

Charity Committee Agenda

Monday, 13 December 2021 at 6.00 pm

Council Chamber, Muriel Matters House, Breeds Place, Hastings, TN34 3UY.
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1.	Apologies for absence	
2.	Declarations of interest	
3.	Minutes of previous Charity Committee	1 - 4
4.	Notification of any additional urgent items	
5.	Minutes of Coastal Users Group <i>(Kevin Boorman, Marketing and Major Projects Manager)</i> <i>Verbal Update</i>	
6.	Foreshore Trust Finance Report <i>(Peter Grace, Assistant Director, Financial Services and Revenues)</i> <i>Verbal update</i>	
a)	Agreeing the Public Convenience Cleaning Contractor from April 2022 (Part 1) <i>(Mike Hepworth, Assistant Director Environment and Place)</i>	5 - 10
8.	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.

9. Agreeing the Public Convenience Cleaning Contractor from April 2022 (Part 2)

(Mike Hepworth, Assistant Director Environment and Place)

10. Urgent items (if any)

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CHARITY COMMITTEE

18 OCTOBER 2021

Present: Councillors Webb (Chair), Batsford (Vice-Chair) and Rogers. James Cook (The Protector).

99. APOLOGIES FOR ABSENCE

None received.

100. DECLARATIONS OF INTEREST

None received.

101. MINUTES OF PREVIOUS CHARITY COMMITTEE

RESOLVED – that the minutes of the meeting held on 14th June 2021 be approved as a true record.

102. STATUS REPORT - FORESHORE TRUST BUSINESS PLAN 2019/20 – 2024/25

The Assistant Director, Regeneration and Culture, presented a report to review business plan activity in 2020/21 and the impact of Covid-19 on planned activity.

The impact of Covid-19 on Foreshore Trust activity and assets has been significant with considerable financial impact on car park revenue and tenanted assets. Additionally, key officers were reassigned to manage the Covid-19 response.

Notable highlights of the past year include additional investment in Foreshore Trust assets via opportunities such as the Accelerated Towns Fund. This revitalised the Source Park courtyard and increased the electric vehicle charging points in Pelham Place Car Park.

It is intended that a new business plan will be developed once the full impact of Covid-19 has been better understood.

The Marketing and Major Projects Manager informed the committee that the Coastal Users' Group were very pleased with the business plan and asked to be involved in the development of the next 5-year plan.

Councillor Webb thanked the Coastal Users' Group for their support during this unprecedented period.

RESOLVED (unanimously):

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1. That the update on 2020/2021 Business Plan be noted, as detailed in paragraphs 4- 24.
2. That it is agreed that the activity projected in the 2021/22-2024/2025, as agreed in March 2019 for this financial year be followed if affordable given fiscal impacts due to COVID-19.
3. That the deviations to the current business plan for this financial year (21/22) are noted, as detailed in paragraphs 35-54.
4. To note that due to the ongoing impact of COVID-19 on the financial year 20/21 and 21/22 has meant that a business plan for the 5-year period commencing 2021/2022 was unable to be presented in March 2021
5. That a business plan for the 5-year period commencing 2022/2023 will be worked on and presented as soon as practicable once accounts are completed, the COVID-19 impact on the Foreshore Trust assets are understood, and the level of uncertainty surrounding the ongoing pandemic is reduced.

Reasons:

1. The Charity Committee requires a business plan to support its decision-making on the use of Foreshore Trust assets and surpluses.
2. Due to the ongoing impact of the COVID-19 pandemic the development of a new 5-year business plan has not occurred. The current agreed business plan runs until March 2025.
3. COVID-19 prevented much of the work needed to refresh the current business plan.

103. FORESHORE TRUST FINANCE REPORT

The Chief Accountant presented a report to advise the Charity Committee on the current year's financial position (2021/22).

The Chief Accountant noted that Covid-19 continues to have a significant impact. The current situation is that the Foreshore Trust has done well in terms of car parking income recovery, with a strong position in the summer. There is also some additional car parking income not included in the report which will affect the figures in a positive way. However, there are also some additional expenditure items, including maintenance, which need to be included.

There is anticipated to be a deficit at the of the current financial year, however there is potential for the position to improve through recovery of car parking revenue.

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The government is operating a sales, fees and charges scheme to cover local authority losses. The Chief Finance Officer has asked the government to clarify if the Foreshore Trust can claim for loss of income via this scheme.

The Chief Accountant confirmed in answer to a question that some rental income had been deferred rather than written off.

Councillor Webb suggested that if it had not already taken place the council could lobby for the Foreshore Trust to be included in government income recovery schemes via the Local Government Association.

RESOLVED (unanimously):

1. To agree the current financial position for 2021/22.

2. To agree the closing financial position for 2020/21 (Appendix 2).

Reasons:

The Council has the responsibility for the proper management of the financial affairs of the Trust. In doing so it complies with Accounting Codes of Practice and the high standards required for the accounting of Public money.

