meeting will be one quarter of the whole number of members. During any meeting if the Mayor **or Chair** counts the number of members present and declares there is not a quorum present, then the meeting will adjourn immediately. Remaining business will be considered at a time and date fixed by the Mayor **or Chair**. If he/she does not fix a date, the remaining business will be considered at the next ordinary meeting.

The quorum for Committees is one quarter of the membership, subject to a minimum of three.

The Standards Committee and Cabinet have their own rules as to quorum. These are set out in Article 9 of Part 2 and in the Cabinet Procedure Rules.

## 9. Duration of Meeting

Unless the majority of Councillors present vote for the meeting to continue, any meeting that has lasted for four hours will adjourn immediately. Remaining business will be considered at a time and date fixed by the Mayor. If he/she does not fix a date, the remaining business will be considered at the next ordinary meeting.

## 10. Petitions Scheme

The Council welcomes petitions and recognises that petitions are one way in which people can bring their concerns to the attention of the Council. The subject of any petition to be presented must relate to a matter for which the Council has powers, duties or functions or which affects the Borough or part of it or its inhabitants. However, the Council will not deal with a petition which in the opinion of the Monitoring Officer is vexatious, abusive or otherwise inappropriate to be considered under this rule.

There are different types of petition as set out below.

### Ordinary petitions

10.1 These are petitions which relate to matters for which the Council has **powers, duties and responsibilities or which affects the Borough or part of it or people who live or work in the Borough**. These petitions should be presented to the Mayor or to the Chief Legal Officer at Muriel Matters House, Breeds Place, Hastings, TN34 3UY.

- (a) The wording of the petition will appear at the head of each page of signatures.
- (b) The petition shall bear the signatures of ten or more persons who live, work or study in the Borough.
- (c) The petition presented shall be the original and shall bear the signatures, name and address of each signatory.
- (d) By signing the petition the petitioner is agreeing to have their personal information published in the public domain.

10.3 A petition shall NOT be presented if it relates to:

- (a) matters relating to an individual or relating to a current housing, planning, licensing or grant application;
- (b) matters which are the subject of legal proceedings or an appeal to a tribunal or government minister or an investigation by the Local Government Ombudsman or the Standards Committee or through the Council's Corporate Complaints Procedure;
- (c) matters relating to a Council Officer or the conduct of a Councillor; or
- (d) any other matter which would require the release of any exempt information as defined in Part 1 of Schedule 12A of the Local Government Act 1972.

The Scheme does not relate to petitions alleging misconduct by a councillor or councillor (complaint to Standards Committee), relating to a Council officer or Service (Corporate Complaints Process / Disciplinary), or to matters relating to an individual e.g. a taxi driver's licence application or to petitions relating to a current planning application.

Ordinary petitions should be presented to the Mayor or to the Chief Legal Officer at the Muriel Matters House, Breeds Place, Hastings, TN34 3UY

### Consultation petitions

10.4 These are petitions compiled in response to consultation by the Council on a proposal such as a planning application, licensing application, proposed policy or strategy. Such petitions should be returned to the address in the consultation and will be considered by the Committee or body with responsibility for making the decision or recommendation.

### Governance Petitions

10.5 These petitions are outside the Petitions Scheme. These relate to such matters as a call from electors for the Council to hold a referendum on whether to have an elected Mayor or for the establishment of a parish or community council in part of the Council's area. The legislation governing e-petitions has not yet been extended to such petitions.

### Petitions for Debate

10.6 A petition which can require a debate at a meeting of the Council must comply with rule 10.23 above except that it must have at least 1,500 signatures or more of persons who live, work or study in the Borough.

This rule does not apply where the petition requires that an Officer be called to account.

outcome of the petition if they were not present at the meeting where the petition was discussed.

## **Review of steps taken in response to the petition by the Overview and Scrutiny Committee**

- 10.5 If the petition organiser is not satisfied that the petition has been dealt with properly, the petition organiser may request that the Overview and Scrutiny Committee reviews the adequacy of the steps taken or proposed to be taken in response to the petition.

On receipt of a request for a review, the Overview and Scrutiny Committee shall consider the request at its next available meeting or as soon as practicable thereafter.

The Council shall within 10 working days of the decision on review inform the petition organiser of the outcome of the review.

## **11. Public Question Time**

### **General**

- 11.1 Members of the public who reside or work in the Borough may **at ordinary meetings of the Council**, in accordance with these rules, ask questions of the Leader and Portfolio Holders (including the Chair of Charity Committee), **at ordinary meetings of the Council**, on any matter within the Borough Council's powers, duties or functions. Public question time will last no longer than 30 minutes. A question asked within the 30 minutes will be answered.

### **Order of questions**

- 11.2 Questions will be asked in the order **in which they are recorded as being notice of them was received by the Chief Legal Officer**, except that the Mayor may group together similar questions.

### **Notice of questions**

- 11.3 A question may only be asked if notice has been given by delivering it in writing or by electronic mail to the Chief Legal Officer no later than five clear working days before the day of the meeting. Each question must give the name and address of the questioner.

### **Number of questions**

- 11.4 At any one meeting no person **or organisation** may submit more than one question. **and no more than one such question may be asked on behalf of one organisation.**

### **Scope of questions**

- 11.5 The Chief Legal Officer may reject a question **and the ruling shall be final** if:

- it is not about a matter for which the local authority has a responsibility, **power, duty or function** or which affects the Borough;
- it is defamatory, frivolous or offensive;
- it is substantially the same as a question which has been put at a meeting of the Council in the past six months;
- it requires the disclosure of confidential or exempt information;
- its purpose is not primarily to seek information.
- it is about a matter which is the subject of legal proceedings or an appeal to a tribunal or to a government minister or an investigation by the Local Government Ombudsman or the Standards Committee, or through the Council's Corporate Complaints Procedure;
- **the preparation of the answer would require the expenditure of a disproportionate amount of time, money or effort.**

## Copies of questions

- 11.6 Copies of all questions **received together** with the **written** reply from the Leader or relevant Portfolio Holder will be circulated to all Councillors and will be made available to **members** of the public attending the meeting. The question and answer will be taken as read.

