

Charity Committee Agenda

Monday, 12 December 2022 at 6.00 pm

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

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4.	Minutes of Coastal Users Group	
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Agenda Item 3 Public Document Pack

CHARITY COMMITTEE

29 SEPTEMBER 2022

Present: Councillors Roark (Chair), Evans and Rogers. James Cook, The Protector.

In attendance: Mary Kilner, Chief Legal Officer; Kevin Boorman, Marketing and Major Projects Manager; Kit Wheeler, Chief Finance Officer; and Ian Sycamore, External Funding Manager

10. APOLOGIES FOR ABSENCE

Apologies for absence received from Councillors Batsford and Hilton and Victoria Conheady, Assistant Director, Regeneration and Culture. Councillors Rogers and Evans were in attendance as substitutes.

11. DECLARATIONS OF INTEREST

None received.

12. MINUTES OF PREVIOUS CHARITY COMMITTEE

RESOLVED – that the Minutes of the Charity Committee Meeting held on 18th July 2022 be approved as a true record.

13. FORESHORE TRUST SMALL AND EVENTS GRANTS ROUND 6

The Chair thanked Andrew Colquhoun for his service as Chair of the Grants Advisory Panel since 2014 and Steve Manwaring for his service as a member of the Grants Advisory Panel over many years.

The External Funding Manager presented the recommendations of the Grant Advisory Panel (GAP) in respect of applications for the Small and Events Grants Round 6 2022-23.

A total £45,000 is available for Round 6 in the 2022-23 financial year for grants of up to £6,000 each. A total of 48 applications were submitted and assessed with a total amount requested of £246,611.

Of the 48 applications considered, GAP recommended to the Charity Committee that 9 of these be approved for funding at various levels. All of the projects proposed for funding are to be delivered by no later than the end of September 2023.

Councillor Roark proposed approval of the recommendations, seconded by Councillor Rogers.

RESOLVED (unanimously):

CHARITY COMMITTEE

29 SEPTEMBER 2022

To approve the Small and Events Grants Round 6 2022-23 recommendations of the GAP as set out in Appendix 1

Reasons:

The Grant Advisory Panel has appraised the merits of the applications received for Small and Event Grant support and has made a number of recommendations for grant awards that can be funded from the available 2022-23 budget.

14. MINUTES OF COASTAL USERS GROUP

The Marketing and Major Projects Manager informed the Committee that as the meeting was postponed at short notice the papers were not available in time for discussion at the Coastal Users Group (CUG) meeting. However, the papers were subsequently circulated to CUG members and no comments were received.

(The Chair declared the meeting closed at 6.09pm)

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CHARITY COMMITTEE

29 SEPTEMBER 2022

Present: Councillors Roark (Chair), Evans and Rogers. James Cook, The Protector.

In attendance: Mary Kilner, Chief Legal Officer; Kevin Boorman, Marketing and Major Projects Manager; Kit Wheeler, Chief Finance Officer; and Ian Sycamore, External Funding Manager

15. WELCOME FROM THE CHAIR OF THE CHARITY COMMITTEE, COUNCILLOR ALI ROARK

The Chair confirmed that the meeting is not an Annual General Meeting but is being held to provide a financial update in the interests of openness and transparency.

16. FORESHORE TRUST ANNUAL REPORT

The Chief Finance Officer presented a report to advise members of the Committee on the final 2021/22 financial position and current position of 2022/23.

The budget agreed in March 2021 identified income at £1,447,000 and expenditure at £1,280,000. The budgeted surplus for the year being £167,000 after direct governance costs, but before distribution of grants, capital charges and before use of Reserves. Income was below budget by a total of £52,000.

Grant Thornton have signed-off the Council's 2019/20 accounts which means the 2019/20 Foreshore Trust accounts will be signed-off and published very shortly. Discussion can now move forward to the 2020/21 accounts which Grant Thornton have begun to look at. They aim to get the Council's 2020/21 accounts signed-off by December, following which a signed set of accounts for the Foreshore Trust should be available in January.

Councillor Roark proposed approval of the recommendations, seconded by Councillor Rogers.

RESOLVED (unanimously):

- 1. To agree the financial position for 2021/22.**
- 2. To note the financial position for 2022/23.**
- 3. To Review and update the Business Plan.**

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.

The Trust is reporting a surplus for the 2021/22 financial year in respect of operating income and expenses of £206,000. However, once Grant and project costs are taken into account this figure becomes a deficit of £63,000.

CHARITY COMMITTEE

29 SEPTEMBER 2022

17. PUBLIC QUESTION TIME (30 MINUTES)

The Chair invited members of the public to ask questions.

Mr McGinley was present and asked the following questions.

Why is there a variance of 0 in appendix 1 to the annual report? The Chief Finance Officer responded that it is quite early to be forecasting and in the future reports will include variances.

In the Coastal Users Group minutes there is reference to the Stade path reopening. There have been assurances it will reopen but it is not clear on what basis. The Marketing and Major Projects Manager said his understanding is that the sub-tenant continues to give an assurance that when the work is complete the footpath will reopen, but not necessarily on a 24-hour basis. The Chair said she would make further enquiries on the matter.

Will the Trustees pursue recognition of the path as a public right of way? The Chief Legal Officer confirmed it had been pursued but was turned down by East Sussex County Council. There is no further action that can be taken.

