



Council Meeting

**Wednesday, 24th
May, 2023**

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. Please enter the building through the Contact Centre entrance via the seafront., on Wednesday, 24th May, 2023 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

16 May 2023

AGENDA

1. Apologies for Absence
2. Election of Mayor
3. Election of Deputy Mayor
4. To approve as a correct record the minutes of the last meeting
5. Any announcements from the Mayor
6. To receive the Leader's report on the appointment of the Deputy Leader of the Council
7. 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
8. 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 for the municipal year 2023/24 (list to be circulated separately)

9. Council Meetings 2023/24

6pm on 19th July 2023

6pm on 20th September 2023

6pm on 22nd November 2023

6pm on 24th January 2024

6pm on 14th February 2024 (Budget Council)

6pm on 20th March 2024

6pm on 22nd May 2024 (Annual Council)

10. 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))

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), O'Callaghan (Vice-Chair), Arthur, Barnett, Batsford, Beaney, Beaver, Bishop, Cannan, Carr, Collins, Cooke, Edwards, Evans, Fernando, Foster, Haffenden, Hay, Jobson, Marlow-Eastwood, Patmore, Pragnell, Rankin, Roark, Roberts, Rogers, Sinden, Turner, Webb, Williams, and Willis.

In attendance: Jane Hartnell (Chief Executive), Mary Kilner (Chief Legal Officer and Monitoring Officer), and Kit Wheeler (Chief Finance Officer).

307. APOLOGIES FOR ABSENCE

Apologies for absence received from Councillor Hilton.

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

RESOLVED – that the minutes of the meetings held on 8th and 15th February 2023 be approved and signed by the Mayor as a correct record of the proceedings.

309. DECLARATIONS OF INTEREST

Councillor	Item	Interest
Councillor Webb	Full Council – 312. Motion	Personal – Is an East Sussex County Councillor
Councillor Marlow-Eastwood	Full Council – 312 & 313. Motion	Personal – Is an East Sussex County Councillor and works in a school
Councillor Batsford	Full Council 312 - Motion	Personal – Works for a company that has a contract with East Sussex County Council to provide accommodation to young unaccompanied asylum seekers
Councillor Carr	Full Council – 313. Motion	Personal – Children in receipt of free school meals
Councillor Hay	Full Council – 313. Motion	Personal – Is an East Sussex County Councillor
Councillor Pragnell	Full Council – 313. Motion	Personal – Is an East Sussex County Councillor and employed by the Department for Work and Pensions in Universal Credit

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Councillor Roark	Full Council 313 - Motion	Personal – Works in a school
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310. ANNOUNCEMENTS FROM THE MAYOR AND LEADER

The Mayor presented Mayoral Awards to three Councillors, nominated by the group leaders.

Councillor Haffenden received an award following the success of his local job fair.

Councillor Hay received an award in recognition of his work as an RNLI volunteer.

Councillor Turner received an award for his dedication to local health provision and funding.

311. QUESTIONS (IF ANY) FROM:

311a) Members of the public under Rule 11

A written question was received from Anna Sabin and a written response supplied by Councillor Batsford.

In a supplementary question Ms Sabin asked if the Council was going to pursue the Hastings Greenway Network, or move to designing low traffic neighbourhoods, pedestrianised streets and park and rides. If so, what is the deadline for working towards a design?

Councillor Batsford replied that cycling is a key priority for the Council and Councillors should keep strong pressure on East Sussex County Council to use the funding received from government to develop cycling routes in East Sussex and Hastings. Councillor Batsford said he is working with a cross-party working group on active travel and the vote against the cycle path in Alexandra Park should not stop the Greenway Network through the rest of the town.

311b) Councillors under Rule 12

Councillor Haffenden submitted a written question to Councillor Roark, a written response was received and published on the Council's website.

In a supplementary question Councillor Haffenden asked if Councillor Roark would commit to a review of the bulky waste service and offer at least one bulky waste collection a year to low-income residents across the town.

Councillor Roark replied that she would need to speak to officers before committing to a full review.

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Councillor Rankin submitted a written question to Councillor Barnett, a written response was received and published on the Council's website. Councillor Rankin did not ask a supplementary question.

Councillor Hay submitted a written question to Councillor Barnett, a written response was received and published on the Council's website. Councillor Hay did not ask a supplementary question.

Councillor Edwards submitted a written question to Councillor Barnett, a written response was received and published on the Council's website.

In a supplementary question Councillor Edwards asked why the existing tenants of the White Rock Theatre could not be kept in place until there is an alternative proposal for the building.

Councillor Barnett replied that all options are being looked at for the White Rock Theatre, the current tenants are in place until January 2024 and the theatre is open for business.