## Supplementary question

- 11.7 A questioner who has **submitted put** a question **in person** may also **ask put** one supplementary question, without notice, to the **Cabinet** member who has replied to his or her original question. **Questions shall be put and answered without debate.** A supplementary question must arise directly out of the original question or the reply. The Mayor may reject a supplementary question on any of the grounds in Rule 11.5 above.

## Written answers

- 11.8 Any question which cannot be dealt with during public question time, either because of lack of time or because of the non-attendance of the **Cabinet** member to whom it was to be put, will be dealt with by a written answer **within 10 working days of the Council meeting at which the question was asked.**

## 12. Questions by Councillors

### Questions on notice at Full Council

- 12.1 A Councillor may also submit one written question to the Chief Legal Officer five clear working days before the relevant meeting.

A member of the Council may ask:

- the Mayor;
- **the Leader or** a Portfolio Holder; **or**
- the Chair of any Committee or Sub-Committee

- the Chair of any Committee or Sub-Committee

one question on any matter in relation to which the Council has powers, or duties **or functions** or which affects Hastings Borough. The Chief Legal Officer may reject a question **and the ruling shall be final** if it:

- It is not about a matter for which the local authority has a responsibility **power, duty or function** or which affects the Borough;
- It is defamatory, frivolous or offensive;
- It is substantially the same as a question which has been put at a meeting of the Council in the past six months; or
- It requires the disclosure of confidential or exempt information;
- It is about a matter which is the subject of legal proceedings or an appeal to a tribunal or to a government minister or an investigation by the Local Government Ombudsman or the Standards Committee, or through the Council's Corporate Complaints Procedure; or
- **the preparation of the answer would require the expenditure of a disproportionate amount of time, money or effort.**

## Response

- 12.2 An answer may take the form of:
- a direct oral answer;
  - where the desired information is in a publication of the Council or other published work, a reference to that publication; or
  - where the reply cannot conveniently be given orally, a written answer circulated later to the questioner.

## Supplementary question

- 12.3 A Councillor **who has submitted asking** a question on notice may ask one supplementary question, without notice, of the Councillor to whom the first question was asked. The supplemental question must arise directly out of the original question or the reply. **The Mayor may reject a supplementary question on any of the grounds in Rule 11.5 above.**

## Questions to the Leader, Deputy Leader or other Portfolio Holder

- 12.4 At each ordinary meeting of the Council a maximum period of 30 minutes shall be set aside for oral questions by Councillors to of the Leader, Deputy Leader or other Portfolio Holder, (including the Chair of Charity Committee).
- 12.5 The Leaders of the opposition group/s are entitled to ask the first questions, **such questions to be received** in order of group size.
- 12.6 All other Councillors may, subject to the time limit, ask a question. The Mayor shall determine the order of these questions. If time permits Councillors may ask a further question.
- 12.7 When asking a question the Councillor **must shall try to** identify the Councillor to whom the question is addressed.

- 12.8 The Mayor may disallow a question on any of the following grounds:-
- it is not relevant to the functions, powers and duties of the Council
  - it is wholly or partly frivolous or derogatory to the dignity of Council
  - it is not put with reasonable brevity
  - it comprises more than one part
  - it is identical or moderately similar to another question **which has already been** put during question time.
- 12.9 No supplementary questions are permitted.

### **On reports of the Cabinet or Committees**

- 12.10 A member of the Council may ask the Leader, Deputy Leader or a Portfolio Holder any question without notice upon an item of the report of the Cabinet when that item is being received or under consideration by the Council.

### **Ward Councillors to Speak at any Meeting**

- 12.11 A Councillor may speak on an item particularly affecting their ward at any meeting of Council bodies of which he or she is not a member, subject to any limitations imposed by law or this Constitution.

## **13. Reports and Minutes of Cabinet and Committees**

- 13.1 At ordinary meetings of the Council when the appropriate agenda item is reached the Mayor will ask the Councillors to state the numbers of the items on which they wish to speak. This process is known as "call-over". Such items are called "reserved items".
- 13.2 When an item is reserved, any other item before the Council ruled by the Mayor to be related to it shall be deemed to be reserved.
- 13.3 No discussion shall take place on any items which have not been reserved. Items not reserved, including items requiring Council decision, shall be deemed adopted without discussion.
- 13.4 Where the decision to be taken is a decision for the Council, the Leader and Chairs of Committees (starting with the Leader or relevant Cabinet Member) shall move in turn the adoption of the recommendations as set out in the items in the report or minutes of the Cabinet or Committee, which have been reserved, in the order which they appear on the agenda, save that reserved matters requiring Council decision will be called first.
- 13.5 In the absence of the Chair of a Committee or relevant Cabinet member, the Vice Chair or another Member nominated by the Chair may move the recommendations.
- 13.6 A motion to adopt the recommendations of Cabinet or Committee need not be seconded.
- 13.7 Where the Cabinet and Overview and Scrutiny Committee are reporting or making recommendations on the same subject matter, their reports or minutes shall be considered together and, if in the opinion of the Mayor, there is a

material difference between the recommendations, the Chair of the Overview and Scrutiny Committee (or nominee) shall move its recommendations as an amendment to the recommendations moved under Rule 13.4 as soon as these have been moved. This amendment need not be seconded and shall then be open for debate.

