



Council Meeting

**Wednesday, 25th
May, 2022**

HASTINGS BOROUGH COUNCIL

Dear Councillor

You are hereby summoned to attend a meeting of the Hastings Borough Council to be held at the Council Chamber, Muriel Matters House, Breeds Place, Hastings, East Sussex, TN34 3UY, on Wednesday, 25th May, 2022 at 6.00 pm at which meeting the business specified below is proposed to be transacted.

Yours sincerely,

Chief Legal Officer

Muriel Matters House
Breeds Place
Hastings

18 May 2022

AGENDA

1. Apologies for Absence
2. Election of the Mayor
3. Election of the Deputy Mayor
4. To approve as a correct record the minutes of the last meeting
5. Any Announcements from the Mayor
6. Election of the Leader of the Council
7. To receive the Leader's report on the appointment of the Deputy Leader of the Council
8. To receive the Leader's report on the number of members to be appointed to Cabinet, the names of those members and the allocation of Cabinet portfolios

9. To appoint committees of the council, determine the representation of political groups on those committees, to appoint members to those committees and to appoint Chairs and Vice Chairs (as indicated) for the municipal year 2022/23 (list to be circulated separately)

10. Council Meetings 2022/23

To approve the holding of the meetings of the Council on the following dates: -

6pm on 13th July 2022

6pm on 12th October 2022

6pm on 7th December 2022

6pm on 8th February 2023

6pm on 15th February 2023 (Budget Council)

6pm on 26th April 2023

6pm on 24th May 2023 (Annual Council)

11. The Year's Programme

To consider the following motion be proposed by the Leader of the Council and seconded by the Deputy Leader of the Council.

“That the Council agrees the programme for the ensuing municipal year as proposed by the Leader of the Council”

(Note – No amendments may be moved to the Motion – Council procedure Rule 1 (xii))

12. Appointment of interim Chief Finance Officer/Section 151 Officer

Note: Nothing contained in this agenda or in the attached reports and minutes of committees constitutes an offer or acceptance of an offer or an undertaking or contract by the Borough Council

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Agenda Item 4 Public Document Pack

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Present: Councillors Bacon (Chair), Cox (Vice-Chair), Arthur, Barnett, Battley, Batsford, Beaney, Beaver, Bishop, Carr, Chowney, Cooke, Edwards, Evans, Fernando, Foster, Hay, Hilton, Marlow-Eastwood, Patmore, Pragnell, Rankin, Roark, Rogers, Roberts, Scott, Sinden, Webb and Williams

239. APOLOGIES FOR ABSENCE

Apologies for absence received from Councillors Forward, S. Beaney and Turner

240. TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE LAST MEETING

RESOLVED – that the minutes of the meeting held on 9th February 2022 be approved and signed by the Mayor as a correct record of the proceedings.

RESOLVED – that the minutes of the meeting held on 16th February 2021 be approved and signed by the Mayor as a correct record of the proceedings.

RESOLVED – that the minutes of the meeting held on 17th February 2021 be approved and signed by the Mayor as a correct record of the proceedings.

241. DECLARATIONS OF INTEREST

Councillor	Item	Interest
Roark	9 (424) Cornwallis Street Car Park	Personal - Family member lives nearby to carpark
Cooke	9 (424) Cornwallis Street Car Park	Prejudicial – Lives nearby

242. ANNOUNCEMENTS FROM THE MAYOR AND LEADER

The Mayor gave thanks to Councillor Cox for chairing the Full Council meetings whilst he was self-isolating.

The Mayor announced that Councillor Kim Forward has stood down as the leader of the council and a new leader will be elected.

243. ELECTION OF LEADER OF THE COUNCIL

Councillor Sinden proposes Councillor Barnett as the new leader of Hastings Borough Council seconded by Councillor Batsford.

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14 votes for, 13 abstention and 1 votes against

RESOLVED that Councillor Paul Barnett be elected Leader of the Council until his term in office ends.

