

Cabinet Agenda

Monday, 7 June 2021 at 6.00 pm

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

For further information, please contact Democratic Services on 01424 451484 or email: democraticservices@hastings.gov.uk

		Page No.
1.	Apologies for Absence	
2.	Declaration of Interests	
3.	Minutes of Last Meeting	1 - 2
4.	Welcome Back Fund, Contain Outbreak Management Fund and Culture Recovery Fund proposals <i>(Jane Hartnell, Managing Director)</i> <i>(Cabinet decision)</i>	3 - 12
5.	Parking Spaces at Winding Street <i>(Peter Grace, Chief Finance Officer)</i> <i>(Council decision)</i>	13 - 18
6.	Cabinet Appointments to Committees, Working Groups and Partnerships <i>(Mary Kilner, Chief Legal Officer)</i> <i>(Cabinet Decision)</i>	19 - 22
7.	Notification of Additional Urgent Items	
8.	Urgent Items (if any)	
9.	Lease and Management Agreement for the Bale House (Part 1) <i>(Mike Hepworth, Assistant Director, Environment and Place)</i> <i>(Cabinet decision)</i>	23 - 28
10.	Exclusion of the Public	

To resolve that the public be excluded from the meeting during the consideration of the items of business listed below because it is likely that if members of the public were present there would be disclosure to them of “exempt” information as defined in the paragraphs of schedule 12A to the Local Government Act 1972 referred to in the relevant report.

11. Lease and Management Agreement for the Bale House (Part 2)
(Mike Hepworth, Assistant Director, Environment and Place)
(Cabinet decision)

29 - 36

Agenda Item 3 Public Document Pack

CABINET

6 APRIL 2021

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

330. APOLOGIES FOR ABSENCE

Apologies received from Councillor Fitzgerald

331. DECLARATION OF INTERESTS

None received.

332. MINUTES OF LAST MEETING

RESOLVED – that the minutes of the meeting held on 1st March 2021 be approved as a true record.

RESOLVED – that the minutes of the meeting held on 23rd February 2021 be approved as a true record.

333. HASTINGS LIFEGUARD CONTRACT

The Marketing and Major Projects Manager submitted a report to update cabinet on the performance of the RNLI ('Royal National Lifeboat Institution') operated beach lifeguard services in Hastings for the last four years and to recommend that a new contract is awarded for the next three years.

Cabinet discussed how the 'RNLI' provides an expert service. It was mentioned that as well as saving lives the lifeguards have been talking to and educating beach users. It was highlighted that the 'RNLI' supply their own equipment at their expense and fund the management structure for the lifeguard service. The Chair agreed that the RNLI provide an excellent service.

Councillor O'Callaghan proposed approval of the recommendations, seconded by Councillor Rogers.

RESOLVED (unanimously):

- 1. That HBC enter into a new three year contract with the RNLI for the RNLI to provide a beach lifeguard service at Hastings for the 2021 – 2023 (inclusive) seasons and they are appointed without going through the competitive tendering procedures.**
- 2. That authority is delegated to the assistant director of regeneration and culture or her nominee to conclude the necessary legal agreements.**

CABINET

6 APRIL 2021

Reasons:

Because the RNLI is able to provide a better service at better value than we can provide in-house.

334. URGENT ITEMS (IF ANY)

The Chair explained there is an urgent item regarding 2-12 Battle Road.

335. EXCLUSION OF THE PUBLIC

RESOLVED (unanimously) that the public be excluded from the meeting during the consideration of the items of business listed below because it is likely that if members of the public were present there would be disclosure to them of “exempt” information as defined in the paragraphs of schedule 12A to the Local Government Act 1972 referred to in the relevant report.

The live stream was ended and the meeting proceeded in private session.

336. 2 - 12 BATTLE ROAD - DANGEROUS STRUCTURE

The Assistant Director Housing & Built Environment explained to the Cabinet the latest position regarding the proposed demolition of the dangerous structure in Battle Road and urgent temporary safety work to be undertaken to ensure any further movement is restricted.

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

RESOLVED (unanimously):

- 1. The Chief Finance Officer (having considered the report from the Assistant Director Housing and Built Environment together with the accompanying evidence and witness statement) deems that the safety and corporate risks highlighted in the report require that urgent action is taken to remove the temporary safety provision in place at 2-12 Battle Road and that the emergency demolition of the structure is completed . In these circumstances, the Chief Finance Officer considers that the use of the tendering process would be unreasonable.**
- 2. In accordance with paragraph 16.1 h of the Financial Operating Procedures, the Chief Finance Officer is reporting use of the tendering exemption waiver to Cabinet.**
- 3. Cabinet agree that the recommended budget is allocated from the General Reserve for the demolition and associated costs.**

(The Chair declared the meeting closed at. 6.46 pm)

Agenda Item 4



Report To: Cabinet

Date of Meeting: Monday 7 June 2021

Report Title: Welcome Back Funding, Contain Outbreak Management Funding (COMF) and Culture Recovery Funding - proposals