- 13.8 Where the reports or minutes on a reserved item do not contain any recommendations to the Council, the Mayor shall call the Councillor who reserved the item or their nominee to speak first. The Leader or relevant Cabinet member or Chair of the Committee concerned shall have the right of reply at the end of debate on the reserved item. No motion may be moved in respect of that matter other than to refer it back to the Cabinet for review or to the Overview and Scrutiny Committee for review and report. A motion to refer back a report or minute of the review of a decision previously referred back under this Rule or called-in under Rule 29.15 (unless as part of the call-in process) shall be out of order.

## 14. Motions on Notice

### Notice

- 14.1 Motions must be about matters for which the Council has **statutory powers, duties or functions a responsibility** or address the built or natural environment of the Borough of Hastings or address a matter of local, regional or national policy that affects the lives of people in the Borough of Hastings. The ruling of the Monitoring Officer in consultation with the Mayor shall be final as to the relevance of the motion.

Further, a motion may not be tabled in any of the following circumstances:-

- a. any matter relating to an individual or individuals which relates to the application or use of any of the Council's powers, past or present, in respect of that individual, other than in relation to admission to the honorary freedom of the Borough or in relation to an individual as a Councillor holding office in the Council;
  - b. a matter which is the subject of legal proceedings or an appeal to a tribunal or to a government minister or an investigation by the Local Government Ombudsman or the Standards Committee, or through the Council's Corporate Complaints Procedure;
  - c. the appointment, promotion, dismissal, salary or other payments, superannuation or conditions of employment or the conduct or ability of any individual employed by the Council or the conduct of a member of the Council;
  - d. any other matter which would require the disclosure of exempt information as defined by Schedule 12A to the Local Government Act 1972.
- 14.2 Except for motions which can be moved without notice under Rule 15, written notice of every motion, signed by at least one Councillor, must be delivered to the Chief Legal Officer not later than 8 clear working days before the date of the **Council** meeting. These will be entered in a book open to public inspection.

## Motion set out in agenda

- 14.3 Motions for which notice has been given will be listed on the agenda in the order in which notice of the motion was received and the motion accepted, unless the member giving notice states, in writing, that they propose to move it to a later meeting or withdraw it.
- 14.4 The agenda for each Council meeting, other than the Annual Meeting, shall include all notices of motions which relate to Council functions proposed to be moved at that meeting which have been received in time, accepted by the Chief Legal Officer and have not been withdrawn in writing by the proposer. Motions which are the responsibility of Council will be dealt with in the order upon which they are received.
- 14.5 If a motion set out in the summons is not moved either by a Councillor who gave notice thereof or by some other Councillor on their behalf it shall, unless postponed by consent of the Council, be treated as withdrawn and shall not be moved without fresh notice.
- 14.6 Motions which relate to matters which are not the responsibility of Council (e.g. Cabinet functions) will be referred by the Chief Legal Officer to the responsible body for consideration at its next available meeting. The proposer and seconder (or some other Councillor on their behalf) of the motion are entitled to speak to the motion at the meeting of that body. Only members of that body may move or second a proposition at the meeting of that body.
- 14.7 No notice of motion, which if adopted, will, in the opinion of the Mayor, rescind, or substantially reverse the effect of a Council resolution made within the previous six months, shall be proposed unless the notice is signed by a majority of the members of the Council.
- 14.8 The Chief Legal Officer will, if requested, help Councillors with the wording of motions.
- 14.9 No notice of motion shall be accepted which in the opinion of the Chief Legal Officer relates to a quasi judicial matter before the Council.

## 15. Motions Without Notice

The following motions may be moved without notice:

- a. to appoint a Chair of the meeting at which the motion is moved;
- b. in relation to the accuracy of the minutes;
- c. to change the order of business in the agenda;
- d. to refer something to an appropriate body or individual;
- e. to appoint a Committee or Councillor arising from an item on the summons for the meeting;

## Appendix 2

### HONORARY FREEDOM OF THE BOROUGH

#### Introduction

1. The Borough Council has power to admit individuals as freemen of the Borough and this is set out in Section 249(5) Local Government Act 1972:-

“the Council of a ...district having the status of a ...borough ...may, by resolution passed by not less than two-thirds of the members voting thereon at a meeting of the council specially convened for the purpose with notice of the object, admit to be honorary freemen of the...borough...persons of distinction and persons who have, in the opinion of the council, rendered eminent services to the...borough, but the admission of a person to be an honorary freeman shall not confer on him any such rights as are referred to in Section 248(4) above.”

2. The legislation goes on to provide that the council may spend “such reasonable sum as they think fit for the purposes of presenting an address or casket containing an address to a person upon whom they have conferred the title...”.
3. The title is entirely honorary – there are no rights or privileges arising from the award - and the Council’s powers to spend are strictly limited by the section.

#### Motion to bestow the Freedom of the Borough

4. In most cases the consideration of the Council admitting a person to the freedom of the Borough will result from a motion to Council.
5. Under the Constitution a motion, which is required to be considered by Council, would normally be included on the agenda of the next ordinary meeting of the Council. The Act, however, refers to meeting of the council specially convened for the purpose.
6. The honour has been bestowed by the Borough on just **sixfour** occasions since 1972. The individuals honoured and the reasons why the Council considered them as persons of distinction or persons who have, in the opinion of the Council, rendered eminent services to the Borough are as follows:-

1978	William Henry Dyer. For services to the town’s old people and encouraging interest in local history.
1986	Victor James Pain. For 60 years work for the Borough of Hastings and as Leader of the Council.
2006	Pam Brown. OBE. <b>In recognition of outstanding service to the Borough and its citizens.</b>
2008	47 Royal Artillery Regiment. In recognition of the great debt owed to the armed forces, serving at home and abroad.
2011	Michael Foster. Member of Parliament for Hastings and Rye
2006	Maureen Charlesworth. For services as a local Councillor and to voluntary organisations in the Town.