Councillor Batsford spoke for Councillor Barnett. He gave thanks to councillors Scott, Chowney, S. Beaney and Battley who are not standing at the next elections.

Councillor Chowney spoke for Councillor Forward. She is proud of the way that the Council, in partnership with others, has worked to meet the needs of residents and respond to the many demands placed on it. Thanks to all the Council officers and the lead members for their dedication. Hard work support throughout this difficult period.

Councillor Chowney spoke for Councillor Barnett and thanked Councillor Forward for her time as Leader of Hastings Borough Council. Her common sense, clarity of thought and purpose, and perceptive. Her welcoming of the new flexible ways of working. Hastings led the way, and that's helped keep us all safe, better informed, and more involved.

The Mayor also gave thanks to Councillors Scott, Chowney, S. Beaney and Battley who are not standing at the next elections. The Mayor gave thanks to Councillor Forward and congratulations to Councillor Barnett

244. MEMBERSHIP OF COMMITTEES

Councillor Patmore proposed a motion regarding the membership of committees, as setout in the resolution below.

RESOLVED that the council adopt the following arrangements for the membership of committees

1. Councillor Hay replaces Councillor Fernando on the Overview and Scrutiny Committee

245. TO CONSIDER DRAFT CORPORATE PLAN UPDATE 2022/23 AND PROPOSED AMENDMENTS

The Mayor proposed suspending Rule 16.6b of the Council's Constitution, seconded by Councillor Beaver.

RESOLVED that council suspends Rule 16.6b of the Constitution to permit the substantive motion and any proposed amendments to be on the table and open for discussion at the same time.

Councillor Hilton proposed four amendments to the draft corporate plan update 2022/23.

1. Tackling homelessness, poverty and ensuring quality housing

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Mobilise and monitor the pipeline of developments with partners to increase the supply of affordable rented homes by 500 units over the next 5 years.

ADD

Commit to these being built in alignment with the Healthy Homes principles as outlined by the Town and Country Planning Association.

2. Minimising environment and climate harm in all that we do

ADD

We will make creating a just transition that meets everyone's needs within planetary limits the lens through which we examine every decision this council makes and we will commit to being the leader in our town to that commitment, challenging and working with all the key stakeholders and the wider community.

We need to be honest about the scale of the task ahead and will become a campaigning council actively calling on the government for the funding that local communities need to deliver this transition especially around the challenge of retrofitting local housing stock.

3. Ensuring the council can survive and thrive into the future

Lead and work with partners to enable citizen-centred services that tackle health inequalities, improve quality of life and benefit the breadth of our local community.

ADD

We will integrate this work with action on the climate and ecological emergency. We know for example that initiatives to increase walking cycling, gardening and growing your own veg all massively benefit mental and physical health and can contribute to reducing our town's carbon footprint.

4. Making best use of our land, buildings, public realm and cultural assets

Harold Place – planning consent granted & legal agreement completed by end of quarter 1 and construction commenced by end of quarter 3.

Now planning has been refused I would like to propose that this item is removed from the plan and replaced with the following text.

Harold Place – proposals for the former toilet block site will now be integrated into the wider Garden Town plans and alternative funding sources researched.

Councillor Carr seconded the amendments. Councillor Barnett accepted amendments 1,2 and 3.

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Councillor Hilton agreed to withdraw amendment 4 subject to it being brought back to the next full Council meeting after the elections for consideration.

RESOLVED 17 Votes for 12 against

1. Full Council note and approve the draft annual update as amended to the corporate plan 2020-24.
2. That delegated authority be given to the Managing Director, after consultation with the Leader of the Council to make further revisions as is considered necessary.
3. That all those who submitted views as part of the consultation process be thanked for their contributions.

Reasons for Recommendations

1. The council needs to approve the annual update to the corporate plan as its statement of strategic direction for the period 2020 - 2024, mindful of the views received as part of the public consultation.

246. DELEGATION OF STATUTORY POWERS (ASSISTANT DIRECTOR, ENVIRONMENT AND PLACE)

RESOLVED (unanimously)

Recommendation(s)

1. That Council agrees and approves the delegation of the statutory powers previously allocated to the Assistant Director Environment and Place to as set out in the attached Appendix.