Report By: Jane Hartnell, Managing Director

Key Decision: Yes

Classification: Open

Purpose of Report

To advise cabinet of 3 funding opportunities, programme activities and seek delegated authority for each

Recommendation(s)

- 1. To seek delegated authority to the Managing Director or relevant nominee, in consultation with the Leader to:**
 - **Submit funding application form (action plan), sign the grant funding agreement, sign any relevant service level agreement with delivery partners, and commence spend, in some cases at risk, for the welcome back funding proposed interventions as detailed paragraph 14.**
 - **Allocate £80,000 from the Government's Contain Outbreak Management Fund (COMF) to the Environmental Health and Licensing Team to help reduce the spread of coronavirus and support public health initiatives**
 - **Allocate the Culture Recovery Fund Grant to eligible costs in line with the funding scheme aims**

Reasons for Recommendations

To ensure that the government's various Covid funding schemes are used to best effect in Hastings

Introduction

1. The government has released the following three funding initiatives to support local authorities in aiding the safe reopening of the cultural, tourism and retail sectors:
 - a. Welcome Back Funding (WBF)
 - b. Contain Outbreak Management Fund (COMF)
 - c. Cultural Recovery Fund (CRF)
2. This report will be in three sections, outlining each fund, and its status, and the proposed activities outlined in response to the various compliance issues for each funding stream.
3. This report seeks; delegated authority for the Managing Director or relevant nominee, in consultation with the Leader, to submit funding application and commence spend of the Welcome Back funding and to note the funding allocations for the COMF and CRF in line with the activities outlined.

Welcome Back Funding

4. The [Welcome Back Fund \(WBF\)](#) was launched in April 2021, building on the Reopening the High Street Fund launched in 2020. It is using European Regional Development Funding (ERDF), and as such comes with a number of conditions and contractual requirements. The funding allows local authorities to put in place additional measures to create and promote safe environment for local trade and tourism, particularly in high streets as their economies open, as well developing plans to respond to the impacts of Covid-19 on local economies, including how other funding streams could address these challenges in the future.
5. Coastal resorts such as Hastings have been given additional funding in recognition of the support required to prepare these areas for welcoming back visitors over the summer and beyond.
6. The funds can be used to implement temporary measures as follows:
 - Support to develop an action plan for how the local authority may safely reopen their local economies.
 - Communications and public information activity to ensure that reopening of local economies can be managed successfully and safely
 - Business-facing awareness raising activities to ensure that reopening of local economies can be managed successfully and safely.
 - Temporary public realm changes to ensure that reopening of local economies can be managed successfully and safely.
 - Support and promote a safe public environment for a local area's visitor economy
 - Support local authorities to develop plans for responding to the medium-term impact of Covid including trialling new ideas particularly where these relate to the high street.

The programme can be delivered solely by the local authority or with partners through partner delivery arrangements (Service Level Agreement (SLA) approach).

7. **Total funding allocation:** £229,052
8. **Funding timeline:** spend can commence from the date of publication of the guidance (16 April 2021) to 31 March 2022. Any expenditure incurred before the grant funding agreement has been signed and the project activity form (funding application form) has been approved by MHCLG is spent 'at risk'.
9. **Payments:** in arrears every 3 months after appropriate claim and evidence is submitted
10. **Management and Administration (M&A):** each relevant service area will manage the proposed interventions in their relevant areas, but the monitoring and compliance of this EU funded scheme will be undertaken by the major projects and regeneration team. There is 4% allocation for M&A costs against the total value of the programme (detailed in table below)

Proposed activities/Interventions.

11. The proposed activities have been discussed and brought together under a cross council officer group, focused on:
 - a. Supporting safe reopening of the town
 - b. Mitigation actions for the additional work created by an expected, and welcome, increase in visitors to the town
 - c. Exploration into supporting the shoulder tourism season, and winter, which may see a natural reduction in footfall and dwell time for our tourism and retail offer.
12. The proposed interventions have been discussed at the council's Covid Taskforce, and with lead members, in addition a meeting with the following external business leaders (with notes and offer of feedback to a wider business leaders' audience) took place on Wednesday 19 May 2021, along with a walkabout on Monday 24 May 2021:
 - a. Love Hastings Ltd – Hastings Business Improvement District
 - b. Old Town Traders Association
 - c. Major tourism attractions and leaders – Hastings Adventure Golf, 18 Hours Ltd and the White Rock Hotel, the latter two also representing other tourism businesses in Hastings as the local private sector reps on the 1066 Country Marketing executive board

These proposals have been developed to ensure compliance and alignment with the funding conditions. It is a requirement of the fund that the programme interventions have involved relevant stakeholders in their development. All proposals need to be submitted by the 30 May, before being approved by the WBF grant manager and subsequent grant agreement being signed.