A deficit is anticipated for 2021/22 in respect of operating income and expenses of £267,000. Once grant and project costs are taken into account a deficit of £289,000 is anticipated against the original 2021/22 budget deficit forecast of £110,000.

Appendix 2 is the un-audited closing financial position for 2020/21 and Appendix 3 is the supporting Financial Monitoring report to go along with that report for consideration and agreement.

104. FORMER LADIES UNDERGROUND TOILETS EAST OF THE PIER

The Chief Accountant introduced a report to consider a proposal to grant a lease for the former ladies underground toilets at Verulam Place.

The site is currently vacant and with a proposal for a 2-year lease to Sunny Side SUP for the storage of kayaks. An independent external surveyor has been instructed to advise on the proposed lease terms.

Councillor Rogers proposed approval of the recommendation, seconded by Councillor Batsford.

RESOLVED (unanimously):

That Charity Committee agrees to the grant of a lease of the premises.

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Reasons:

The toilets are vacant and granting a lease would enable them to be brought into beneficial use in addition to encouraging a healthy paddle board sporting activity benefiting the local community which is compatible with the objects of the Trust.

105. MINUTES OF COASTAL USERS GROUP 12TH OCTOBER 2021

The committee noted the report.

(The Chair declared the meeting closed at 6.30pm)

Agenda Item 7a



Report To: Charity Committee

Date of Meeting: 13th December 2021

Report Title: Agreeing the Public Convenience Cleaning Contractor from April 2022.

Report By: Mike Hepworth
Assistant Director for Environment and Place

Key Decision: Yes

Classification: Public (Part 1)

Purpose of Report

Subject to the satisfactory completion of the appropriate due diligence processes, to agree the appointment of a new Public Convenience (PC) cleaning contractor from 1st April 2022.

Recommendation(s)

Subject to the satisfactory completion of due diligence checks, to award contractor 3 the contract of providing PC cleaning services for Hastings Borough Council from 1st April 2022 on an initial term of 3 years, with the option to extend for 2 + 2 years.

Reasons for Recommendations

The current PC cleaning contract comes to an end on 31st March 2022. This contract has been extended as far as it can, and therefore a new contract is required. Following a competitive tender exercise which received 5 tenders, the East Sussex Procurement Hub has advised that contractor 3 is the most economically advantageous tender for this essential service from 1st April 2022. At the time this report was drafted they were completing the due diligence checks.

INTRODUCTION

1. Facility cleaning is an essential part of managing any council building. Not only does it help to stop the spread of disease and provide pleasant facilities for customers to use; clean public toilets re-enforce a positive view of those facilities, ultimately improving the reputation of the council and town to staff, residents, and visitors alike.
2. PC cleaning is currently a contracted service and has been for decades. The current contract with Specialist Hygiene Services (SHS) comes to an end on 31st March 2022. A new contract will be required to ensure that the cleansing standards in PCs are maintained.
3. Following an initial assessment of available methods of service delivery, specifically considering if the PC cleaning service should be brought in-house, the decision was made to continue with a contracted service for the immediate future. This decision has allowed for limited resources within the council to focus on other essential internal projects.
4. Following the aforementioned decision, a competitive tendering exercise was carried out, the results of which are included within this report.

BACKGROUND TO PC CLEANING

5. Hastings Borough Council is currently responsible for 19 public toilets spread across Hastings and St Leonards. Most of these toilets are in high footfall areas – specifically along the seafront and green spaces.
6. These public toilets are viewed as an essential element of our offer to local residents and visitors to the town.
7. The two busiest facilities, The Stade and Pelham Place, have an attendant every day of the year, except Christmas Day. During the summer season the PCs in Alexandra Park, along with Marina and Warrior Square use two shared roving attendants. The remaining toilets are cleaned twice a day by a mobile crew, with opening hours differing depending on the season.
8. PC cleaning has been a contracted service for in excess of 30 years. The current contractor is SHS, who have been successful in retaining the contract for PC cleaning in Hastings for over 20 years.
9. SHS also operate the PC cleaning service for Rother District Council. While the two contracts are separate, some of the staff are shared across both contracts. The existing contract was tendered on the basis of an initial 3-year period, followed by 2 x 1 year extensions, the last of which comes to an end on 31st March 2022.
10. As with a number of contracts operated in Hastings, the service is subject to considerable seasonal variation and in the Summer sees a vast increase in customer use. This is particularly noticeable in the facilities located along the seafront, and during these months all public toilets are open for longer hours to accommodate the general increase in visitors across the town.
11. This variability has an impact on the number of staff required to operate the service as well as the number of consumables (e.g. toilet rolls) used each day. Depending on the weather and number of events run during any given year, the number of customers, consumables, and ultimately cost, can change considerably thus making budget forecasting difficult.