There is a claim to the freehold of part of the Stade site, are the Trustees aware of this claim? The Marketing and Major Projects Manager said his understanding is that the individual referred to is the main tenant, for part of the site, and the land is owned by the Foreshore Trust.

It is disturbing that the Foreshore Trust, which is defined as a separate body, is so embedded in the Council. Should the Trust not seek external legal advice to avoid conflicts of interest? The Chief Legal Officer responded that the Protector acts as an independent watchdog and is entitled to seek separate legal advice when necessary. Legal advice has always been given in the best interests of the Trust but if it was felt that there was a conflict it would be discussed with the Protector.

Mr Edwards was present and commented that the Multi Use Games Area and children's playground were in a state of poor repair. These are free facilities on the beach for families which are well used. It is shameful to have these facilities out of action for so long. Officers should put the interests of local children first.

The Chair agreed that there is a noticeable state of disrepair at the beach playground. Discussions have been had with officers and regeneration of playgrounds should be an important part of the business plan. The Marketing and Major Projects Manager confirmed that there are several factors at play including receiving the wrong parts and equipment no longer meeting the latest safety standards.

(The Chair declared the meeting closed at 7.10pm)

Agenda Item 5



Report to: Charity Committee

Date of Meeting: 12 December 2022

Report Title: Finance Monitoring Report to Period 8 2022/23

Report By: Kit Wheeler
Chief Finance Officer

Purpose of Report

To advise members of the Committee on the current year's financial position (2022/23).

Recommendation

1. To agree the current financial position for 2022/23.
2. To agree Fees and Charges are kept in line with Hastings Borough Council's Fees and Charges Strategy.

Reasons for Recommendations

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.

The Trust is reporting a surplus for the 2022/23 financial year in respect of operating income and expenses of £234,000. However, once Grant and project costs are taken into account this figure becomes a deficit of £83,000.

Introduction

1. The Foreshore Trust derives its income mainly from car parking and property leases/licences, the former income stream being quite variable.
2. Appendix 1 attached provides details of the actual income and expenditure to 18th November 2022 against the budget for 2022/23 as agreed at the March 2022 meeting of the Committee.
3. The forecast operating surplus for 2022/23 is expected to be £234k which is £15k over the budgeted surplus. This is mainly due to a higher Rental Income of £13k. Lower Car Parking Income is offset by lower Car Parking costs.

Financial Position 2022/23

4. The budget agreed in March 2022 identified budgeted income at £1,578,000 and expenditure at £1,360,000(Excl Capital Charges). The budgeted surplus for the year being £218,000 after direct governance costs, but before distribution of grants, capital charges and before use of Reserves.
5. Appendix 1 attached, details the current 2022/23 actual to date figures (as of November 18th 2022) compared to the agreed budget.
6. Income is currently projected to be £82k under Budget. Car Parking Income is expected to be under budget by £95k and rental Income over budget by £13k due to rental reviews for Lee Amusements, Putting Courses, Angling association & Luxury Leisure. Whilst there are no immediate areas of concern to highlight at this stage of the financial year from an operations perspective it should be noted that careful management of the activities budget, in particular to cover the cost of the Grants programme will need to be considered when looking at the business plan and what is affordable.
7. Expenditure is anticipated to be £97k under budget. This is due to cyclical repairs and maintenance expected to be £28k under budget & lower Car Parking costs of £69k.
8. Currently the Trust is anticipating a surplus for Operations at the end of the financial year of £237,000.
9. When including project expenditure as part of these figures the surplus is reduced to a deficit of £83,000 for the financial year.
10. Please note that the full year forecasts are based on a full 'normal' operating year with no further lockdowns or restrictions being brought in for the winter periods.
11. The current uncertainty around rising inflation rates and other operational costs means that like all charities and businesses the trust will need to carefully consider any future fees and charges to ensure they are correctly reflecting the current costs to run those services.

Fees and Charges

12. The Foreshore Trust, like Hastings Borough Council, has a duty to ensure that all fees and charges are reviewed and monitored in line with current costs and forecasts.
13. It is imperative that we find an equilibrium between increasing our fees and charges to aid our services to deliver what they need to, whilst recognising that the wider, potentially, negative social and economic impact on our residents will be far greater over the next couple of years and needs to be taken into consideration.
14. Due to the fact some of the Trust's income is directly through assets such as parking fees where there is a shared relationship with the Council, it becomes imperative that charges are aligned to ensure that there is no confusion for users of those services. E.g. avoid having multiple pricing schemes in the same car park.
15. As a result of the budget setting process, all Fees and Charges are subject to a full review process, and as such charges need to reflect that.
16. A recommendation has been proposed to Hastings Borough Council Cabinet at the meeting due to be held on Monday 5th December that an increase in all Fees and Charges be applied of 10% (unless otherwise stated).
17. This increase is reflective of the rise in associated costs for running those services, and to maintain the levels of services offered by the Trust / Council.
18. Due to the complexities in pricing as highlighted above, it is therefore recommended that the Foreshore Trust follows this recommendation and maintains its alignment with Hastings Brough Council's pricing structure.
19. The impact of these changes will be built in as part of the financial monitoring for the remainder of this financial year, as well as highlighted through the Foreshore Trust's budget process.