13. Below table outlines the proposed interventions identified for submission to the welcome back fund:

No.	Area of Scope	Using bullet points briefly set out the specific activities you will undertake	Briefly set out how the activity does not duplicate existing activity (additionality)	Indicative timeline for delivery	Total Indicative Budget £ per item Gross
5	Support and promote a safe public environment for a local area's visitor economy	<p>1. Seafront welcome marshals (parking/foreshore/repairs). 7 day working pattern</p> <ul style="list-style-type: none"> • Parking- Help control flow of traffic, footfall and people • Foreshore -maintenance seafront, rapid response minor repairs/ unblocking to seafront toilets <p>2. Seafront welcome marshals (Cleansing Operative). 7 day working pattern</p> <ul style="list-style-type: none"> • Litter picking, beach cleaning (sweeping of disability boardwalk) – via DSO 	<p>As a coastal town, the focus of the visitor economy is on the seafront as a main asset, with the expectation of increased visitor numbers, it is paramount that marshals are in place to control the flow of traffic and people, and direct people flow into the high streets. To ensure the highest hygiene standards and health and safety for Covid recovery, marshals will also be tasked with ensuring a rapid response to public toilet repairs, ensuring toilets stay open and crowding in key areas is limited.</p> <p>Marshals will also focus on seafront and litter collection, ensuring that highest hygiene standards are maintained with increase in visitors and ensuring the towns visitor asset stays attractive.</p> <p>These roles are additional temporary staff resource and are to cover the extra visitors, due to staycations and support Covid recovery.</p>	June - Sept	£60k
5	Support and promote a safe public environment for a local area's visitor economy	<p>Safe temporary placemaking - public realm improvements/amination to support SME's recover and encourage footfall</p> <ul style="list-style-type: none"> • Bringing the streets alive with music, creativity and movement, to increase dwell time and draw people into the high street in the low season. • Programme of small pop-up events (Oct-March) celebrating the creative, quirky vibe of Hastings, drawing in shoppers to linger and enjoy the space. • Temporary art trails and street art in unloved areas of town centre. • Beautification - Identifying key areas on the high street, neighbouring shopping streets, 	<p>Additional animation for the town centres, particularly focussing on things that encourage people to stay and linger, as well as address the shoulder season (traditionally October – March when footfall is lower)</p> <p>Beautification intervention would be above what the council/ county council have in terms of planned works</p>	July - March	£70k

		<p>and seafront that need beautification – removal of graffiti, temporary planting/ green space.</p> <p>Public Wi-Fi network servicing A public Wi-Fi network services the town centre and seafront, widely used by our businesses, local people and visitors (streaming, downloads, browsing, information searching etc). The network needs to be serviced and an improved service offered to business – helping them to trade digitally.</p> <p>Fund 12 month service and maintenance contract.</p>	<p>and would improve the appearance of unloved area of the high street.</p> <p>The network was funded by Coastal Communities Funding originally, but the contract for servicing and maintaining the network is now terminating so the network would end if unable to find funding.</p>		£18k
6	<p>Support local authorities to develop plans for responding to the medium-term impact of CV-19 including trialling new ideas particularly where these relate to the High Street.</p> <p>Page 7</p>	<p>Medium Term recovery planning Resource to develop engagement and delivery plans for Covid-19 recovery.</p> <ul style="list-style-type: none"> • Engagement programme within the Town Investment Plan (Hastings Town Deal) • Action planning from High Street Taskforce • Pilots High Street Taskforce interventions • Community engagement platform for – community input and engagement into WB activities / pilots and wider high street regeneration- such as Town Deal fund. • Assessing and evaluating data • Marketing / rebranding engagement for high street revisioning • Footfall data 	<p>Additional resource to support strategic medium terms plans for the recovery of Hastings economy and business from the impact of Covid-19</p>	July - March	£72k
	Management & Administration	4% fee of the total value of the programme			£9k
	Total				£229k

14. The following proposed interventions were also considered and ruled out for a number of reasons, as detailed below.

Activity	Details	Why rejected
Temporary road signs	To advise visitors where spaces are	Agreement to replace permanent sign outside of the pier instead
Marketing/comms campaign	Safety advice/useful visitor information	Already in place, non-compliant as no additionality
Billboards	Covid/visitor information on billboards around the town	Not enough impact, Procurement difficult to manage as specific suppliers – risk of non-compliance
East and West Hill lift	Temporary extension to opening hours	Non-compliant (unable to off-set income)
Temporary bins	Extra temporary bins at high traffic areas	Bins already in stock with HBC – no additionality
Drone light show	One or more events to encourage visitors, evening economy spend	Initial quote too high (£100,000 for one event)
Additional seasonal beach huts	To provide additional tourism offer	Not compliant – capital, permanent asset (unable to off-set income)
Additional temporary car parking	To offer reduced or free car parking in town centre car parks	Non-compliant with fund rules (unable to off-set income) Would increase issues re over-crowding of seafront car parks and compound traffic management issues.
Additional Toilets	To provide temporary toilets on heavy use areas	Issue isn't with toilet provision but with vandalism and maintenance, therefore these areas are bolstered through seafront welcome marshals approach National stock low.