PROCUREMENT PROCESS AND RESULTS

12. In early 2021 a working group was established to consider options for public toilet cleaning at the end of the current service contract. The working group included representatives from Transformation and Programmes, Business Support, Waste, Legal, Human Resources, East Sussex Procurement Hub (ESPH) and Finance, as well as being attended by the portfolio lead councillor for finance and procurement.
13. As part of the procurement process, the service specification was reviewed and agreed with the appropriate portfolio leads, and along with other tender documents was released by the ESPH on 28th September 2021.
14. Throughout the procurement process, considerable interest was shown by the industry and in total five tender returns were received. These were evaluated, with the quality and price submissions assessed by separate panels. The price and quality of the submissions was weighted equally, as both are very important with a high profile service such as PCs.
15. The financial and quality submissions, along with their relative assessment scores are included within the associated part 2 report on this agenda.
16. Combining the scores achieved for both quality and prices has identified contractor 3 as the most economically advantageous bidder. It is therefore the recommendation of this report that contractor 3 should be awarded the contract of public convenience cleaning within the Borough of Hastings for an initial period of 3 years, with the option to extend for a further 4 years, on a 2 plus 2 basis.

POLICY IMPLICATIONS

17. There are clearly a number of policy implications arising from these proposals, and they are outlined below under the appropriate headings.

Equalities or community cohesiveness

18. Public toilets are used by a wide array of customers, some of whom view them as a lifeline, enabling them to visit the town without worrying about where the closest toilet is. Customers expect these buildings to be kept in a clean state, thus giving them peace of mind, allowing them to carry out their work, leisure activity, or visit to the town without worrying about the safety of making use of the facilities.

Crime and fear of crime

19. There are many benefits to the provision and regular cleaning of public toilets. Of particular note is that available toilets reduces the number of cases of public urination and defecation – a point that was heavily evidenced in 2020 when the PC's were closed for a period of time due to COVID-19 lockdown restrictions.
20. Conversely, public toilets can be a magnet for anti-social behaviour and drug abuse. However, having a regular cleaning regime reduces this risk considerably – especially in the facilities serviced by attendants along the seafront.

Risk Management

21. There are a number of different risks associated with the way we deliver PC cleaning. If facilities are poorly cleaned there could be a considerable impact on the reputation of the

council as well as elevating service costs and possibly introducing an additional health risk to customers if the service isn't operated well.

Environmental and Climate Change Issues

22. As with any cleaning activity, there are a number of chemicals that are used as part of that process. HBC would want to ensure that chemicals that could be harmful to the environment are not used in our facilities. Any chemicals included within the service would need to be used in the way directed to protect the environment, the cleaning operative and customers using the facilities. These requirements have been built into the service specification.
23. The PC cleaning contract has also been specified with the use of ultra-low emission vehicles in place of traditional diesel or petrol vans, adding to HBC's commitment to reduce carbon emissions throughout the borough.

Economic/Financial Implications

24. The economic/ financial implications of this decision have been included in the associated part 2 report within the same agenda.

Organisational Consequences

25. As with any other front-line service used by a high number of customers, getting PC cleaning right is essential. Failing to do so not only gives a negative impression of the service to customers, but it could also result in the spread of infection (e.g. COVID-19), all of which could damage the reputation of HBC.
26. Lastly, the council's current financial situation is extremely challenging. Excessive amounts of additional cost could have a significant effect on the council's ability to fulfil its other main functions, leading to a forced re-evaluation of service provision to identify areas that could be discontinued.

Legal Implications

27. Legal services have been involved in this project from the outset, to ensure compliance with standing orders relating to procurement, and to advise on matters such as contract terms and conditions.

URGENCY

28. As noted in the introduction, the current public convenience cleaning contract comes to an end in March 2022. The contract does not have the option to be extended. To allow enough time for service mobilisation, an urgent decision is required, without which public convenience cleaning will cease on 31st March 2022.

TIMETABLE OF NEXT STEPS

29. Table 1 provides a list of future activities relating to public convenience cleaning services.

Table 1 – Public Convenience Cleaning Timetable, November 2021- June 2022.

Action	Key milestone	Due date (provisional)	Responsible
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Cabinet Approval	Allows approval to appoint contractor	06/12/21	AD Environment and Place
Charity committee approval	Allows approval to appoint contractor	13/12/21	AD Environment and Place
Service Award	Contract awarded	14/12/21	ESPH/ Waste and Cleansing Services Manager
Alcatel	Cooling off period	10 days from award	ESPH/ Waste and Cleansing Services Manager
Mobilisation	Contract commences	01/04/22	Waste and Cleansing Services Manager

Wards Affected

All Wards

Policy Implications

Reading Ease Score: 13

Have you used relevant project tools?: Yes

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

Equalities and Community Cohesiveness	Y
Crime and Fear of Crime (Section 17)	Y
Risk Management	Y
Environmental Issues & Climate Change	Y
Economic/Financial Implications	Y – see part 2 report
Human Rights Act	N
Organisational Consequences	Y
Local People's Views	N
Anti-Poverty	N
Legal	Y

Additional Information

N/A

Officer to Contact

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Agenda Item 9

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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