Business Plan

20. Given the ever-changing world in which we currently find ourselves it is prudent for the Trust to review its business plan regularly and update it in line with the latest information and forecasts.
21. The business plan has not been updated for some time due to officers and committee members not knowing the full impact of the Covid-19 Pandemic on the Trusts operations and financial position.
22. It is therefore a priority for the business plan to be updated to aid budget setting for the medium to longer term stability of the Trust and to allow for assurance around decision making, and as part of good governance.
23. To date much of the expenditure on maintenance projects and main programme projects has yet to occur. Appendix 2 details the business plan showing planned cyclical repairs and redecorations and main programme projects over the next 3 financial years.

Indicative Forward Plan

24. The indicative forward plan just like the business plan above is in the process of being updated and will be revised as part of the budget setting discussions with committee members once detailed discussions have taken place and a clear objective and plan is agreed upon.

Reserves

25. The total effective cash balances of the Trust at the 31 March 2022 amounted to £1.65m after providing for the outstanding settlement to Hastings Borough Council for amounts owed for 2021/22.

26. The reserves policy agreed on 23 September 2019 identified £900,000 as the suitable level to maintain given the potential risks to the Trust. The deficit this year does reduce the cash balances the Trust has but the prudent approach adopted in setting the reserve level has resulted in the Trust being able to meet its current and future commitments.

27. The Risk Register and Reserves policy was last considered by the Committee in September 2019 and will need to formally review again.

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
Continued quarterly monitoring	Each financial quarter	Charity Committee Meetings	Chief Finance Officer
Review of 2022/23 under and over spends	2023/24 budget	March 2023	Chief Finance Officer

Wards Affected

None

Implications

Relevant project tools applied? Yes

Have you checked this report for plain English and readability? Yes

Climate change implications considered? N/A

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

Equalities and Community Cohesiveness	No
Crime and Fear of Crime (Section 17)	No
Risk Management	Yes
Environmental Issues	No
Economic/Financial Implications	Yes
Human Rights Act	No
Organisational Consequences	No
Local People's Views	No
Anti-Poverty	No

Additional Information

Appendix 1 - Financial Monitoring Report
Appendix 2 – Business Plan
Appendix 3 – Grants Summary

Officers to Contact

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SUMMARY - MONITORING REPORT

	Actual 2021-22	Budget 2022/23	YTD Actual 2022-23 (8 months)	2022-23 Forecast to Year End (4 months)	2022-23 Forecast Outturn	2022-23 Variance
	£'000	£'000	£'000	£'000	£'000	£'000
Incoming Resources						
Investment Income	9	6	6	0	6	0
*Incoming resources from Charitable activities	1,169	1,350	784	471	1,255	(95)
Rental income	217	222	182	53	235	13
Total incoming resources	1,395	1,578	972	524	1,496	(82)
Resources Expended						
Loan Interest repayments	33	33	0	33	33	0
Charitable Activities (excluding Capital charges)	926	1,045	406	570	976	69
Maintenance projects and cyclical repairs	94	128	24	76	100	28
Governance costs	136	154	62	92	154	(0)
Total resources expended	1,189	1,360	492	771	1,262	97
Total Operating Surplus/(Deficit)	206	218	481	(247)	234	15
Small / Event Grants	89	90	80	10	90	0
Large Grants	134	182	73	109	182	0
Projects**	46	45	26	19	45	0
Total Grants & Projects	269	317	178	139	317	0
Surplus/(Deficit) before Depreciation	(63)	(99)	303	(386)	(83)	15
Transfer to/(from) HBC account						
Total Funds brought forward	1,521	1,458	-	-	1,458	0
Total funds carried forward	1,458	1,359	-	-	1,374	15

*Mainly parking income

** See main Business Plan

Business Plan

Appendix 2

Foreshore Trust Spending Plan	Foreshore Trust Spending Plan		2022-2023	2023-2024	2024-2025	Total
Cost centre	PROPERTY	DESCRIPTION OF WORK	ESTIMATE	ESTIMATE	ESTIMATE	ESTIMATE 2021- 2024
			£			£
Maintenance projects						
20156B1100 / 5290B020	Beach - Other	Other repairs and renewals beachfront area	12,000	12,000		36,000
20156B1100 / 5290B020	Car Parks - Pelham	Maintenance	6,000	6,000		18,000
20156B1100 / 5290B020	Car Parks Rock a Nore	Maintenance	6,000	6,000		18,000
20156B1100 / 5290B020	Chalets - White Rock & Marina	Maintenance	2,000	2,000		6,000
20156B1100 / 5290B020	Cycle Hire Hut	Main walls - external redecoration	0	1,000		1,000
20156B1100 / 5290B020	Cycle Hire Hut	Roofs - routine re-felting	0	1,000		1,000
20156B1100 / 5290B020	Pelham Place Car Park	Tarmac surfacing - routine minor maintenance	2,000	0	2,000	4,000
20156B1100 / 5290B020	Pelham Place Car Park	Clean out car park drainage gullies and channels	0	1,000		2,000
20156B1100 / 5290B020	Pelham Place Car Park	Traffic speed humps - repair / replacement	0	5,000	4,000	9,000
20156B1100 / 5290B020	Pelham Place Car Park	Vehicle height barrier at entrance	3,000	3,000	3,000	12,000
20156B1100 / 5290B020	Pelham Place Car Park	Car park lighting columns - maintain LED lamps	500	500	500	2,000
20156B1100 / 5290B020	Pelham Place Car Park	Car park information and direction signage	0	0	1,000	1,000
20156B1100 / 5290B020	Pelham Place Public Conveniences	Main walls - external redecorations	0	0	3,000	3,000
20156B1100 / 5290B020	Pelham Place Public Conveniences	Interior - internal redecorations	0	0	1,000	1,000
20156B1100 / 5290B020	Pelham Playa (netted MUGA)	Replacement of roof netting system	0	10,000	0	10,000
20156B1100 / 5290B020	Pelham Playa (netted MUGA)	Replacement of playing surface complete	0	30,000		30,000
20156B1100 / 5290B020	Pelham Playground	Repair of play proprietary play equipment	3,000	3,000	3,000	12,000
20156B1100 / 5290B020	Play Areas and Exercise Equipment	Maintenance of equipment	15,000	15,000	0	45,000
20156B1100 / 5290B020	Play Hire Huts (Former Life Guards' Huts)	Main walls - external redecoration	1,000	0	0	1,000
20156B1100 / 5290B020	Play Hire Huts (Former Life Guards' Huts)	Roofs - routine re-felting	0	2,000	0	2,000
20156B1100 / 5290B020	Promenade Adult Exercise Equipment	Replacement / repair of equipment	0	2,000	0	4,000
20156B1100 / 5290B020	Promenade Finger Posts	Redecoration and repair	0	500	0	1,000