Contain Outbreak Management Fund (COMF)

15. The Contain Outbreak Management Fund (COMF) provides local authorities (LAs) with additional financial support as announced in the Governments Covid Response – Spring 2021. A further £400 million has been allocated nationally to LAs for the financial year 2021/22 to continue to help reduce the spread of coronavirus, assist test, trace, and contain activity and support local public health initiatives.
16. Hastings Borough Council has been awarded and received £108, 351 as part of this latest COMF funding and it is proposed that £80,000 of this be allocated to the Environmental Health and Licensing Team. This will enable the existing Covid Compliance Officer resource to be upscaled for a period of 6 months to support businesses, the economy, and our public health role and responsibilities.
17. Government COMF payments are based on the government’s Covid-19 Relative Needs Formula (RNF) which gives a weighting to both population and deprivation levels, based on the Index of Multiple Deprivation. Therefore, funding has been targeted at areas with high infection and enduring transmission rates. In addition, the RNF allocates funding to both Upper Tier LAs (UTLAs) and Lower Tier LAs (LTLAs). This split recognises that LTLAs hold responsibilities for activities critical to the management of the Covid pandemic including enforcement activities, which form a core component of the local response to the pandemic and the measures that COMF funding is intended to support.
18. East Sussex Country Council, an UTLA, is in the process of updating the Local Outbreak Management plan and this latest COMF funding is designed to support the delivery of the objectives set out in this plan. The specific public health activities that can be funded from COMF are left to the judgement of LAs but suggested activities that COMF can be used to support include:
 - Additional contact tracing,
 - Additional resource for compliance with, and enforcement of, restrictions and guidance,
 - Enhanced communications and marketing, e.g. towards hard-to-reach groups and other localised messaging,
 - Targeted interventions for specific sections of the local community and workplaces,
 - Support for engagement and analysis of regional areas to assess and learn from local initiatives,
 - Community-based support for those disproportionately impacted such as the BAME population,
 - Providing support, as needed, to vulnerable people classed as Clinically Extremely Vulnerable.
19. It is also clear from the progression through the Governments Roadmap that the work and demands placed on the Council’s Environmental Health and licensing teams are increasing as the economy responds and grows once again. Enquiries from Step 2 continue to be received and responded to as well as providing vital support and assistance to those businesses and organisations preparing to and operating as part of Step 3 which began on 17 May, and then onwards towards Step 4 on the 21st June, subject to the data allowing this under the government’s roadmap proposals.

20. The funding already received will enable the Environmental Health and Licensing Team to upscale its existing Covid-19 Compliance Officer resource to help meet these demands. This will assist our public health role and responsibilities, our response to Steps 3 and 4 of the Government's Roadmap and help support the provision of timely guidance and advice to local businesses.

Culture Recovery Fund: Second Round

21. Hastings Borough Council has been awarded and already received £225,515 towards the costs of maintaining its cultural, arts and heritage operations through the Cultural Recovery Fund Second Round. The aim of this fund is to help support cultural, arts and heritage organisations and local authorities as they transition back to delivering sustainable operations during April-June 2021. It is being distributed on behalf of the Department for Digital, Culture, Media and Sport by a number of organisations including Arts Council England.
22. £170,515 of the £225,515 award is for off-setting existing commitments, already approved through the budget setting process. It is proposed that £55,000 is allocated to one off costs for Covid-19 related capital work and the development of the museum to improve its viability and sustainability as part of its re-opening for step 3 and beyond as we look towards step 4 and ongoing easing and management of restrictions.
23. This funding has been secured to cover and off-set the in-year committed budget costs for April to June for cultural, heritage and arts activity. The grant includes funding for core costs, like the museum overheads, and delivery costs such as the Stade Saturdays contract and the Arts Match Development Match Funding Grants programme. It also includes funding for additional improvements over and above the existing budget to the museum grounds and other changes resulting from the impact of Covid-19 to make the venue more sustainable. The funding can be used to support emerging costs as long as it remains in line with Culture Recovery Fund eligible costs and aims of the scheme.

Timetable of Next Steps

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

Action	Key milestone	Due date (provisional)	Responsible
Welcome back funding	Submit funding application form	30 May 2021	Marketing & Major Projects Manager
	Approval from MHCLG and grant agreement signed	June 2021	
	Interventions preparations begin and delivery commences	June 2021	
COMF Funding	Increase Covid-19 compliance officer	June 2021	Environmental Health Manager

	resource		
CRF	Off-set existing budget & introduce additional Covid-19 measures	By end June 2021	Museum and Cultural Development Manager

Wards Affected

All

Policy Implications

Reading Ease Score: 31.6

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 – interventions for all funds have been carefully consider to ensure compliance with respective funding conditions