Reasons for Recommendations

1. The council is required to delegate statutory powers which must be reserved to certain authorised officers to discharge the functions of the council. The powers that were previously delegated to the Assistant Director Environment and Place need to be re-allocated following the retirement of the post-holder. These are interim arrangements and will be reviewed as part of the organisational re-structure planned for early in the new municipal year 2022.

247. REPORTS OF COMMITTEES

The Mayor having called over the minutes set out in the agenda; the following minutes were reserved for discussion.

RESOLVED that under rule 13.3 the reports and minutes of committees set out in the agenda, including those items on which a council decision was required, be received and agreed. Only those items which were reserved were discussed as follows:

Meeting	Minute	Councillor
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Cabinet, 7 th March 2022	420. Covid-19 Additional Relief Fund (CARF)	Roberts
Cabinet, 7 th March 2022	424. Cornwallis Street Car Park	Roark
Cabinet, 7 th March 2022	425. Climate Change Strategy update and plans for 2022	Marlow Eastwood
Cabinet, 7 th March 2022	426. Energy Procurement – Electricity contract renewal	Bishop
Cabinet, 7 th March 2022	427. Management Response to the Overview and Scrutiny Recommendations on reviewing the process and procedure of motions submitted at Full Council	Beaver
Cabinet, 7 th March 2022	428. Leisure Services Externally Funded Projects update 2022-23	Battley
Cabinet, 7 th March 2022	429. Affordable Housing Development	Cox
Cabinet, 7 th March 2022	430. Hastings Contemporary	Arthur

Minute 429 of Cabinet on 7th March 2022, Affordable Housing Development, was a matter on which the Council was required to make a decision.

Councillor Batsford proposed approval of the minute, seconded by Councillor Rogers

RESOLVED 17 for 3 against 9 abstentions

Recommendations

- 1. To bring 6 units of accommodation at 12/13 York Buildings into use as affordable housing**
- 2. That Cabinet recommends to Full Council that a detailed business case and initial surveys are commissioned to facilitate this for the development of land to the rear of 419 – 447 Bexhill Road at a cost of up to £75,000.**
- 3. That Cabinet recommends to Full Council that a detailed business case and initial surveys are commissioned to facilitate this for the development of land at Mayfield E at a cost of up to £75,000.**
- 4. That Cabinet recommends to Full Council that delegated authority is given to the Assistant Director, Housing and Built Environment, in consultation with the Lead Member for Housing to finalise the specification for the business case and procure these services**

Reasons for Recommendations

1. Delivery of new affordable housing in Hastings has failed to keep pace with rising demand. A shortage of affordable housing is creating additional pressures and costs

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to the council, particularly the rising use of temporary accommodation. The council has agreed a commitment to increase the supply of new affordable rented homes by 500 units over the next 5 years

Minute 430 of Cabinet on 7th March 2022, Hastings Contemporary, was a matter on which the Council was required to make a decision.

Councillor Chowney proposed approval of the minute, seconded by Councillor Batsford

RESOLVED (unanimously)

Recommendation(s)

- 1. To recommend to Full Council that delegated authority be granted to the Chief Finance Officer in consultation with the Assistant Director Regeneration and Culture and the Leader of the Council to agree terms to accept a surrender of the lease to Gallerium Establishment Ltd (GEL)**
- 2. To recommend to Full Council to delegate authority to the Chief Finance Officer in consultation with the Assistant Director Regeneration and Culture, and the Leader of the Council to agree terms to grant a lease to Hastings Contemporary (HC)**

Reasons for Recommendations

The existing lessee has offered the building to the Council as a public benefit for the people of Hastings on the basis that it is retained for its current use. This presents an opportunity for the Council to secure the future of the site.

Delegated authority is sought in order to negotiate and complete the respective agreements in a short period.

Councillors debated minutes 420,424,425,426,427 and 428 of Cabinet on 7th March 2022. These matters did not require approval of Full Council.