2021-2024

Business Plan

Appendix 2

Foreshore Trust Spending Plan	Foreshore Trust Spending Plan		2022-2023	2023-2024	2024-2025	Total
Cost centre	PROPERTY	DESCRIPTION OF WORK	ESTIMATE	ESTIMATE	ESTIMATE	ESTIMATE 2021- 2024
			£			£
20156B1100 / 5290B020	Public Conveniences	Maintenance	6,000	6,000		18,000
20156B1100 / 5290B020	Rock-a-Nore Car Park - Hard Surfaced	Clean out car park drainage gullies and channels	1,000	0	1,000	2,000
20156B1100 / 5290B020	Rock-a-Nore Car Park - Hard Surfaced	Heritage surfaced section - patch repair of worn areas mostly to main access route.	0	0	0	25,000
20156B1100 / 5290B020	Rock-a-Nore Car Park - Hard Surfaced	Repair and replacement of metal bollards	0	2,000	0	2,000
20156B1100 / 5290B020	Rock-a-Nore Car Park - Hard Surfaced	Vehicle height barrier at car park entrance	3,000	3,000	3,000	12,000
20156B1100 / 5290B020	Rock-a-Nore Car Park - Hard Surfaced	Car park lighting columns - maintain LED lamps	500	500	500	2,000
20156B1100 / 5290B020	Rock-a-Nore Car Park - Hard Surfaced	Car park information and direction signage	0	0	1,000	1,000
20156B1100 / 5290B020	Rock-a-Nore Car Park - Loose Surface	Scarify and fill pot holes in loose surface finish	5,000	5,000	5,000	20,000
20156B1100 / 5290B020	Rock-a-Nore Car Park - Loose Surface	Replacement of damaged timber bollards	0	1,000		2,000
20156B1100 / 5290B020	Rock-a-Nore Car Park - Loose Surface	Repair timber kerb baulks to south boundary	0	0	2,000	2,000
20156B1100 / 5290B020	Rock-a-Nore Car Park - Loose Surface	Replace timber kerb baulks to south boundary	30,000	0	0	30,000
20156B1100 / 5290B020	Stade and Stade Kitchen	Maintenance	3,000	3,000		9,000
20156B1100 / 5290B020	Stade Barriers	Annual maintenance	2,000	2,000		6,000
20156B1100 / 5290B020	Stade Hall	Interior spaces - internal redecoration	20,000	0		20,000
20156B1100 / 5290B020	Stade Hall	Main hall & kitchen - renewal of floor coverings	10,000	0		10,000
20156B1100 / 5290B020	Stade Open Space	Drainage gully clearance	500	500	500	2,000
20156B1100 / 5290B020	Stade Open Space	Bench redecoration and remove shingle build up	3,000	0		3,000
20156B1100 / 5290B020	Stade Open Space	Automatic bollard and barrier replacement	0	0	10,000	10,000
20156B1100 / 5290B020	Stade Public Conveniences	Interior spaces - internal redecoration	6,000	0		6,000
20156B1100 / 5290B020	White Rock Baths	External redecoration/ Building maintenance	10,000	10,000		30,000
20156B1100 / 5290B020	White Rock Baths - Lower Basement	Additional pump hire if above adopted.	8,000	8,000	8,000	32,000
20156B1100 / 5290B020	White Rock Baths - Lower Basement	Sewage tank and pump set - maintenance	500	500	500	2,000
20156B1100 / 5290B020	White Rock Baths - Lower Basement	Sewage tank pump set & controls - replacement	0	0		4,000

