

CABINET

1 MARCH 2021

Present: Councillors Forward (Chair), Fitzgerald (Vice-Chair), Barnett, Batsford, Chowney, Evans, O'Callaghan and Rogers.

320. APOLOGIES FOR ABSENCE

None received.

321. DECLARATION OF INTERESTS

None received.

322. MINUTES OF LAST MEETING

RESOLVED – that the minutes of the Cabinet meeting held on 8th February, Budget Cabinet meeting on 8th February and Cabinet meeting to agree the Local Restrictions Grant (Open) Scheme held on 11th February be approved as true records.

Councillor Chowney updated that the Local Restrictions Grant (Open) Scheme is now open and encouraged local businesses to look at the website and submit an application.

323. REDUCING ROUGH SLEEPING

The Assistant Director for Housing and Built Environment presented a report to update on progress to reduce rough sleeping over the past year and the plans to continue this work from April 2021.

A grant exemption is requested from cabinet to commission services for the initiative as of 1st April, as due to the short-term nature of the funding, it is not possible to follow the normal procurement procedure.

The reports also outlines the plans for the next 12 months under the Rough Sleepers Initiative. Hastings Borough Council is the lead authority for this work in East Sussex and has been working closely with partner organisations in developing the plans.

The Strategic Housing and Projects Manager added that this work builds on the council's long standing commitment to end rough sleeping and in particular, looks at the services which will be in place as the Everyone In instruction comes to an end. The Next Steps Accommodation Programme, which was the capital fund that the council secured at the end of last year, addresses the gap in provision for accommodation for individuals who require high levels of ongoing support. Ways to increase the number of Housing First units available for former rough sleepers are being looked into. Clearly the short deadline for the project and the ongoing lockdown restrictions which were introduced after the grant was secured has had an impact on the properties that were available for purchase; an issue which has affected a number of local authorities around the country. The council is working with Homes England to

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discuss a potential extension to the scheme, which will also be the first phase of a broader programme due to be launched next year. Work is already underway with partners to develop proposals for further bids to the programme.

Councillor Batsford proposed approval of the recommendation, seconded by Councillor O'Callaghan.

RESOLVED (unanimously):

To grant an exemption under rule 21c of the council's financial operating procedures to commission services for the Rough Sleeping Initiative in 2021/22

Reason:

The council is leading work with partners across East Sussex to reduce rough sleeping. A proposal is currently being developed to continue these services beyond March 2021, which will need to be mobilised at pace to avoid any gaps in provision.

324. TRANSFER OF THE JOINT WASTE AND RECYCLING COMMITTEE ADMINISTERING AUTHORITY FROM ROTHER DISTRICT COUNCIL TO WEALDEN DISTRICT COUNCIL.

Under part 4, rule 13.3 of the Constitution, the recommendations of the report were agreed without being called for discussion.

325. PROPOSALS TO MAKE PUBLIC SPACE PROTECTION ORDERS IN RELATION TO ALLEY GATING TO ADDRESS SERIOUS COMMUNITY SAFETY ISSUES RAISED BY MEMBERS OF THE LOCAL COMMUNITY.

The Assistant Director, Environment and Place presented the report which seeks authorisation to implement the legal process required to gate 3 alleys on the request of local residents because of serious anti-social behaviour and criminality.

The legal framework for alley gating is contained in the Anti-Social Behaviour Crime and Policing Act 2014. Although it is requested that 3 alleys are gated, they are not linked and each one needs to be decided on its own merits.

For several years, the Community Safety Manager has been engaging with local residents and businesses who have been complaining about the anti-social behaviour and other serious issues. He has worked closely with the local community, the council's warden team and the local police to try and address the issues but unfortunately, the measures that don't include gating the alleys haven't proved to be effective in the long term.

In December 2020, formal consultation on the proposals was carried out with the public and statutory consultees, including the police and Highways Authority via the East Sussex County Council Rights of Way team, as set out in the guidance that is associated in the act. The Police and local business association were supportive of the proposals, although East Sussex County Council objected. Some very compelling evidence about the significant negative impact of the alleys has been received from

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local residents and is set out in the report. Objections to the proposals have been received in the last week from several individuals and organisations, for example from Ramblers Association, Open Spaces Society, Greenway Trust and Living Streets Charity, who appear to be concerned that gating the alleys would set a dangerous precedent and feel that measures other than gating should be used. Unlike the Highways Authority, they are not statutory consultees within the provisions of primary legislations for alley gating.

If cabinet approves the proposals, these will need to be formally reviewed within at 3 least three years of when they commence. However, in this case, as set out in recommendation 2 of the report, officers recommended that they should be reviewed within at least two years of commencement. The council could, in fact, review the proposals at any time after they commence, and if appropriate, either vary, extend or discharge them.

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

RESOLVED (unanimously):

- 1. That cabinet authorises the Assistant Director Environment and Place in conjunction with the Chief Legal Officer, to implement the statutory legal process required to gate the 3 public rights of way described in the report.**
- 2. Subject to 1 above, the council formally reviews the gating arrangements no later than 2 years after they commence.**

Reason:

As a result of long standing serious anti-social behaviour affecting 3 public rights of way, the council has been asked to consider gating them using powers set out in the Antisocial Behaviour Crime and Policing Act 2014.

(The Chair declared the meeting closed at 6:54pm)