# Hastings Borough Council

## Constitution of the Council

### Part 6

#### **Councillors' Allowances** The Constitution, Part 6

Contents	
Councillors' Allowances .....	3
Councillors' Allowances Scheme.....	4
Table of Members' Allowance Scheme.....	4
Text version of Table of Councillors' Allowance Scheme .....	5
Post: All Councillors.....	5
Post: Leader of the Council (with or without Portfolio).....	6
Post: Deputy Leader with Portfolio .....	6
Post: Cabinet Members with Portfolio (Majority Group) and Chair of Charity Committee.....	6
Post: Opposition Group Councillors and other Group's councillors without Portfolios Serving on Cabinet.....	6
Post: Vice - Chair of Overview and Scrutiny .....	6
Post: Chair of Planning .....	6
Post: Vice Chair of Planning.....	7
Post: Chair of Licensing .....	7
Post: Chair of Environment and Safety.....	7
Post: Chair of Audit Committee .....	7
Post: Ordinary Members of Planning Committee .....	7
Post: Ordinary Members of Licensing Committee .....	7
Post: Ordinary Members of Environment and Safety Committee.....	7
Post: Independent Members of the Standards Committee .....	7
Post: Independent Members of the Museums Committee .....	8
Post: Majority Group Leader per member (plus Standard Element).....	8
Post: Majority Group Deputy Leader per Member .....	8
Post: All Opposition Group Leaders per member (plus Standard Element).....	8

## Councillors' Allowances Scheme

### Table of Members' Allowance Scheme

| With effect from 15<sup>th</sup> May 2019 ~~13 April 2016~~ (Approved at Council)

A text version is available following this Table.

Post	Number	Basic Allowance	Special Responsibility Allowance	Total Allowance per Councillor
Basic Allowance All Councillors	32	£6,150 <u>5,796</u>		£6,150 <u>5,796</u>
Leader of the Council (With or without Portfolio)	1	£6,150 <u>5,796</u>	£12,300 <u>11,589</u>	£18,450 <u>17,385</u>
Deputy Leader with Portfolio	1	£6,150 <u>5,796</u>	£7,999 <u>7,539</u>	£14,149 <u>13,335</u>
Cabinet Members with Portfolio and Chair of Charity Committee (Majority Group)	6 <u>5</u> (Ex Deputy Leader)	£6,150 <u>5,796</u>	£6,642 <u>6,258</u>	£12,792 <u>12,054</u>
Opposition Group Members and other Group's members without Portfolios serving on Cabinet	2	£6,150 <u>5,796</u>	£3,318 <u>3,126</u>	£9,468 <u>8,922</u>
Chair of Overview and Scrutiny	1	£6,150 <u>5,796</u>	£3,077 <u>2,898</u>	£9,227 <u>8,694</u>
Vice - Chair of Overview and Scrutiny	1	£6,150 <u>5,796</u>	£602 <u>567</u>	£6,752 <u>6,363</u>
Chair of Planning	1	£6,150 <u>5,796</u>	£3,693 <u>3,477</u>	£9,843 <u>9,273</u>
Vice Chair of Planning	1	£6,150 <u>5,796</u>	£1,352 <u>1,275</u>	£7,502 <u>7,071</u>
Chair of Licensing	1	£6,150 <u>5,796</u>	£1,002 <u>945</u>	£7,152 <u>6,741</u>
Chair of Environment and Safety	1	£6,150 <u>5,796</u>	£586 <u>552</u>	£6,736 <u>6,348</u>
Chair of Audit Committee	1	£6,150 <u>5,796</u>	£3,077 <u>2,898</u>	£9,227 <u>8,694</u>
Ordinary Members of Planning Committee	8	£6,150 <u>5,796</u>	£1,002 <u>945</u>	£7,152 <u>6,741</u>

Ordinary Members of Licensing Committee	14	£6,150 5,796	£104.04 100 per Sub Committee membership	£6,150 5,796 plus £104.40 100 per Sub Committee attendance
Ordinary Members of Environment and Safety Committee	4	£6,150 5,796	£293 276	£6,443 6,072
Independent Members of the Standards Committee	2		£614.87 579	£614.87 579
Independent Members of the Museums Committee	6		£71.78 66	£71.78 66
Majority Group Leader per member (plus Standard Element)	1	£6,150 5,796	£184.15 171 per member plus £1,317 1,242 (223 members)	£11,518 10,971
Majority Group Deputy Leader per member	1	£6,150 5,796	£184.15 171 per member (223 members)	£10,201 9,729
All Opposition Group Leaders per Member (plus Standard Element)	1	£6,150 5,796	£184.15 171 per member plus £1,317 1,242 (7 members)	£8,756 8,235
Deputy Leader Main Opposition Group per member	1	£6,150 5,796	£184.15 171 per member (7 members)	£7,439 6,993

Note: Some Councillors will be in receipt of more than one Special Responsibility Allowance. Their total allowance must be calculated by adding together the relevant Special Responsibility Allowances plus the basic allowance.