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Foreshore Trust Spending Plan			2022-2023	2023-2024	2024-2025	Total
Cost centre	PROPERTY	DESCRIPTION OF WORK	ESTIMATE	ESTIMATE	ESTIMATE	ESTIMATE 2021- 2024
			£			£
20156B1100 / 5290B020	White Rock Baths - Main and Small Hall Level	Further protection of interior spaces from water ingress with use of plastic sheeting at high level and internal guttering where new ingress occurs.	0	5,000		10,000
20156B1100 / 5290B020	White Rock Baths - Promenade Level	Main central entrance superstructure and lightwell upper and lower walls - external redecorations (Inc. White Rock Community Hub frontage)	15,000	0	0	15,000
20156B1100 / 5290B020	White Rock Beach Chalets	Timber walls - external redecoration	5,000	0	0	5,000
20156B1100 / 5290B020	White Rock Promenade - Timber Kiosk Decking	Timber decking and ramps around kiosk -minor repairs	0	500	0	1,000
20156B1100 / 5290B020	White Rock Promenade (FST owned area only)	Timber seating, benches, waste bins, & planters - repairs and maintenance.	500	500	0	1,500
20156B1100 / 5290B020	Winch Road	Maintenance & lighting	2,000	2,000		6,000
Total of Cyclical Repairs and Redecorations			181,500	149,500	49,000	507,500
Projects (main programme)						
20156B1100 / 5290B020	White Rock Promenade (FST owned area only)	Rationalisation of timber seating, benches and waste bins.*	20,000	0		20,000
20161B1102 / 5296B022	Contingency	Project Work Contingency	25,000	25,000	0	75,000
Total Projects - Main Programme			45,000	25,000	0	95,000
TOTAL PROGRAMME			226,500	174,500	49,000	602,500

**Hastings and St Leonards Foreshore Charitable Trust
Grants Programme Payments Schedule**

Appendix 3

	Amount approved £
Grants awarded before 31 March 2020	
SMALL / EVENTS	
Chamber Enterprise Network CIC	3,726
Chichester Diocesan Association for Family Support	3,600
Counselling Plus Community	2,700
Hastings & Rother YMCA	4,109
Hastings & St Leonards CAP Centre	4,320
Hastings Advice & Representation Centre	5,222
Hastings Furniture Service Ltd	5,400
Holy Trinity Church Hastings	3,479
IdolRich	200
St Helen's PCC	2,196
Stay Up Late	310
Sussex Children & Families of Prisoners	5,220
The Athelstan Nursery	5,400
The Sara Lee Trust Fund	1,800
XTRAX	3,841
Misc	4,791
Total for year	<u>56,314</u>

Grants awarded 1 April 2020 to 31 March 2021

SMALL / EVENTS	
A Band of Brothers Hastings	5,400
Association of Carers	844
AudioActive	5,266
Bike Lab Hastings	3,420
Bohemia Arts and Music C.I.C	4,702
Counselling Plus Community	5,400
Creative Space Science CIC	4,140
Culture Shift CIC	1,620
ETC Sussex (Education Training Consortium Sussex)	1,872
Fresh Visions	2,196
Hastings & Rother Mediation	4,000
Hastings & St Leonards Vountary Lifeguard Club	3,916
Hastings Community Transport Ltd	5,400
Hastings Furniture Service Ltd	4,680
Mr R G Maxted Zoom Arts	1,517
National Literacy Trust	3,975
Nautical Museums Trust T/A Shipwreck Museum	1,710
Ore Community Land Trust	1,796
St Helen's PCC	244
The Sussex Association for Spina Bifida and Hydrocephalus	435
XTRAX	2,867
Accruals	(2,431)
LARGE	
Total for year	<u>62,969</u>

Grants awarded 1 April 2021 to March 2022

SMALL / EVENTS	
18 hours ltd	2,838
A Band of Brothers Hastings	600
Association of Carers	94
Bohemia Arts and Music C.I.C	522
Counselling Plus Community	600
Creative Space Science CIC	460
Cruse Bereavement Care	5,618
Culture Shift CIC	180
Energise Sussex Coast Ltd	3,420
ETC Sussex (Education Training Consortium Sussex)	3,809
Hastings & District Canoe Club	1,628
Hastings & Rother YMCA	2,310
Hastings Advice & Representation Centre	2,212
Hastings Arts Forum	229
Hastings Community Transport Ltd	600
Hastings Fishermen's Protection Society	476
Hastings Furniture Service Ltd	520

**Hastings and St Leonards Foreshore Charitable Trust
Grants Programme Payments Schedule**

Appendix 3

	Amount approved
	£
Hastings Thrives	2,000
Hastings Voluntary Action	11,878
His Place Community Church & Cafe	5,400
Holy Trinity Church Hastings	386
Home Live Art Ltd	6,000
Mr R G Maxted Zoom Arts	169
National Literacy Trust	442
Ore Community Land Trust	200
Southwater Area Community Centre	4,977
St Helen's PCC	1,848
St Leonards Festival	5,300
St Matthews Residents Association	2,820
Tempo Arts	3,479
The Fellowship of St Nicholas (FSN)	5,340
The Links Project	11,140
The Sussex Association for Spina Bifida and Hydrocephalus	1,637
XTRAX	366

LARGE

Change, Grow, Live (formerly CRI)	32,300
Citizens Advice 1066	31,581
Hastings Advice & Representation Centre	41,838
Seaview Projects	28,000