Environmental Issues & Climate Change - N

Economic/Financial Implications – all 3 funding schemes are bringing additional funding into to the council that deliver interventions that support the continuing reopening of the economy and businesses, as well as ensuring Covid-19 safety is well managed

Human Rights Act - N

Organisational Consequences – WBF includes office capacity to oversee compliance and capacity from relevant teams to manage delivery for specific elements / COMF provides additional funded resource to the Environmental Health and Licencing team / CRF allows the museum to function within Covid-19 requirements

Local People's Views – WBF included opportunities for business leaders to shape interventions that support their ability to re-open and trade

Anti-Poverty - N

Legal – WBF will require signing of grant agreement and possible Service Level Agreement for any delivery partner arrangements

Additional Information

N/A

Officer to Contact

Jane Hartnell

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451482

Agenda Item 5



Report To: Cabinet
Date of Meeting: 7 June 2021
Report Title: Parking Spaces at Winding Street
Report By: Peter Grace, Chief Finance Officer
Key Decision: N
Classification: Open

Purpose of Report

To consider a request from the proposed new owners of the Isabel Blackman Centre (IBC) to have exclusive use of the parking spaces in Winding Street.

Recommendation(s)

- 1. Cabinet recommend to full Council that terms be agreed to lease the parking spaces to the new owners of the IBC at less than Market Rent (Nil rent).**

Reasons for Recommendations

Use of the five parking spaces is considered essential by IBC for the practical operation of the centre and while letting at less than Market Value is a financial loss to the Council this is outweighed by the benefit to the Community as a whole.

Introduction

1. This report updates on developments surrounding the IBC and considers future use of parking spaces owned by Hastings Borough Council (HBC). A request has been made that HBC make these spaces available without charge to support the retention and operation of this important building and enable services for older people and the wider community.
2. Decisions to grant leases, or concessions, at below market rent are, given the Council's challenging financial position, required to be made by full Council.

Background

3. For many years the IBC has been a day-centre resource for older people and their carers and a bookable community facility for meetings and activities in the Old Town. It is one of relatively few accessible community venues in the Old Town. The building (at the time of producing the draft report) is in the ownership of East Sussex County Council (ESCC) who, as a result of financial challenges faced by the authority and following a Day Care Services review deemed the building to be surplus to requirements and following a Cabinet decision listed it for disposal. This proposal was the case of considerable local concern and a series of stakeholder meetings were convened by Hastings Voluntary Action to discuss possible options.
4. From this process, a consortium of voluntary and community organisations (currently Age UK East Sussex, Hastings Voluntary Action, Hastings and St Leonards Seniors Forum, and the Hastings Old Town Residents Association) have been working for some time on a campaign to ensure that this important Old Town building remained a local asset of lasting social value. An initial application was made to register the building with HBC as an Asset of Community Value whilst a fundraising campaign was launched. As this gathered pace ESCC voluntarily extended the moratorium period to give every chance that the fundraising target could be achieved. As a result of an enormous community effort a total of £450,000 has been pledged via local fundraising, donations, charitable trusts and the sale of a painting by Quentin Blake.
5. For the local community this represents a considerable moment – achieved during the COVID 19 crisis and for ESCC a double benefit is achieved in the form of a capital receipt and the centre continuing to offer services. A new charity IBC – in Perpetuity (IBC in perp) has been formed to hold and manage the building. Contracts have been exchanged and the completion of the sale is anticipated over the next period.
6. Within the centre a 2-bedroom flat is available but has been unused for some years. IBC in perp are in discussion within a Housing Provider to partner in the refurbishment of the property so that this can be brought back into use to both meet local housing needs and make a revenue contribution towards the day to day costs of the centre's activities.

Parking and Garden Area

7. When the IBC was owned by ESCC an agreement was in place between them and HBC to lease the parking spaces and garden area (shown edged black on the plan) at a Market Rent (was £5,000 in 2017). These areas were made available free of charge by ESCC to the organisation responsible for the day-to-day operation of the Centre. IBC in perp assumed that that this would continue when they became owners of the IBC.

8. The Trustees of IBC in perp consider that use of the parking spaces is essential to the future operation of the Centre and have made the following points to demonstrate this:
 - a. To access the IBC, particularly for older people with disabilities or mobility issues, off road parking is needed.
 - b. It will enable mini-bus access, it is likely that there will be 2 minibus pickup and drop offs per day, and an adequate turning space for larger vehicles.
 - c. Alternative arrangements have been found to cause disruption to other road users.
 - d. Winding Street also serves 2 busy commercial properties Trade Paints (with 50 vehicles visiting per day) and Judges Bakery (with the need to load and unload delivery vans). If the road becomes congested there is an impact on the A259 which IBC in perp are keen to minimise.

Equalities and Community Cohesiveness

9. The provision of the services from this building will provide considerable support to many members of the community.

Financial Implications

10. Should the Council agree to lease these parking spaces, the monies spent on refurbishment (removal of posts, resurfacing, lining) will not be recovered. There will also be an ongoing loss of income of **£5,000 per annum** (at 2017 prices – previously paid by ESCC) and the potential income from these spaces could be higher.
11. An undertaking by the IBC to maintain the spaces, not to sublet them and return them if not used may help minimise future costs and loss of income.