#### **Text version of Table of Councillors' Allowance Scheme**

With effect from **15<sup>th</sup> May 2019** 13 April 2016 (Approved at Council)

#### **Post: All Councillors**

Number: 32

Basic Allowance: £6,150 5,796

Special Responsibility Allowance: Not applicable

Total Allowance per Councillor: £6,150 5,796

**Post: Leader of the Council (with or without Portfolio)**

Number: 1

Basic Allowance: £6,150 5,796

Special Responsibility Allowance: £12,300 11,589

Total Allowance for Councillor: £18,450 17,385

**Post: Deputy Leader with Portfolio**

Number: 1

Basic Allowance: £6,150 5,796

Special Responsibility Allowance: £7,999 7,539

Total Allowance per Councillor: £14,149 13,335

**Post: Cabinet Members with Portfolio (Majority Group) and Chair of Charity Committee**

Number: 6 5 (ex Deputy Leader)

Basic Allowance: £6,150 5,796

Special Responsibility Allowance: £6,642 6,258

Total Allowance per Councillor: £12,792 12,054

**Post: Opposition Group Councillors and other Group's councillors without Portfolios Serving on Cabinet**

Number: 2

Basic Allowance: £6,150 5,796

Special Responsibility Allowance: £3,318 3,126

Total Allowance per Councillor: £9,468 8,922

**Post: Chair of Overview and Scrutiny**

Number: 1

Basic Allowance: £6,150 5,796

Special Responsibility Allowance: £3,077 2,898

Total Allowance per Councillor: £9,227 8,694

**Post: Vice - Chair of Overview and Scrutiny**

Number: 1

Basic Allowance: £6,150 5,796

Special Responsibility Allowance: £602 567

Total Allowance per Councillor: £6,752 6,363

**Post: Chair of Planning**

Number of Councillors: 1

Basic Allowance: £6,150 5,796

Special Responsibility Allowance: £3,693 3,477

Total Allowance per Councillor: £9,843 9,273

**Post: Vice Chair of Planning**

Number: 1

Basic Allowance: £6,150 5,796

Special Responsibility Allowance: £1,352 1,275

Total Allowance per Councillor: £7,502 7,071

**Post: Chair of Licensing**

Number: 1

Basic Allowance: £6,150 5,796

Special Responsibility Allowance: £1,002 £945

Total Allowance per Councillor: £7,152 6,741

**Post: Chair of Environment and Safety**

Number: 1

Basic Allowance: £6,150 5,796

Special Responsibility Allowance: £586 552

Total Allowance per Councillor: £6,736 6,348

**Post: Chair of Audit Committee**

Number: 1

Basic Allowance: £6,150 5,796

Special Responsibility Allowance: £3,077 2,898

Total Allowance per Councillor: £9,227 8,694

**Post: Ordinary Members of Planning Committee**

Number of Councillors: 8

Basic Allowance: £6,150 5,796

Special Responsibility Allowance: £1,002 945

Total Allowance per Councillor: £7,152 6,741

**Post: Ordinary Members of Licensing Committee**

Number of Councillors: 14

Basic Allowance: £6,150 5,796

Special Responsibility Allowance: £104.40 100 per Sub Committee membership

Total Allowance per Councillor: £6,150 5,796 plus £104.40 100 per Sub Committee attendance

**Post: Ordinary Members of Environment and Safety Committee**

Number of Councillors: 4

Basic Allowance: £6,150 5,796

Special Responsibility Allowance: £293 276

Total Allowance per Councillor: £6,443 6,072

**Post: Independent Members of the Standards Committee**

Number: 2

Basic Allowance: Not applicable

Special Responsibility Allowance: £614.87 579

Total Allowance per independent member: £614.87 579

**Post: Independent Members of the Museums Committee**

Number: 6

Basic Allowance: Not applicable

Special Responsibility Allowance: £71.78 66

Total Allowance per independent member: £71.78 66

**Post: Majority Group Leader per member (plus Standard Element)**

Number of Councillors: 1

Basic Allowance: £6,150 5,796

Special Responsibility Allowance: £184.15 171 per member plus £1,317 1,242 (223 members)

Total Allowance per Councillor: £11,518 10,971

**Post: Majority Group Deputy Leader per Member**

Number: 1

Basic Allowance: £6,150 5,796

Special Responsibility Allowance: £184.15 171 per member (223 members)

Total Allowance per Councillor: £10,201 9,729

**Post: All Opposition Group Leaders per member (plus Standard Element)**

Number of Councillors: 1

Basic Allowance: £6,150 5,796

Special Responsibility Allowance: £184.15 171 per member plus £1,317 1,242 (7 members)

Total Allowance per Councillor: £8,756 8,235

**Post: Deputy Leader Main Opposition Group per Member**

Number: 1

Basic Allowance: £6,150 5,796

Special Responsibility Allowance: £184.15 171 per member (7 members)

Total Allowance per Councillor: £7,439 6,993

**Note**

Some Councillors will be in receipt of more than one Special Responsibility Allowance. Their total allowance must be calculated by adding together the relevant Special Responsibility Allowances plus the basic allowance.

The Mayor and Deputy Mayor receive a subsistence allowance. Currently the allowance approved is £6,542 6,226.00pa for the Mayor and £2,136 2,033.00pa for the Deputy Mayor from 15<sup>th</sup> May 2019 1 April 2014. This allowance is not part of the s Independent Remuneration Panel's remit.

## **The Constitution**

### **Part 8 Standing Instructions to Authorised Officers**

**E. Renewal Areas Part VII Local Government and Housing Act 1989** (as amended)  
Including:-

Section 93(5) - Financial assistance in renewal area

Section 97 - Powers of entry and penalty for obstruction.

