

CABINET

3 FEBRUARY 2020

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

231. APOLOGIES FOR ABSENCE

None received.

232. DECLARATION OF INTERESTS

<u>Councillor</u>	<u>Minute</u>	<u>Declaration</u>
Lee	235	Prejudicial - Lives in somewhere that requires a HMO license
Forward	235	Prejudicial – Close family member has a HMO license property.

233. MINUTES OF LAST MEETING

RESOLVED – that the minutes of the cabinet meeting held on 6th January 2020 be approved as a true record.

234. LOCAL NATURE RESERVES - BYELAWS

The Assistant Director, Environment and Place submitted a report to Cabinet to outline the procedure for approval of byelaws for Local Nature Reserves in the Borough of Hastings.

Byelaws are a way of safeguarding nature reserves from damage. The proposed byelaws aim to bring all our nature reserves under one set of consistent byelaws together with their current boundaries.

There are eight Local Nature Reserves (LNRs) in the borough; Hastings Country Park Nature Reserve, Pondswood Nature Reserve, Churchwood and Robsack Wood Nature Reserve, Summerfields Wood, Marline Valley Nature Reserve, Filsham Reedbeds Nature Reserve, Old Roar Gill and Coronation Wood Nature Reserve and St. Helens Woods Nature Reserve. Seven of the reserves are owned by Hastings Borough Council. St Helens Woods are owned by the St Helens Park Preservation Society.

Four Local Nature Reserves currently have byelaws; Filsham Reedbeds which were made by Hastings Borough Council on 25th July 1983; Hastings Country Park, made on 28th June 1974; Marline Woods, made on 12th February 1993 and St Helens Wood on 31st March 1994. These will be revoked and replaced by the new draft set of byelaws.

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

RESOLVED (Unanimously)

- 1. To recommend to Full Council that the following byelaws are made, Filsham Reedbeds Nature Reserve, Marline Valley Nature Reserve, Hastings Country Park Nature Reserve, St Helens Wood Nature Reserve, Church Wood and Robsack Local Nature Reserve, Summerfields Nature Reserve and Old Road Gill Nature Reserve**
- 2. Following Cabinet and Full Council approval to make the byelaws, delegate to the Chief Legal Officer responsibility for following due legal process as outlined by the Department for Environment, Food and Rural Affairs for confirmation of the byelaws for Local Nature Reserves.**

Reasons for Recommendations

Local Authorities can create Local Nature Reserve byelaws to help stop people damaging the reserve and harming its wildlife. Adopting byelaws will help the council safeguard the reserves from damage.

235. PAY POLICY STATEMENT 2020/21

The Director of Corporate Services and Governance submitted a report to Cabinet for approval of the Pay Policy Statement for 2020/2021, as required by the Localism Act 2011.

The Executive Manager of People, Customer and Business Support presented the report at Cabinet and explained that the report has to be produced annually, and the pay policy statement is an addendum to this report. The legislation states why it has to be done annually. In the report there always has to be a pay multiplier, which is featured in this report.

Councillor Rodgers, The Portfolio Holder for Transformation, Governance and People, wanted to highlight two particular parts of the report. All staff are paid the accredited national living wage, which will be £9.30 per hour, including apprentices. Also, Hastings Borough Council's pay ratio at 1:3.4 is significantly better than many other councils of similar sizes. The ratio is the median pay to the highest paid employee.

Councillors discussed the pay policy statement, and brought forward the idea of having more averages featured within the report, such as the median wage, which we can compare with other similar size councils. Councillors also wanted to celebrate the hiring of Little Gate Farm apprentices within Hastings Borough Council which allows the breakdown of barriers.

Councillors also thanked the officers for their great work in putting the report and pay policy together and also praised how accessible it was on the Council website.

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Councillor Rogers proposed approval of the recommendations of the report. This was seconded by Councillor Batsford.

RESOLVED (Unanimously)

1. Recommendation of the pay policy statement to full council for approval.

Reasons for recommendation

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

236. REVIEW OF HMO LICENSING FEES

Councillors Forward and Lee left the room for the discussion of this item due to prejudicial interests.

Other Councillors who were watching from the public gallery were also asked to leave if they also had a declared prejudicial interest.

The Assistant Director Housing and Built Environment presented a report to inform Cabinet of the high court case of R (Gasking) v Richmond-upon-Thames London Borough Council has held that licensing schemes made under the Housing Act 2004 are authorisation schemes within the meaning of the EU services directive. This has necessitated a re-assessment of the fees charged for the council's HMO licensing scheme.

The proposal is that the current single fee scheme is split into two. This will not apply to the selective licensing scheme. The cost of the scheme is unlikely to change for landlords, and it is simply the structure that is changing.

Councillor Batsford, Portfolio Holder for Housing, Leisure and Community Engagement stated that the new HMO scheme gives more transparency, which has been a criticism in the past. Councillor Batsford also acknowledged that processing two invoices rather than one, would put extra stress on the officers, and that this extra processing may cause price rises in the future.

However, overall, the change in the scheme is a positive thing and HMO licensing in general has proved very successful.

Councillors agreed that it was important to be open and transparent, and also shared concerns about extra pressure being put on officers.

Councillor Batsford proposed the approval of the recommendations of the report. This was seconded by Councillor Rogers.

RESOLVED (Unanimously)

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1. That Cabinet approve the revised fee structure for HMO licensing to take into account a 'Hemmings' (two part) fee structure.
2. That the revised fee structure in appendix 1 is introduced on 1 April 2020.

Reasons for Recommendations

In order to comply with the provisions of the services directive housing licence fees are required to be charged in two parts. As the Council is presently consulting on a new Selective Licensing scheme (Housing Act 2004 Part 3) to replace the existing scheme in October 2020 which includes details on two part fees for this scheme this report only proposes changing the HMO Licensing Scheme (Housing Act 2004 Part 2) fees in April 2020.

(The Chair declared the meeting closed at. 6.15 pm)