Total for year 223,216

Grants awarded 1 April 2022 to March 2023

SMALL / EVENTS - cumulative

7th Hastings Scout Group	3,465
ATEAB Funds	4,260
Barefoot Opera	6,000
Counselling Plus Community	6,000
Hastings & District Interfaith Forum	1,200
Hastings & St Leonards Vountary Lifeguard Club	2,422
Hastings Furniture Service Ltd	5,400
Hastings Storytelling Festival Ltd	4,662
Hastings Voluntary Action	3,939
His Place Community Church & Cafe	600
Soundcastle Ltd	1,000
The Links Project	5,570
Emmaus Hastings & Rother	4,365
ETC Sussex (Education Training Consortium Sussex)	5,400
XTRAX(Hastings & Rother)	1,440
Karmabank CIC	5,220
Umbrella Sussex	2,581
Hastings Advice & Representation Centre	5,400
Hastings & Rother YMCA	5,295
Hastings Community Trust ta Kings Church Hastings & Bexhill	5,400

Total Small Grants 79,619

LARGE

Citizens Advice 1066	21,054
Hastings Advice & Representation Centre	21,054
Change, Grow, Live (formerly CRI)	11,150
Seaview Projects	19,400

Total Large Grants 72,658

Total for year 152,277

Agenda Item 6

To Councillor Patmore
Chair of Overview and Scrutiny Committee

ACCESS TO INFORMATION RULES

KEY DECISIONS

RULE 26.20 –general exceptions.

NOTICE is hereby given under Rule 26 of the Access to Information Rules contained in the Council's Constitution that the following key decision will be taken at Charity Committee on Monday 12th December: -

Charity Committee 12 th December			
<u>Decision</u>	<u>Consultation and Timetable</u>	<u>Working Papers and files</u>	<u>Responsible Officer / Portfolio Holder</u>
Response to proposed Dog Control Public Space Protection Order (DC PSPO)		Consultation documents	Victoria Conheady, Assistant Director, Regeneration and Culture Councillor Ali Roark

Signed: 
Chief Legal Officer

Dated: 05/12/2022

Note:

Rule 26.20 General Exception

If a matter which is likely to be a key decision has not been included in the forward plan, then subject to Rule 26.21 (special urgency), the decision may still be taken if:

- (a) the decision must be taken by such a date that it is impracticable to defer the decision until it has been included in the next forward plan and until the start of the first month to which the next forward plan relates;
- (b) the Chief Legal Officer has informed the chair of a relevant overview and scrutiny committee, or if there is no such person, each member of that committee in writing, by notice, of the matter to which the decision is to be made; and
- (c) the Chief Legal Officer has made copies of that notice available to the public at the offices of the Council; and
- (d) at least five clear days have elapsed since the Chief Legal Officer complied with (b) and (c).

Where such a decision is taken collectively, it must be taken in public.

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Agenda Item 7



Report To: Charity Committee

Date of Meeting: 12 December 2022

Report Title: Response to Proposed Dog Control Public Space Protection Order

Report By: Paul Cosson

Enforcement Manger

Purpose of Report

To inform the Committee on the Dog Public Space Protection Orders (PSPOs). Advise them of the consultation results and to allow the Charity to provide feedback and views on the proposals of the PSPOs for the restrictions on Charity Committee Land.

Recommendation(s)

- 1. To invite the Charity Committee to comment on the Dog PSPO proposals and the consultation results.**
- 2. To ensure that the Charity Committees comments can be considered by the Council, prior to recommendations being made to the Cabinet.**

Reasons for Recommendations

- 1. Before making a Public Space Protection Order the council must carry out a public consultation to listen to local people's views and engage with stakeholders.**

Introduction

1. Public Spaces Protection Orders are intended to deal with a particular nuisance or problem in a specific area that is detrimental to the local community's quality of life, by imposing conditions on the use of that area which apply to everyone. They are intended to help ensure that the law-abiding majority can use and enjoy public spaces, safe from anti-social behaviour.
2. Local councils are responsible for making Public Spaces Protection Orders (PSPOs). PSPOs are the nationally recognised framework for imposing dog restrictions and regulations.
3. The council can make a Public Spaces Protection Order on any public space within its own area. The definition of public space is wide and includes any place to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission.
4. The last Dog PSPO expired on the 12 June 2020. In March of that year this item was due to be discussed at CAP to extend the PSPO. It was agreed at this time to go out to consultation on a review of the existing order. But after this the Covid pandemic took hold of the country, and the first national lockdown was imposed.
5. As a result of all the COVID response work there was no capacity to implement the decision. At one point early in the pandemic the Government was approached, and we asked them to consider allowing LAs to temporarily extend their PSPOs until after the pandemic without the need for consultation. Government refused, and our Dog Control PSPO lapsed.
6. It is important that we now make a new Dog Control PSPO. Then we will again have the option of taking enforcement action against irresponsible dog owners when the need arises. This includes being able to tackle dog fouling, dogs being off lead and dog exclusion areas such as the beach and children's playgrounds.

Background

7. The lapsed PSPO had two seasonal dog exclusion areas. The first one being the area of beach from the Harbour Arm in the East to the West of the Pier. The other being the area of beach from the East Side of Warrior Square to eastern end of the ramp outside the Royal Victoria Hotel. This exclusion operated from the 1 May to the 30 September
8. This can be seen as the areas shaded in blue in Appendix 1.
9. At the council's Cabinet Agenda Planning Meeting dated 20 June it was agreed to go out to consultation on a new dog PSPO.
10. In terms of the beach at this CAP meeting it was decided that we should consult on increasing the amount of dog controls that affected the beach during the summer. This was because it was felt that the usage of the beach had changed and increased dramatically especially through the pandemic and that the beach should be protected for the use of it by families and visitors.