Conclusion

12. IBC in perp have made a proposal to take a lease of the parking spaces for a peppercorn (less than Market Rent) but they have committed they will undertake ongoing maintenance as part of their wider management of the site.
13. While the proposal will result in a loss of income to HBC it may be considered that the overall benefits justify this.

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
Consideration by Full Council	Decision made	June/July 2021	Amy Terry
Agree Heads of	Legal instructed	June 2021	Amy Terry

Terms			
IBC in perp start using the spaces	Lease completed	TBC	Legal/Amy Terry

Wards Affected

Old Hastings

Policy Implications

Have you used relevant project tools?: Y/~~N~~

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

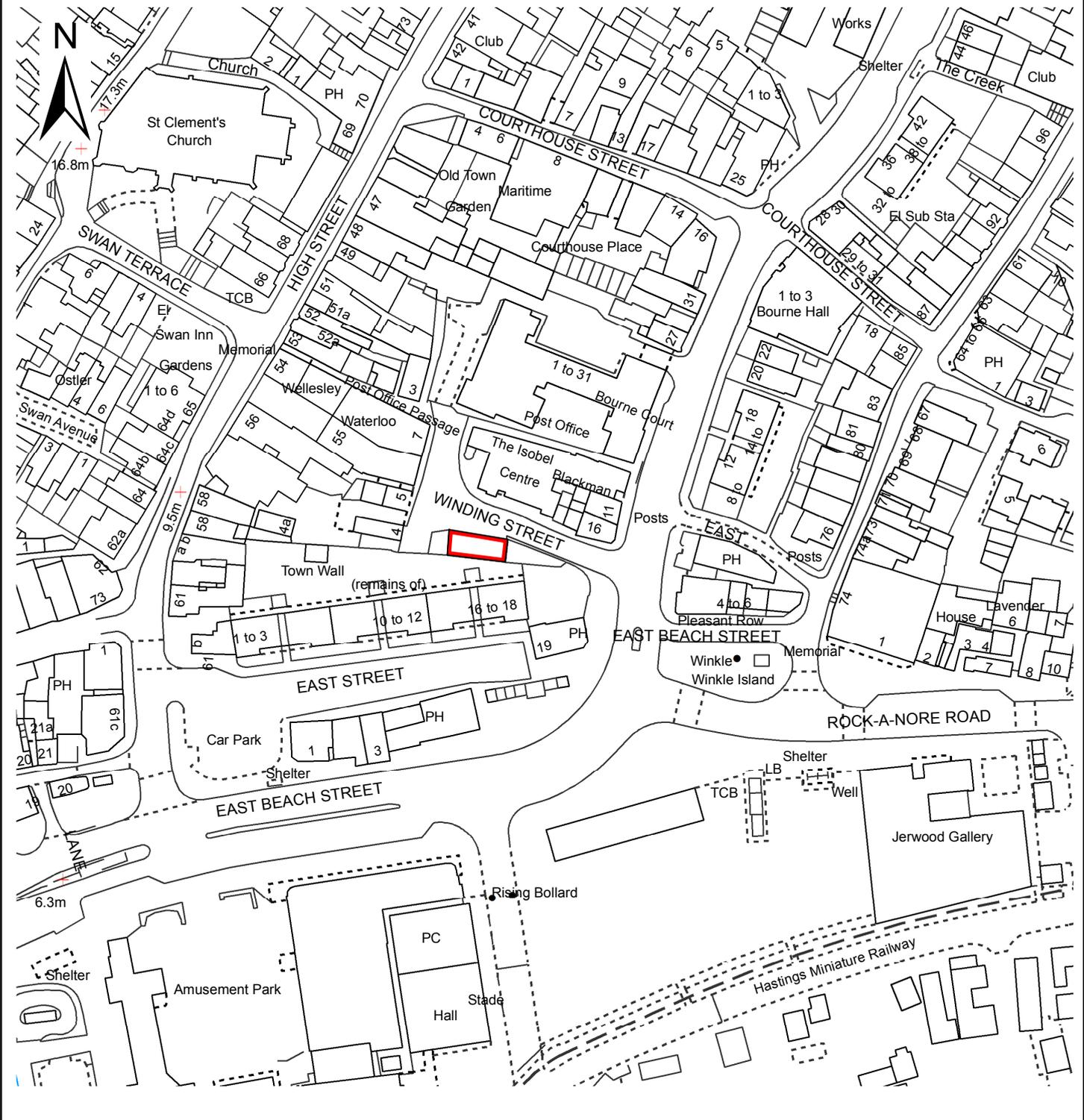
Equalities and Community Cohesiveness	Y/ N
Crime and Fear of Crime (Section 17)	Y/ N
Risk Management	Y/ N
Environmental Issues & Climate Change	Y/ N
Economic/Financial Implications	Y/ N
Human Rights Act	Y/ N
Organisational Consequences	Y/ N
Local People's Views	Y/ N
Anti-Poverty	Y/ N
Legal	Y/ N

Additional Information

Plan.