Councillor Marlow-Eastwood submitted a written question to Councillor Barnett, a written response was received and published on the Council's website. Councillor Marlow-Eastwood did not ask a supplementary question.

Questioner	Question	Reply given by
Councillor Patmore	<p><u>Finance Peer Review</u> - The Local Government Association finance peer review is yet to be published but the Council was given some initial feedback, including that Cabinet needed to urgently focus on the key strategic issues facing the Council. Can you therefore explain why there is no Cabinet meeting in May?</p> <p>Councillor Barnett replied that the day after hearing the informal feedback immediate action was taken. The new Senior Leadership Team have devoted hours to preparing a detailed focused action plan addressing the budget deficit and housing issues.</p>	Councillor Barnett
Councillor Carr	<p><u>Bleed Control Kits</u> - Will you commit to work with Carl Scott and officers to install bleed control kits in the town centre and other parts of the Borough?</p> <p>Councillor Barnett replied that he would be delighted to meet the people behind this initiative and discuss what support can be</p>	Councillor Barnett

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	offered.	
Councillor Webb	<p><u>Bottle Alley</u> - Can you give an update on developments in Bottle Alley?</p> <p>Councillor Batsford replied that the work to restore the concrete pillars is underway and before the summer it should be looking its best.</p>	Councillor Batsford
Councillor Pragnell	<p><u>Cornwallis Street</u> - The feedback from the LGA review identified the risk of the hotel on Cornwallis Street, can you provide an update on this project and have you seen the original contract?</p> <p>Councillor Willis replied that he will respond in writing as it is a complex situation.</p>	Councillor Willis
Councillor Jobson	<p><u>Hastings Pier</u> - Can we act swiftly with all parties to secure the future of the pier and make sure it is not a liability for the council?</p> <p>Councillor Barnett responded that Mr Gulzar, the owner, is responsible for the maintenance and operation of the pier. There are a lot of people who have pointed out potential issues with the maintenance of the pier. Council officers have had a watching brief over this. We need to ensure we have sufficient evidence before taking any action.</p>	Councillor Barnett
Councillor Sinden	<p><u>Alexandra Park developments</u> - There is a lot of work going on in the top end of Alexandra Park, can you update us on this?</p> <p>Councillor Batsford replied that the Multi-Use Games Area (MUGA) was resurfaced last year and there will be resurfacing work on all the tennis courts in the park this year and a new online booking system introduced, following funding from the Lawn Tennis Association.</p>	Councillor Batsford
Councillor Cooke	<p><u>York Buildings</u> - Is there any update on when York Buildings might be occupied?</p> <p>Councillor Evans replied that the council is working with Southern Housing to implement a key worker scheme to provide housing to local residents. The uniqueness of the building has provided challenges</p>	Councillor Evans

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	<p>from a social housing perspective. The terms of the grant funding have also required further due diligence. An option paper and lessons learned report are being prepared.</p>	
Councillor Collins	<p><u>Azur venue</u> - The condition of the Azur venue continues to deteriorate. Is the council in a position to require the lease holder to make improvements?</p> <p>Councillor Barnett replied that the building is under a long lease to Sea Change, who have sub-leased to an operator. It is a complicated situation but if and when there is sufficient evidence to justify the council taking action then, where we have powers to do so, action will be taken.</p>	Councillor Barnett
Councillor Roberts	<p><u>Town Centre safety</u> - Can you tell me what progress we have made in improving safety in the town centre?</p> <p>Councillor Rogers replied that there are two new bollards in operation in the town centre. The feedback from local residents and businesses has been positive. If successful we will work with ESCC to put in another two sets of bollards at Robertson St and Cambridge Road. The next step would be to look at extending the traffic orders.</p>	Councillor Rogers
Councillor Edwards	<p><u>Street Naming</u> - There is an established street naming process for new developments. I was surprised to see a Facebook post saying the decision had been made regarding the proposed street names for the Harrow Lane development despite my objection. Why were the names announced before the end of the consultation period?</p> <p>Councillor Evans replied that the street names proposed are of influential women who have live in Hastings. There are plenty of streets named after influential men and the press release was timed to coincided with International Women’s Day.</p>	Councillor Evans
Councillor Cannan	<p><u>Levelling Up</u> - What can we expect from being a Levelling Up Partner?</p>	Councillor Barnett

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	<p>Councillor Barnett said that on budget day the Department for Levelling Up, Housing and Communities informed the council it was becoming a 'Levelling Up Partner', but it is not clear what this involves. It seems the government wants a deeper partnership with some areas which by their measures are doing worse than the other parts of the country.</p>	
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312. **MOTION (RULE 14)**

Councillor Evans proposed a motion as set out in the agenda, seconded by Councillor Cannan.