Consultation

11. The consultation included the following proposal for the dog controls on the beach:

During the Summer 1 April to 30 September

1. No dogs at all on the beach from Rock a Nore to the West of Azur between the hours of 9am and 5pm
2. From the West of Azur to the western boundary of the town dogs must be on a lead to be on the beach between 9am and 5pm

During the Winter 1 October to 31 March

1. A restriction only for weekends and between 10am and 4pm during which time dogs need to be on leads to be on the beach.
12. Maps showing these proposals, and which were used in the consultation can be seen in Appendices 2, 3 and 4.

Outcome of the Consultation

13. 835 people commented and responded to the consultation and the comments that concern the beach areas are summarised below:

601 comments and responses	Specifically opposed the proposed restrictions on the beach.
114 comments and responses	Mentioned that the previous or existing beach controls seemed fair and enough.
124 comments and responses	Directly mentioned that beach controls were not needed in West St. Leonards or Bulverhythe Areas.
53 comments and responses	Specifically opposed all the proposals.
74 comments and responses	Approved or agreed with the proposals.
52 comments and responses	Mentioned that Southern Water and Sewage were bigger issues to deal with.
4 comments and responses	Felt that timed restrictions made areas unsafe for women walking dogs as they would need to walk later.
9 comments and responses	Felt that enforcement (lack of) of current restrictions was more of an issue

14. Sussex Police through Inspector Aidan Cornwall supported the proposal and comment as follows:

I have read these proposals and on behalf of Sussex Police we are in support of these new dog control measures. Although thankfully dog attacks on people are rare, they are deeply traumatic incidents which can leave lifelong physical and mental scarring on their victims. These measures if approved could go a long way to reducing such attacks locally

Legal Issues

15. The legal tests focus on the impact that anti-social behaviour is having on victims and communities. A Public Spaces Protection Order can be made by the council if they are satisfied on reasonable grounds that the activity or behaviour concerned, carried out, or likely to be carried out, in a public space:
 - has had, or is likely to have, a detrimental effect on the quality of life of those in the locality
 - is, or is likely to be, persistent or continuing in nature.
 - is, or is likely to be, unreasonable; and
 - justifies the restrictions imposed.
16. Given that these orders can restrict what people can do and how they behave in public spaces, it is important that the restrictions imposed are focused on specific behaviours and are proportionate to the detrimental effect that the behaviour is causing or can cause, and are necessary to prevent it from continuing, occurring or recurring.
17. When deciding what to include, the council should consider scope. The broad aim is to keep public spaces welcoming to law abiding people and communities and not simply to restrict access.
18. When deciding whether to make requirements or restrictions on dogs and their owners, local councils will need to consider whether there are suitable alternative public areas where dogs can be exercised without restrictions. Councils should consider if the proposed restrictions will displace dog walkers onto other sensitive land, such as farmland or nature conversation areas.

Conclusions to Consultation

19. The council and lead members for this report / decision will need to review the consultation and decide how to proceed.
20. When looking at the results of the consultation it might seem appropriate to re-look at the restrictions for the beach and consider reverting to the original 2 seasonal dog exclusion areas.
21. These being the area of beach from the Harbour Arm in the East to the West of the Pier. The other being the area of beach from the East Side of Warrior Square to eastern end of the ramp outside the Royal Victoria Hotel. This exclusion operated from the 1 May to the 30 September.
22. A consideration could be given to increasing the size of the Eastern dog exclusion zone to include the beach at Rock a Nore which is seen to be one of the most popular beaches for families.

23. The views of the consultation and stake holders will need to be considered by the council before taking this to Cabinet for a decision.

Legal Challenge

24. If the restrictions imposed do not meet the legal test and are not proportional, then there is a risk that the order could be challenged in the High Court. Any interested person can make a challenge and an interested person is someone who lives or regularly works or visits the
25. Typically, PSPO's last for a maximum of 3 years however if felt necessary by the council a review of the order could take place sooner and the order can be amended within this time but there would still need to be a public consultation.

Policy Implications

Environmental Issues & Climate Change

26. Dogs not under control and especially dog faeces not being picked up can directly affect issues such as bathing quality.

Local People's Views

27. Local people's views are included from the public consultation.

Timetable of Next Steps

28. The following proposed schedule takes account of meeting dates that are currently in the corporate programme: -

Action	Key milestone	Due date (provisional)	Responsible
Report to Charity Committee Meeting	Obtain feedback from Charity on Beach Controls	12 December 2022	Enforcement Manager
Report to CAP on feedback and with proposals for final draft Dog Control PSPO	Obtain authority to report to Cabinet	20 December 2022	
Report to Cabinet on feedback and with proposals for final draft Dog Control PSPO	Obtain authority to make new Dog Control PSPO	03 January 2023	
Instruction from Cabinet to Chief Legal Officer	Make new Dog Control PSPO	During January 2023	Chief Legal Officer

Wards Affected

(All Wards);

Policy Implications

Reading Ease Score: Flesch reading ease of 54.1, and Flesch Kincaid Grade Level of 10.6