Officer to Contact

Officer: Amy Terry
 Email: aterry@hastings.gov.uk
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Land at Winding Street
Hastings



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Estates Manager:
Amy Terry M.R.I.C.S.
Muriel Matters House, Breeds Place,
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Tel: 01424 451085
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Agenda Item 6



Report to: Cabinet

Date of Meeting: 7 June 2021

Report Title: Cabinet Appointments to Committees, Working Groups and Partnerships

Report By: Mary Kilner, Chief Legal Officer and Monitoring Officer

Purpose of Report

To consider the nominations received and to make appointments to committees, working groups and partnerships etc. and to appoint the Chairs and Vice Chairs to the committees of Cabinet.

Recommendation(s)

- 1. To appoint members to committees, working groups, partnerships and representative bodies as set out in Appendix A and;**
- 2. To appoint the Chairs and Vice Chairs of Charity Committee and Museums Committee, as listed in Appendix A**

Reasons for Recommendations

Members are required to serve on the committees, working groups, partnerships and representative bodies to which Cabinet appoints. Chairs and Vice Chairs are required for the committees that report to Cabinet.

1. The group leaders were circulated with updated schedules of the committees, working groups, partnerships and representative bodies to which Cabinet appoints. Nominations were sought to fill the places available. The schedules showing the nominations received are appended to this report. Further nominations may be made at the meeting.

2. Like Cabinet, committees of Cabinet are not required to be politically balanced and this is a matter for Cabinet decision. The allocations shown are, therefore, advisory.

3. Members are appointed until the Borough elections in May 2022.

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
Update committee membership	ModGov updated and lists circulated internally	8 th June 2021	Committee admin

Wards Affected

None

Implications

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

Equalities and Community Cohesiveness- None

Crime and Fear of Crime (Section 17)- None

Risk Management- None

Environmental Issues- None

Economic/Financial Implications- None

Human Rights Act- None

Organisational Consequences- Yes, there are new members to some of the committees

Local People's Views- None

Anti-Poverty- None

Additional Information

1. Appendix A Cabinet Appointments

Officer to Contact

Officer Name: Danny Saxby

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Officer Telephone Number: 01424 451764

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Agenda Item 9



Report To: Cabinet

Date of Meeting: Monday, 7th June 2021

Report Title: Lease and Management Agreement for the Bale House

Report By: Mike Hepworth, Assistant Director, Environment and Place

Key Decision: Yes

Classification: Part 1

Purpose of Report

To seek cabinet agreement on the draft Heads of Terms for the lease and management agreement for The Bale House Visitor Centre at Hastings Country Park Nature Reserve with Groundwork South.

Recommendation(s)

- 1. Cabinet agree the draft Heads of Terms for the lease and management agreement with Groundwork South for the Bale House Visitor Centre at Hastings Country Park Nature Reserve, and**
- 2. Delegate authority to enter into a legal agreement for the lease and management agreement with Groundwork South to the Chief Legal Officer, in conjunction with the Assistant Director of Environment and Place, and the lead councillor for the Environment.**

Reasons for Recommendations

1. The Bale House is our new visitor centre at Hastings Country Park Nature Reserve. It is due to open this Summer, 2021. Council Officers have negotiated a proposed 10-year agreement with Groundwork Trust to manage the centre on our behalf. Authorisation to proceed with a lease and management agreement are required to enable an operator to be appointed, so the new visitor centre can open this Summer.
2. The draft lease and the draft management agreement are commercially sensitive and are detailed in a Part 2 report.

Introduction

1. The Council's new Bale House visitor centre at Hastings Country Park Nature Reserve has been constructed in partnership with Groundwork South with funds from a European Interreg grant and Hastings Borough Council. The Bale House is due to open summer, 2021.
2. A proposed 10-year lease and management agreement with the commitment the centre becomes cost neutral to the council after three years, has been negotiated with Groundwork South directors, and has the approval of the Board of Trustees of Groundwork Trust.
3. The draft Heads of Terms for the lease and management agreement will be presented as a part 2 report to Cabinet due them containing commercially sensitive information. Subject to Cabinet approval they will form the basis of a legal agreement between Hastings Borough Council and Groundwork South.