- 248. TO CONSIDER THE RECOMMENDATIONS AND DECISIONS OF COMMITTEES (IF ANY) WHICH THE COUNCIL HAS RESOLVED SHOULD BE DISCUSSED AFTER THE EXCLUSION OF THE PUBLIC FROM THE MEETING.**

None.

- 249. QUESTIONS (IF ANY) FROM:**

- a) **Members of the public under Rule 11**

None received.

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b) Councillors under Rule 12

Questioner	Subject	Reply given by
Councillor Patmore	<p><u>Lack of affordable housing</u> Whats the difference between Tilekiln and Harrow Lane playfields regarding affordable housing being built.</p> <p>Councillor Batsford replied that you have to be careful with assets. Heads of Terms and a solid business plan were requested for the Tilekiln site. Councillor Barnett has arranged meetings with Hastings Football Club to move forward. The Harrow Lane site has had outline planning permission been given to it for a long time.</p>	Councillor Batsford
Councillor Hilton	<p><u>Citizens lab</u> Can the website be revised?</p> <p>Councillor Barnett will respond in writing</p>	Councillor Barnett
Councillor Battley	<p><u>Cost of living</u> With the rising costs of fuels and energy and rent and food. What are the leaders thoughts on the crisis and his ask of the government to do more to tackle the crisis?</p> <p>Councillor Evan answered on behalf of Councillor Barnett. The cost of living crisis is uppermost in residents minds. Inflation is near eight percent. Officers have been asked how we can expand our emergency fund for next winter and open it to local donations from residents who can afford to donate their winter fuel grant</p>	Councillor Barnett
Councillor Beaver	<p><u>Bulverhythe Development</u> Is the leader expecting the resignation of the Lead member for housing due to the expense of the Bulverhythe housing project?</p> <p>Councillor Barnett will respond in writing</p>	Councillor Barnett
Councillor Roberts	<p><u>Tax rebate</u> How and when will residents receive their council tax rebate?</p>	Councillor Chowney

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	<p>Councillor Chowney replied a new software is being used. People who pay by direct debit should start to receive their rebate at the end of the month. Non direct debit will have to go through an application process.</p>	
<p>Councillor K. Pragnell</p>	<p><u>Cycle Path</u> Will the bye laws for Alexandra Park be amended to allow a new cycle path?</p> <p>Councillor Evans replied that last year there was a consultation for six weeks. That resulted in 42 responses. That consultation was then sent to the Secretary of State for levelling up housing and Communities seeking their approval. The Secretary of State approved the bylaws in January. There was a further consultation with 39 responses. There is a report going to Cabinet in May or June and the report will go to Full council after that.</p>	<p>Councillor Evans</p>
<p>Councillor Roark</p>	<p><u>Local authority finance</u> With the rise in homelessness costs, the cost-of-living crisis and the need to respond to the climate emergency, do you think the current model of local authority finance is fit for purpose?</p> <p>Councillor Chowney replied that the current model for Council financing isn't sustainable. There is no funding from government to help tackle climate change. The new homes bonus scheme is not a fair system.</p>	<p>Councillor Chowney</p>
<p>Councillor Sinden</p>	<p><u>Burst water mains</u> With the burst water mains in West St Leonards, will southern water or the environment agency be giving an update?</p> <p>Councillor Batsford replied for Councillor Barnett. Upon visiting the site of the latest leak several residents were spoken with, southern water confirmed it was the same pipe that burst last summer. Southern</p>	<p>Councillor Barnett</p>

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	water have been written to and the response will be shared once it is received.	
Councillor Edwards	<u>Seachange</u> Why did Councillor Barnett resign from the Seachange board? Councillor Barnett will reply in writing.	Councillor Barnett
Councillor Carr	<u>Tilekiln playing fields</u> Will the Tilekiln site be used for housing now the new stadium is not going to be built? Councillor Barnett responded it will not.	Councillor Barnett

(The Chair declared the meeting closed at. 9.00 pm)

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Agenda Item 9

AGENDA ITEM 9

APPOINTMENT OF COMMITTEES

Draft Motion to be moved by the Leader of the Council.