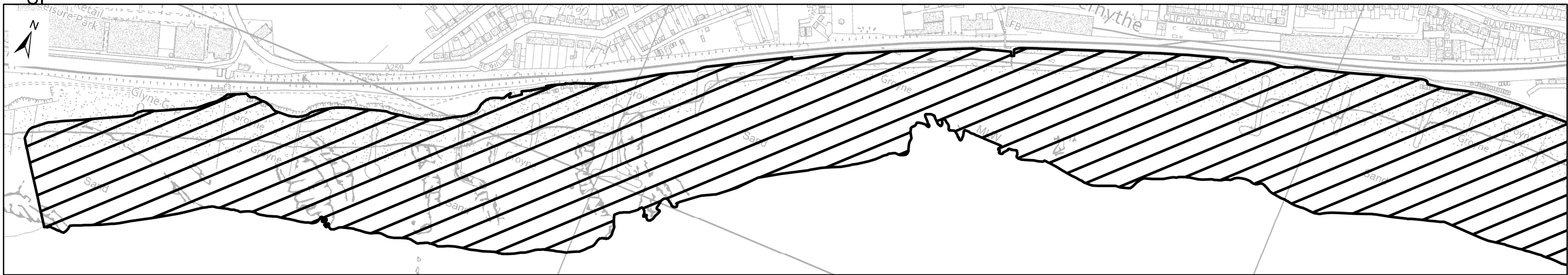
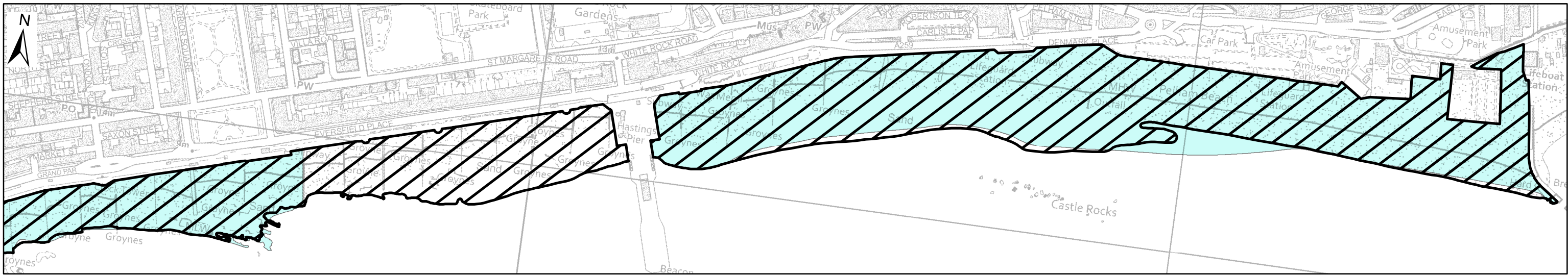
Please identify if this report contains any implications for the following:

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

Additional Information

Officer to Contact

Paul Cosson
Enforcement Manager
Wardens, Car Parks and CCTV
pcosson@hastings.gov.uk
01424 783365




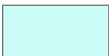
**Public Spaces Protection Order (No 1)
Hastings Borough Council 2021**

Plan 19 - Comparison with 2017 Order

Foreshore and Beach



1:6,000

-  2021 Consultation Boundary
-  PSPO 1 2017 - Plan 19 Extent

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Proposed Dog Controls

Central St. Leonards

This is what is being proposed and consulted on in the Dog Control Public Space Protection Order (PSPO) consultation.

Please have your say by 16 October on hastings.gov.uk/my-council/consultations/



WINTER WEEKEND BEACH RULES
 ■ for this area
 All dogs on leads at weekends from 10am to 4pm between 1 October to 31 March

BOROUGH WIDE

- All dog fouling must be removed (£100 fine)
- Maximum 6 dogs taken onto land by one person

PROMENADE

- Keep your dog on a lead (All year)

DOG EXCLUSION AREA

- Dogs are excluded between 9am and 5pm (1 April to 30 September)

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Proposed Dog Controls

Central Hastings

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WINTER WEEKEND BEACH RULES
 ■ for this area
 All dogs on leads at weekends from 10am to 4pm between 1 October to 31 March

BOROUGH WIDE
 [Black bar]

- All dog fouling must be removed (£100 fine)
- Maximum 6 dogs taken onto land by one person

PROMENADE
 [Orange bar]

- Keep your dog on a lead (All year)

PLAY AREAS
 [Blue bar]

- Dogs are excluded at all times

DOG EXCLUSION AREA
 [Dark blue bar]

- Dogs are excluded between 9am and 5pm (1 April to 30 September)

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Proposed Dog Controls

West St. Leonards

This is what is being proposed and consulted on in the Dog Control Public Space Protection Order (PSPO) consultation.

Please have your say by 16 October on hastings.gov.uk/my-council/consultations/

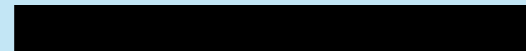


WINTER WEEKEND BEACH RULES

for these areas

All dogs on leads at weekends from 10am to 4pm between 1 October to 31 March

BOROUGH WIDE

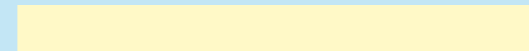


All dog fouling must be removed (£100 fine)



Maximum 6 dogs taken onto land by one person

DOGS ALLOWED



From 1 April to 30 September, dogs must be on a lead from 9am to 5pm in this area

PROMENADE



Keep your dog on a lead (All year)

DOG EXCLUSION AREA



Dogs are excluded between 9am and 5pm (1 April to 30 September)

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