40. In relation to the delegations set out above it is intended to delegate the Council's functions fully to the Authorised Officer and his/her nominees as described in paragraphs 10 to 16 above.
41. The Assistant Director Housing and Built Environment (the Authorised Officer) is responsible for professional work and advice for the Council, Cabinet, the Planning Committee, the Directors and Officers on town and country planning, building control and engineering.
42. The Authorised Officer or officers (which may include contractors and officers of another authority acting on behalf of the Council) duly authorised in writing by him/her is authorised to discharge the Council's functions under the Planning legislation and any other legislation conferring powers and/or duties exercisable by the Council which bear upon his/her function and responsibilities including but not limited to the following:

43. Applications:

- A. Planning permission including approval of reserved matters;
- B. Listed building consent;
- C. Consent for the display of advertisements;
- D. Hazardous substances consents;
- E. To enter into a Section 106 agreement where the application can be granted under delegated authority and to vary a Section 106 agreement whether or not the original application was determined under delegated authority. Where the original application was determined by the Planning Committee, the Assistant Director of Housing and Built Environment is authorised to amend the agreement in consultation with the Chair of the Planning Committee.  
**Where the original application was determined by the Planning Committee, to make minor changes to the terms of a draft S106 Agreement in consultation with the Chair of the Planning Committee.**

44. This authority is subject to the following exceptions:

- a. The application has attracted five or more written representations from different households or businesses on planning grounds or a petition as defined in Standing Orders and the written representations or petition are contrary to the officers recommendation, or
- b. The Chair of the Planning Committee has referred any application to the Planning Committee within 21 days after validation of an application or 21 days after the date of any advert placed in the press whichever is the later

The Town and Country Planning (Enforcement Notices and Appeals) (England) Regulations 2002

The Town and Country Planning (Appeals) (Written Representations Procedure) (England) Regulations 2000

The Town and Country Planning (Hearings Procedure) (England) Rules 2000

The Town and Country Planning Appeals (Determination by Inspectors) (Inquiries Procedure) (England) Rules 2000

The Town and Country Planning (Inquiries Procedure) (England) Rules 2000 The Hedgerows Regulations 1997

The Units of Measurement Regulations 1995

The Town and Country Planning (Crown Land Applications) Regulations 1995

The Compulsory Purchase of Land Regulations 1994 The Conservation (Natural Habitats) Regulations 1994

The Town and Country Planning (Modification and Discharge of Planning Obligations) Regulations 1992

The Town and Country Planning General Regulations 1992

The Planning (Listed Buildings and Conservation Areas) Regulations 1990

The Compulsory Purchase by Non-Ministerial Acquiring Authorities (Inquiries Procedure) Rules 1990

The Town and Country Planning (Applications) Regulations 1988

For the avoidance of doubt the following applications in paragraphs 46 to 535 (inclusive) are delegated to be determined by Authorised Officers under delegated authority and unless expressly specified will not be determined by the Planning Committee unless submitted by, or on behalf of the Council, submitted by, or on behalf of the Foreshore Trust a serving elected Councillor or officer of the Council where the officer is employed in a politically restricted post and/or within the Council's planning service in accordance with paragraph 44(e) above.

46. Approval of any matters required to be submitted pursuant to conditions imposed on any permission, consent or approval given under the Town and Country Planning Acts.

47. All applications for prior determination for telecommunications apparatus.

48.46. All consents under the Tree Preservation Order Regulations.

49.47. All certificates of lawfulness of existing use or development or of proposed use or development.

50.48. To authorise enforcement action under the Town and Country planning legislation except:

**Hastings Borough Council  
Constitution of the Council**

**Part 9**

**Financial Rules**

February 2019

## The Financial Rules

### Application

1. The 'Financial Rules' are in four parts: Financial Regulations, Contracts Standing Orders, and Financial Authorisations and delegations.
2. These Financial Rules are the framework within which the Council's financial affairs are to be managed. Every councillor and Officer must comply with them. They are part of the policy framework of the Council and can only be changed with the approval of the Council.
3. The Chief Finance Officer may issue Finance Operating Procedures setting out the detailed application of these Financial Rules.
4. For advice on these Financial Rules or their application, contact the Chief Legal Officer or the Chief Auditor.

### Responsibilities of Councillors and Officers

5. All councillors and Officers are responsible for ensuring that they are:
  - a. Aware of these Financial Rules.
  - b. Aware of the Finance Operating Procedures that apply to their work and responsibilities.
  - c. Complying with the Financial Rules and Finance Operating Procedures.
6. All councillors and Officers are accountable for the security of resources under their control, and for ensuring that:
  - a. The use of these resources is legal, properly authorised, and achieves best value.
  - b. Resources are used with the minimum possible level of waste, inefficiency or loss.
  - c. Resources are used only in the course of the Council's business, and that where there is specific permission for personal use, (e.g. telephone, Internet), such use is reasonable, lawful, and within any prescribed limits.
7. All councillors and Officers must carry out, and account for, all financial transactions with due care, promptly, accurately, honestly, and adhering to the Finance Operating Procedures issued by the Chief Finance Officer.
8. All councillors and Officers are accountable for ensuring that their claims for allowances and reimbursement of expenses include only expenses and allowances that were authorised, and that were actually and necessarily incurred in the performance of their duties.

## **Table A: Exceptions to the General Authorisation from Cabinet to the Directors and their nominees**

To facilitate future revisions, authorisation levels are given in 4 bands:

### **Bands**

Band 1 - Up to £50,000.

Band 2 - From £50,000 to £100,000.

Band 3 - From £100,000 to £200,000.

Band 4 - Over £200,000

### **Budgets and spending consents required:**

32. Spending from a revenue reserve not previously authorised by **Cabinet or Council Chief Finance Officer**:

Band 1 - Chief Finance Officer.

Band 2 - Chief Finance Officer (nominees require the authorisation of the Director of Corporate Services and Governance).

Band 3 - Chief Finance Officer in consultation with Portfolio Holder for Finance (nominees require the authorisation of the Director of Corporate Services and Governance ).

Band 4 - Cabinet.

33. Virement within the revenue budget of a Chief Officer

Band 1 - Chief Finance Officer.

Band 2 - Chief Finance Officer.

Band 3 - Chief Finance Officer in consultation with Portfolio Holder for Finance.

Band 4 - Cabinet.

34. Virement between revenue budgets of different Chief Officers

Band 1 - Chief Finance Officer.