RESOLVED (by 25 votes for, to 2 against, with 3 abstention) that Full Council accepts the motion as set out below:

This Council:

a. notes that:

- (i) Hastings is proud of our history of welcoming people seeking safety in our town.
- (ii) there are significant problems with the UK asylum system that affect people in Hastings, including a record backlog of cases awaiting a decision, a de facto ban on working, and enforced poverty and homelessness;
- (iii) the Nationality and Borders Act does not address these issues, and has instead created a two-tier system, punishing people seeking safety based on the journeys they make;
- (iv) under these laws, people seeking safety will be criminalised and threatened with removal to Rwanda;
- (v) people will be warehoused in large accommodation centres, segregated from communities and denied support;
- (vi) many recognised refugees will receive a temporary and precarious status;
- (vii) over 400 charities and faith groups have signed a national pledge to 'Fight the 'Anti-Refugee Laws'.

b. believes that:

- (i) everyone's claim for asylum should be treated equally and fairly;
- (ii) these are fundamentally 'anti-refugee' laws that undermine internationally recognised rights for people fleeing war and persecution to seek safety;

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(iii) these measures will create ever-longer delays in the asylum process, lead to greater poverty and homelessness in Hastings and will undermine people's ability to rebuild their lives;

(iv) people seeking safety should be accommodated as our neighbours and as a part of our communities;

(v) the UK needs an asylum system that empowers people seeking safety to rebuild their lives and enables communities to welcome them;

c. resolves to:

(i) defend the right to seek safety from war and persecution in the UK and sign the national 'Fight the Anti-Refugee Laws' pledge;

(ii) call on the UK Government to withdraw the UK-Rwanda agreement, repeal the Nationality and Borders Act, and work with Local Authorities and communities to build a refugee protection system that treats all people with dignity and compassion;

(iii) work with local organisations and people with lived experience of the asylum system to identify ways to mitigate the effects of these measures in Hastings;

(iv) Continue as members of City of Sanctuary Local Authority Network which promotes the inclusion and welfare of people who are fleeing violence and persecution and continue being a Council of Sanctuary.

313. MOTION (RULE 14)

Councillor Carr proposed a motion as set out in the agenda, seconded by Councillor O'Callaghan.

RESOLVED (unanimously) that Full Council accepts the motion as set out below:

This Council recognises that as the 13th most deprived town in England on the Indices of Deprivation many children in our town often go hungry, impacting on their education, health, general wellbeing and happiness.

As a Council we want to do all that we can to make sure no child is hungry and to that end we ask that the Leader of this Council writes to East Sussex County Council, who manages free school meals for this area, to ask that they engage with Feeding Britain to discuss enrolling the area in their new trial aimed at increasing the uptake of free school meals for eligible families, and that Hastings is prioritised for any such pilot due to the extreme level of local need – this would hopefully not just lead to more local children receiving a free school meal but would increase linked funding for our local schools that could benefit the most disadvantaged children in our town.

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Further, this Council asks the Leader of the Council to write to the Prime Minister asking that there be a review of the systems for free school meals, making it an opt out rather than an opt in system so meals are more easy to access, and also that he seeks to find the funds so that all children in England receive a free school meal or at the very least that he extends the programme to all children in households receiving Universal Credit or similar benefits. This action could make sure that the poorest children in our society are enabled to receive a free meal and be ready to learn and live a happier and healthier life rather than suffering the daily hunger that impacts the lives of so many children in our town currently.

314. MOTION (RULE 14)

Councillor Carr proposed a motion as set out in the agenda, seconded by Councillor Patmore.

Councillor Batsford proposed an amendment to replace the words '*St Mary in the Castle*' with '*any asset of community value*' in paragraph four, and add the words '*or any asset of community value*' before the words '*on behalf of the town and residents...*'

The meeting adjourned at 7.40pm and resumed at 8.01pm.

The Chief Legal Officer advised the Council that the amendment was out of order as it widens the scope of the motion and seeks to bind future decision making.

A recorded vote was requested and Councillors voted as follows:

Councillors Arthur, Beaney, Beaver, Carr, Collins, Cooke, Edwards, Foster, Haffenden, Hay, Jobson, Marlow-Eastwood, Patmore, Pragnell, Rankin and Williams voted for.

Councillors Barnett, Batsford, Cannan, Evans, Fernando, O'Callaghan, Roark, Roberts, Rogers, Sinden, Turner, Webb and Willis abstained.

Councillor Bishop was not present for the vote.