Background

4. In 2014, the council sought expressions of interest from organisations who could work with the council to realise our ambition to have a new fit for purpose visitor centre at Hastings Country Park.
5. The council chose to work with Groundwork South whose presentation included commitments to help raise funds for a new centre and to manage the new centre at no cost to the council.
6. Over the intervening years, we have worked extensively with Groundwork to access additional funding to enable the project to go ahead. Groundwork committed a part time officer to the project back in 2016 and now have a number of officers working throughout Hastings and St Leonards.
7. Groundwork accessed significant European funding to match the council's funds to build the new centre. They were awarded additional grants from Heritage Lottery to invest at Hastings Country Park and have been awarded significant funding through the CHART programme to work with communities around town.
8. They are proving to be one of the most significant and successful third sector partners for the council and remain committed to working with the council for the benefit of our local communities.
9. Various executive reports on the visitor centre have been presented to councillors and Cabinet since 2014. Many of those reports articulate the working arrangement we have with Groundwork and clearly state Groundwork's original and continued commitment to manage the centre once it is built. Groundwork South have remained our key partner in delivering the new centre and now it is built they remain committed to managing it on our behalf.
10. Officers are seeking authority to enter a legal agreement with Groundwork South on the basis of the draft Heads of Terms for the lease and management agreement as presented in the accompanying part 2 report, for 10-years with suitable break clauses, to be cost neutral for the council after three years.

11. It is not proposed to invite further expressions of interest from other companies to manage the visitor centre. This approach will also avoid further delays in appointing an operator and opening the new centre.

Summary points on the management agreement and lease

12. The agreement has been negotiated for a 10-year period with break clauses.
13. Regular meetings between HBC and Groundwork will monitor all aspects of the running of the building.
14. We have agreed to maintain a revenue budget of £20k annually for the first three years to cover items such as grounds maintenance, refuse collection, fire safety checks, buildings insurance and cleaning, after which the centre will be cost neutral to the council.
15. Groundwork will be responsible for management of staff and the management of the catering facility.
16. Specific targets and performance indicators for operating the centre have been agreed with Groundwork and are detailed in the draft management agreement.

Groundwork's position

17. Groundwork have taken the draft terms of the lease and management agreement to their Board of Trustees who have agreed both. They are extremely keen to take on the lease and the management agreement as per their long-standing commitment to the council.
18. Groundwork are committed to not only managing the Bale House but are additionally working with the council to provide skills and learning opportunities for residents throughout Hastings and St. Leonards, especially focused on green spaces and Covid recovery activities.
19. Groundwork will manage the centre and employ all staff including the catering facility. They have carried out due diligence and are ready to enter into a legal agreement with a local chef who has similar operations elsewhere.

Opening the new centre

20. The construction of the centre is complete. The kitchen will be fitted at the beginning of June, the outside area has been landscaped and the information boards will be installed following the kitchen installation.
21. Groundwork are proposing a limited opening of the Bale House at the end of June and gradually opening more fully towards the summer school holidays. By opening gradually, Groundwork feel they can take a responsible approach to how people use the centre and respond to issues that might arise from the on-going threat of corona virus.
22. They will progress towards a range of family activities over time to ensure safety of the users, managers, and staff of the building.
23. Groundwork and the council's communications team are working collaboratively to ensure arrangements for opening are agreed and coordinated.

Financial Implications

24. The council has established a revenue budget of £20k annually for the centre. Negotiations have concluded this will cease after three years, thereafter, being net zero cost to the council.
25. Having a partner manage the centre on our behalf is a considerable saving for the council. Groundwork will be employing all staff to coordinate community and learning activities and coordinating volunteers. They are also managing the catering facility.
26. Should the activities of the centre and Groundwork's grant applications result in surplus funds being generated, they will be re-invested into the centre and the wider reserve to further enhance services and activities at the centre and the reserve.

Risk Management

27. The council does not have the financial resources or staff to manage the Bale House. Doing so would cost the council more than the proposed arrangement with Groundwork which also offers the opportunity for further investment through profits generated and further grant aid investment.
28. The risks associated with the partnership will be mitigated through a comprehensive lease and management agreement with regular meetings. Suitable break clauses in the lease safeguard the council's interests.

Legal Implications

29. The draft Heads of Term and management agreement will form the basis of a legal agreement between the council and Groundwork South subject to cabinet approval of the drafts as set out in Part 2 of this report.

Conclusions

30. We have achieved our ambition of building a new visitor centre at Hastings Country Park, managed by Groundwork Trust for 10 years, at limited cost to the council for the first three years, and no cost thereafter.
31. Officers have negotiated what they feel to be the most pragmatic and cost-effective deal for the council and one that has the support and approval of the Groundwork Board of Trustees.
32. Officers seek approval for the recommendation of the report.

Timetable of Next Steps

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

Action	Key milestone	Due date (provisional)	Responsible
Finalise legal agreement	Lease and Management	By end of June	Chief Legal Officer in conjunction with

	Agreement signed		Assistant Director of Environment and Place and Lead councillor for the Environment

Wards Affected

(All Wards);

Policy Implications

Reading Ease Score: 41.2

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	Y
Environmental Issues & Climate Change	N
Economic/Financial Implications	Y
Human Rights Act	N
Organisational Consequences	N
Local People's Views	N
Anti-Poverty	N
Legal	Y

Additional Information

Officer to Contact

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Agenda Item 11

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