“That the Council adopts the following arrangements for the appointment of Committees:-

(1) that membership of the Council's committees be as follows:-

	<u>Councillors</u>	<u>Non-Councillors</u>
Overview and Scrutiny Committee	11	-
Audit Committee	5	-
Council Appointments Committee	5	-
Standards Committee	5	2
Licensing Committee	15	-
Employment Committee	4	-
Employment Appeals Committee	4	-
Planning Committee	10	-
Environment and Safety Committee	5	-

(2) following a review of the political balance on the Council, that the seats on the committees of the Council be allocated to political groups and members be appointed to those committees in accordance with the nominations of the political groups as shown in Schedule A*; and

(3) the Chairs and Vice-Chairs of the committees be appointed at Annual Council*.”

* Nominations may be made at the meeting.

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Agenda Item 12



Report To: Annual Council

Date of Meeting: 25th May 2022

Report Title: Appointment of interim Chief Finance Officer/Section 151 Officer

Report By: Jane Hartnell, Managing Director

Key Decision: No

Classification: Open

Purpose of Report

The current Chief Finance Officer is due to retire on 31st May 2022, and council therefore needs to appoint a new Chief Finance Officer (S151 Officer) from with effect from 1st June 2022.

Recommendation(s)

1. That Kit Wheeler be appointed interim Chief Finance Officer (S151 Officer) with effect from 1st June 2022.

Reasons for Recommendations

1. The council is required by law to appoint three statutory officers, each of whom have responsibility for elements of governance within the authority. These are the Head of Paid Service (Managing Director), Monitoring Officer (Head of Legal Services) and the Chief Finance Officer.

Introduction

1. After an exemplary career, Peter Grace is retiring from the post of Chief Finance Officer on 31st May 2022.
2. The council therefore needs to appoint a new Chief Finance Officer.

Role of Chief Finance Officer (Section 151 Officer)

3. The council is required by law (section 151 of the Local Government Act 1972) to make arrangements for the proper administration of their financial affairs and appoint a S151 Officer, also known as a Chief Financial Officer (CFO) to have responsibility for those arrangements.
4. The Chief Finance Officer (CFO) must be a member of a specified accountancy body (section 113 of the Local Government Finance Act 1988).
5. The CFO duties include reporting to members (in consultation with the Monitoring Officer and Head of Paid Service) if there is, or is likely to be unlawful expenditure or an unbalanced budget (section 114 of the Local Government Finance Act 1988).
6. The CFO and the Monitoring Officer have a role in advising councillors whether particular decisions are likely to be contrary to the policy framework or budget of the authority.
7. The Chief Financial Officer is also required to report to the authority at the time that the budget is considered and the Council Tax set on both the robustness of the budget estimates and the adequacy of financial reserves. S/he is also required to ensure that the guidelines and ratios set down for the purposes of Prudential Capital regime are adhered to once fixed and report to Council if they are going to be infringed. (Local Government Act 2003)

Interim Arrangements

8. Councillors will be aware that an organisation-wide restructure will commence shortly and will form part of the strategy to address the councils budget deficit. The recruitment exercise to appoint to the permanent post of Chief Finance Officer will take place following this restructure.
9. Interim statutory and management arrangements therefore need to be put in place.
10. Whilst the Council has full powers to appoint a Chief Finance Officer, the Council's Employment Committee would usually be asked to make a recommendation on the appointment of a Statutory Officer, however due to the timing of the local elections this has not been possible.
11. Therefore, my recommendation to council is that the current Chief Accountant and Deputy S151, Kit Wheeler be appointed as interim Chief Finance Officer, and a further report to Council be submitted following the restructure and recruitment exercise within six months.

Wards Affected

Policy Implications

Reading Ease Score:

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	Y
Local People's Views	N
Anti-Poverty	N
Legal	Y

Additional Information

Officer to Contact

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