RESOLVED (by 16 votes for, with 13 abstentions) that Full Council accepts the motion as set out below:

St Mary in the Castle is a well-loved and significant part of Hastings' historic and cultural heritage and has recently been listed as an Asset of Community Value.

Its future is of concern to residents from all parts of Hastings and St Leonards and to their representatives across all political parties here at Hastings Borough Council.

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This council believes that any decision made about the future of St Mary in the Castle is too important and impactful a decision to be made by a portfolio holder, the cabinet and one political party, or by officers alone.

This Council therefore resolves that the final decision to let or sell St Mary in the Castle will become a full council decision following an officer report on the viable option (s) identified that secures the buildings long term future.

This Council believes this process will allow for a greater level of openness and transparency and gives councillors the best opportunity to make an informed decision about the future of this iconic building on behalf of the town and residents they represent and achieve the best possible outcome for the local community we all serve.

315. MEMBERSHIP OF COMMITTEES

No changes to membership of committees were proposed.

316. INTERIM APPOINTMENT OF DIRECTORS TO THE HASTINGS HOUSING COMPANY

Councillor Evans proposed approval of the recommendations, with the addition of Councillor Willis as an appointment to the board of the Hastings Housing Company, seconded by Councillor Roberts,

RESOLVED (by 28 for, to 1 against):

- 1. The appointment of Victoria Conheady, Stephen Dodson, Simon Jones, Amy Terry and Councillor Simon Willis, as Directors to the board of the Hastings Housing Company; and**
- 2. the appointment of Will Baker as Company Secretary.**

Reasons:

To ensure that the Hastings Housing Company board has a minimum complement of directors as required by the Articles of Association and to avoid a potential breach of the Companies Act 2006.

317. REPORT OF THE INDEPENDENT REMUNERATION PANEL

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Councillor Barnett proposed approval of the recommendations of the Independent Remuneration Panel, except for paragraph 7(1)(1) of the report: 'that only one Special Responsibility Allowance be paid to any one Councillor, and in the event that two posts of responsibility are held at the same time by one Member then only the higher value SRA be paid.'

Councillor Rogers seconded the proposal.

RESOLVED (by 27 votes for, with 2 abstentions):

- 1. Full Council approve the recommendations in the report of the Independent Remuneration Panel (IRP), except for paragraph 7(1)(1);**
- 2. A working party be setup as soon as possible after the governance review has reported, to carry out an in-depth review of all Special Responsibility Allowances; and**
- 3. That the members of the Independent Remuneration Panel and contributing Councillors and officers are thanked.**

Reasons:

Full Council will need to agree the Members Allowance scheme for 2023/24.

Councillors should be remunerated for the all the work they conduct on committees. The work of the Independent Remuneration Panel is a specialist role. The Panel is thankful for the contributions that helped form the final recommendations.

318. APPOINTMENT OF CHIEF FINANCE OFFICER (SECTION 151 OFFICER)

Councillor Willis proposed approval of the recommendations, seconded by Councillor Roberts.

RESOLVED (unanimously):

That Kit Wheeler is appointed statutory Chief Finance Officer (Section 151 Officer) with immediate effect.

Reasons:

Following the departure of the previous Chief Finance Officer, Kit Wheeler was appointed as interim Chief Finance Officer (Section 151 Officer). A senior management restructure has now taken place and Kit has been appointed as the permanent Chief Finance Officer (Section 151 Officer) subject to Full Council approval.

319. REPORTS OF COMMITTEES

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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
Cabinet, 3 rd April 2023	528 – Town Living Project	Patmore

Minute 528 of Cabinet on 3rd April 2023, Town Living Project, was a decision requiring Full Council approval. Councillor Evans proposed approval of the recommendations, seconded by Councillor Batsford.

Councillor Patmore proposed the meeting proceed as if in committee, seconded by Councillor Rankin.

RESOLVED that in order for Full Council to take advice from officers where appropriate, under Rule 16.14 of the Constitution the Council proceed as if in committee.

Councillors asked questions of the Chief Executive and Chief Finance Officer regarding the Town Living Project.

Councillor Roark proposed the meeting return to Full Council mode, seconded by Councillor Patmore.

RESOLVED that the meeting return to Full Council mode.

Councillor Rogers proposed that the question be now put.

RESOLVED that the question now be put.

A recorded vote was requested and Councillors voted as follows:

Councillors Arthur, Barnett, Batsford, Bishop, Cannan, Collins, Evans, Fernando, Haffenden, Jobson, O'Callaghan, Roark, Roberts, Rogers, Sinden, Turner, and Webb voted for.