Band 2 - Chief Finance Officer (nominees require the authorisation of the Director of Corporate Services and Governance).

Band 4 - Cabinet.

39. Writing off irrecoverable sums :

Band 1 - Chief Finance Officer.

Band 2 - Chief Finance Officer.

Band 3 - Chief Finance Officer in consultation with Portfolio Holder for Finance.

Band 4 - As for band 3.

40. Any actions outside of Financial Rules or Finance Operational Procedures

Band 1 - Chief Finance Officer.

Band 2 - Chief Finance Officer.

Band 3 - Chief Finance Officer.

Band 4 - As for band 3.

41. New or substituted capital schemes

Band 1 - Cabinet.

Band 2 - Cabinet.

Band 3 - Cabinet.

Band 4 - As for band 3.

42. Any actions not in accordance with Council policy or any resolution of the Cabinet

Band 1 - Cabinet.

Band 2 - Cabinet.

Band 3 - Cabinet.

Band 4 - As for band 3.

#### **Grants, loans, guarantees and financial assistance**

43. Renovation and other housing specific grants under the Housing Grants Financial Policy

Band 1 - Director for Operational Services or his/her nominee may act.

Band 2 - Director for Operational Services or his/her nominee may act in consultation with Chief Finance Officer.

Band 3 - In consultation with Portfolio Holder for Finance and Chief Finance Officer.

Band 4 - Cabinet

### **Other grants, loans, guarantees and financial assistance**

#### **44. Renovation and other grants under the Housing Grants Financial Policy**

Band 1 - Chief Finance Officer.

Band 2 - Cabinet.

Band 3 - Cabinet.

Band 4 - Cabinet.

### **Land and Property**

#### **44. Settlement of rent reviews (increase in annual rent not the total amount of rent)**

**Band 1 - Director of Corporate Services and Governance or his/her nominee may act.**

**In this section, land values are the annual rent or proposed annual rent.**

**45. Authorising disposal by lease not previously authorised by Council or Cabinet. In this section, land values are the annual rent or proposed annual rent (and not the total amount of rent).**

Band 1 - Director of Corporate Services and Governance or his/her nominee may act.

Band 2 - Chief Finance Officer and Chief Legal Officer in consultation with Portfolio Holder for Finance.

Band 3 - Cabinet.

Band 4 - As for band 3.

**46. Approving terms for grant or renewal of leases or any other property transaction of Council land or buildings and the settlement of rent reviews. In this section, land values are the annual rent or proposed annual rent (and not the total amount of rent).**

Band 1 - Director of Corporate Services and Governance or his/her nominee may act.

Band 2 - Chief Finance Officer and Chief Legal Officer in consultation with Portfolio Holder for Finance.

Band 3 - Cabinet.

Band 4 - As for band 3.

47. Authorising any other property transactions relating to the Council's land and approving terms including renewals. **In this section, land values are the annual rent or proposed annual rent (and not the total amount of rent).**

Band 1 - Director of Corporate Services and Governance Corporate Resources or his/her nominee may act.

Band 2 - Chief Finance Officer and Chief Legal Officer in consultation with Portfolio Holder for Finance.

Band 3 - Cabinet.

Band 4 - As for band 3.

48. Authorising the acquisition by lease of land or buildings and approval of terms. **In this section, land values are the annual rent or proposed annual rent (and not the total amount of rent).**

Band 1 - Director of Corporate Services and Governance or his/her nominee may act.

Band 2 - Chief Finance Officer and Chief Legal Officer in consultation with Portfolio Holder for Finance.

Band 3 - Cabinet.

Band 4 - As for band 3.

49. Forfeiture of leases and tenancies or serving notice to quit or similar to obtain vacant possession. **In this section, land values are the annual rent or proposed annual rent (and not the total amount of rent).**

Band 1 - Director of Corporate Services and Governance or his/her nominee may act.

Band 2 - Chief Finance Officer and Chief Legal Officer in consultation with Portfolio Holder for Finance.

Band 3 - Cabinet.

Band 4 - As for band 3.

50. Appropriation from one statutory function to another. In this section, land values are the annual rent or proposed annual rent (and not the total amount of rent).

Band 1 - Director of Corporate Services and Governance or his/her nominee may act.

Band 2 - As for band 1.

Band 3 - Chief Finance Officer, and Chief Legal Officer in consultation with Portfolio Holder for Finance.

Band 4 - Cabinet.

51. Authorising disposal by sale not previously authorised by Council or Cabinet.

Band 1 - Director of Corporate Services and Governance or his/her nominee may act.

Band 2 - As for band 1.

Band 3 - Chief Finance Officer, and Chief Legal Officer in consultation with Portfolio Holder for Finance.

Band 4 - Cabinet.

52. Authorising the acquisition by purchase of land or buildings and approval of terms.

Band 1 - Director of Corporate Services and Governance or his/her nominee may act.

Band 2 - As for band 1.

Band 3 - Chief Finance Officer, and Chief Legal Officer in consultation with Portfolio Holder for Finance.

Band 4 - Cabinet.

53. Dilapidations claims and settlement including authorising the service of notice, actioning claims and settlement of works and dilapidation or payment in lieu. In this section, land values are the annual rent or proposed annual rent (and not the total amount of rent).

Band 1 - The Director of Corporate Services and Governance or his/her nominee may act.

Band 2 - As for band 1.

Band 3 - Chief Finance Officer, and Chief Legal Officer in consultation with Portfolio Holder for Finance.

Band 4 - Chief Finance Officer, and Chief Legal Officer in consultation with Portfolio Holder for Finance. Cabinet.