Councillors Beaney, Beaver, Carr, Cooke, Edwards, Foster, Hay, Marlow-Eastwood, Patmore, Pragnell, Rankin and Williams voted against.

RESOLVED (by 18 votes for, to 12 against):

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1. to progress Phase 1 of the Town Living project;
2. to establish a capital budget of £1,037,615 (to be funded via the Town Fund programme) for the Town Living project;
3. to delegate authority to the Chief Executive to complete Phase 1 of the Town Living project, including any associated procurement; and
4. to source a property/properties for Phase 2 of the Town Living project.

Reasons:

1. The Hastings Town Fund Programme has awarded the Town Living project £1,037,615. Phase 1 has been awarded £794,000 which is the estimated cost of completing this phase.
2. The project will provide a best practice example of how to renovate and retrofit a listed building, increase the supply of permanent affordable housing in the town centre, support reductions in carbon emissions and energy costs and provide training and employment opportunities in whole house retrofitting.
3. A Council owned Grade II listed property will be fully restored, energy efficient and converted to Affordable Rent housing.

Minute 527 of Cabinet on 3rd April 2023, Review of the Hastings Borough Council Gambling Act 2005 Statement of Principles, was a decision requiring Full Council approval. The recommendations were agreed without being called for discussion.

RESOLVED:

1. The Gambling Act 2005 Statement of Principles are adopted.
2. Full Council agree a No Casino resolution to not issue casino premises licences in the borough.

Reasons:

It is a statutory requirement for the council to review the Gambling Act Statement of Principles and the No Casino Resolution every three years. Failure to do so could result in judicial review proceedings against the council and call in to doubt the decisions made by the Licensing Committee under the Act.

(The Mayor declared the meeting closed at 9.55pm)

Agenda Item 8



Report To: Full Council
Date of Meeting: 24th May 2023
Report Title: Political balance and committee allocations 2023/24
Report By: Mary Kilner, Chief Legal Officer and Monitoring Officer
Key Decision: N
Classification: Open

Purpose of Report

To agree the allocation of committee seats to political groups, the appointment of Councillors to committees, and Chairs and Vice-Chairs for the 2023/24 municipal year.

Recommendation

1. That the Council adopts the following arrangements for the appointment of committees:
 - a. The committees for the municipal year 2023/24 be as set out in appendix A
 - b. 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 Councillors be appointed to those committees, in accordance with the nominations of the political groups, as shown in appendix B (to follow)*
 - c. The Council appoint Chairs and Vice-Chairs of the committees*

*Nominations may be made at the meeting

Reasons for Recommendations

1. The Council has a duty to review political balance on an annual basis and when there is a change in membership of political groups.
2. The Council has a duty, so far as reasonably practicable, to allocate committee seats to the political groups in line with the principles set out in Section 15(5) of the Local Government and Housing Act 1989.

1. The rules determining the calculation of political balance and the allocation of seats on committees are set out in Sections 15 and 16 of the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990.
2. Seats must be allocated to give effect to the following principles:
 - a. Not all seats on a committee should be allocated to the same political group;
 - b. a political group with an overall council majority (if there is one) should get a majority of the seats on each committee;
 - c. subject to (a) and (b), the total number of seats allocated to a group on all of the council's committees added together should be in proportion to that group's strength on the council; and
 - d. subject to (a), (b) and (c), the number of seats allocated to a group on each of the committees should also be in proportion to that group's strength on the council.
3. The Council must give effect to the principles above so far as reasonably practicable. To be formally constituted a political group must have at least two members.
4. The Council currently has ten committees which require a proportional allocation of seats to the political groups, as below.

Committee	Seats
Licensing Committee	15
Overview and Scrutiny Committee	11
Planning Committee	10
Museum Committee	10
Standards Committee	5
Audit Committee	5
Environment and Safety Committee	5
Council Appointments Committee	5
Employment Committee	4
Employment Appeals Committee	4
Total	74

5. In accordance with Section 16(1) of the Local Government and Housing Act 1989 the Council has a duty to exercise its power to give effect to each political group's nominations for committee membership, as set out in appendix B.
6. The Leader of the Council is no longer to be ex officio a member of the Audit Committee. The Audit Committee may request the Leader or Finance Portfolio Holder attend to answer questions, with adequate notice.
7. Councillors are reminded that regular attendance at quarterly training sessions is a requirement of sitting on the Planning Committee.

Wards Affected

n/a

Policy Implications

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

Officer to Contact

Officer: Mary Kilner
 Email: mary.kilner@hastings.gov.uk
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Officer: Danny Saxby
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APPOINTMENT OF COMMITTEES

Membership of the Council's committees to 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	-
Museum Committee	10	5

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