# Agenda Item 12



**Report to:** Cabinet

**Date of Meeting:** 7 October 2019

**Report Title:** Museum Committee Recommendations

**Report By:** Victoria Conheady  
Assistant Director, Regeneration and Culture

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## **Purpose of Report**

To seek approval for the recommendations of the Museum Committee meeting held on 9 September 2019.

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## **Recommendation(s)**

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

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## **Reasons for Recommendations**

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

---

## Background

1. The Museum Committee met on Monday, 9<sup>th</sup> September 2019 to consider the Museum Update Report and Collections Report. The reports can be found online [here](#).
2. The minutes of that meeting are included as an appendix to this report.
3. 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.

## Decisions

4. The Museum Committee unanimously approved both reports and recommends approval by Cabinet.

## Timetable of Next Steps

5. Please include a list of key actions and the scheduled dates for these:

Action	Key milestone	Due date (provisional)	Responsible
Next Museum Committee Meeting	Museum Committee makes recommendations to Cabinet	9 <sup>th</sup> March 2020	Museum and Cultural Development Manager

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## Wards Affected

None

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## Implications

**Relevant project tools applied? N**

**Have you checked this report for plain English and readability? Y**

**Climate change implications considered? N/A**

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

**Equalities and Community Cohesiveness N**  
**Crime and Fear of Crime (Section 17) N**  
**Risk Management N**

<b>Environmental Issues</b>	<b>N</b>
<b>Economic/Financial Implications</b>	<b>N</b>
<b>Human Rights Act</b>	<b>N</b>
<b>Organisational Consequences</b>	<b>N</b>
<b>Local People's Views</b>	<b>N</b>
<b>Anti-Poverty</b>	<b>N</b>

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### **Additional Information**

Appendix A – Minutes of the Museum Committee Meeting held on 9 September.

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### **Officer to Contact**

Damian Etherington  
Museum & Cultural Development Manager  
[detherington@hastings.gov.uk](mailto:detherington@hastings.gov.uk)  
01424 451151

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# Public Document Pack

## MUSEUM COMMITTEE

9 SEPTEMBER 2019

Present: Councillors Forward (Chair), O'Callaghan (Vice-Chair), Levane, Patmore, Sinden and Museum Association Representatives Ms Barrett, Mr Dudman, Mr Peak and Mrs Purdey

### 1. APOLOGIES FOR ABSENCE

Apologies were received for Councillor K Beaney and Ms Farley-Green.

### 2. DECLARATIONS OF INTEREST

None.

### 3. MINUTES OF THE PREVIOUS MEETING

**RESOLVED – That the minutes of the meeting held on 11 March 2019 be approved as a true record.**

### 4. MUSEUM UPDATE REPORT

The Museum and Cultural Development Manager presented a report to update the Committee on the museum's work since the last formal meeting.

The museum enjoyed a good first quarter in 2019. The Easter Holiday period was very busy, with the 'Chick Trail' proving especially popular with families. The LEGO® events over the summer have been extremely popular. The bookable events, LEGO® Museum Minis and LEGO® Makers, were all fully booked and additional sessions were added because of the demand. The LEGO® Explorers Trail has been extremely well received by families.

The museum has been shortlisted for two national awards this year. The first shortlisting was by Kids in Museums for their Family Friendly Museum Award 2019 in the small museum category; the second award is from Days Out With The Kids for their 2019 Family Favourites Award for Best Educational Day Out in London & South East.

In addition to the shortlisting, the museum has continued to perform well on review sites. This year the museum received a 'Hall of Fame' certificate from TripAdvisor for being a top attraction for the past five years.

The Museums Association has added an excursion to Hastings to their Annual Conference programme. The visit includes time at the museum to see the work that has been happening at the museum over the past year. This is good recognition from within the museum sector and a sign that the museum's profile is rising.

## MUSEUM COMMITTEE

9 SEPTEMBER 2019

The Museum and Cultural Development Manager confirmed that the museum had achieved the annual target for school engagement and reached every school in the borough this year.

In response to a question regarding the recruitment of volunteers the Museum and Cultural Development Manager confirmed that volunteers are recruited in line with the recruitment policy agreed at the last committee meeting.

The Chair asked that a press release be produced celebrating the increase in visitor numbers and school engagement.

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

**To accept this report and recommend approval by Cabinet.**

### **5. COLLECTIONS REPORT**

The Museum and Cultural Development Manager presented a report to update the committee on collections care, access, acquisitions, loans and objects being considered for rationalisation.

Collections care work has been slowed by the staff changeover. However, a number of improvements have been made to the organisation of the Local Studies Room including the addition of more bookcases. 25 taxidermy specimens have been cleaned, photographed and been entered on to the Modes collection database as part of the preparations for *Wunderkammer: Hastings Curiosities*. The World Culture's spears and weapons collections of around 60 items have been repacked, stored and documented – improving their general condition by replacing their packaging with conservation standard inert materials.

A new Integrated Pest Management system has been implemented across the museum. This allows us to track environmental conditions through the presence of pests.

Since March the curators have received 66 enquires related to the collections and the Local Studies Room has continued to welcome a steady stream of researchers.

The Museum and Cultural Development Manager updated the committee on a number of objects identified for rationalisation. The objects were identified in line with the Collections Development Policy, contained within the Collections Management Framework.

The committee discussed the items identified for rationalisation and suggested other museums which may be interested in adding them to their collection. The Museum and Cultural Development Manager thanked the committee for their advice.

In response to a question regarding the 80<sup>th</sup> anniversary of the beginning of the Second World War the Museum and Cultural Development Manager confirmed that there will be discussions regarding this over the coming weeks.

**MUSEUM COMMITTEE**

**9 SEPTEMBER 2019**

**RESOLVED (unanimously):**

**To accept this report and recommend approval by Cabinet.**

(The Chair declared the meeting closed at. 3.35 pm)

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