

Decisions taken by the Cabinet on Monday, 29 January 2024



Notice dated: 30 January 2024

Issued to all councillors and senior officers.

Please refer to the relevant cabinet agenda and reports when reading this notice. The minutes of the meeting of the cabinet will be published in due course. To view the cabinet reports please click [here](#).

These decisions will come into force on the expiry of three working days after the publication of this decision notice unless implemented sooner for reasons of urgency.

DECISIONS:

Item No	Matter	Decision	Reason(s) for Decision
5	Financial Monitoring Report	To note the contents of the report, and the actions within the conclusion and management action section.	<p>To assist the Council in understanding the financial position and particularly areas of over and under spend. Early indications of emerging overspends can allow management action to be targeted to those areas.</p> <p>This monitoring assists in identifying areas for review in the production of the 2024/25 budget and the impact of the 2023/24 outturn on the reserves position.</p>

Decisions taken by the Cabinet on Monday, 29 January 2024

6	The Future of Internal Audit	Cabinet agrees that the Orbis partnership is approved to provide the management of the Internal Audit Service for the next five years, with a review after two years, and delegated decision to the Chief Legal Officer to enter into agreement on behalf of Hastings Borough Council.	<p>1. Following the retirement of the long-standing Chief Auditor in April 2023 from Hastings Borough Council, the Internal Audit team has been under the interim management and supervision of the Orbis partnership (which currently includes East Sussex County Council, Surrey County Council, Brighton and Hove City Council and Horsham District Council) following Cabinet approval back in June 2023 for this financial year (2023/24).</p> <p>2. Given the key role that Internal Audit plays in providing independent, objective assurance advice that adds value to, and improves an organisations operation, it is imperative that a fully resourced and experienced Audit team is in place for the 2024-25 financial year.</p>
7	Pay Policy Statement 2024/25	To recommend the pay policy statement to Full Council for approval.	The Localism Act 2011 requires Hastings Borough Council to prepare and publish an annual pay policy statement. The purpose of such a statement is to provide information about Council policies on a range of issues relating to the pay of its workforce, particularly its senior staff and

Decisions taken by the Cabinet on Monday, 29 January 2024

			its lowest paid employees. A Pay Policy must be prepared for each financial year and must be approved by Full Council, and published.
8	Review of the Gating Public Space Protection Order (PSPO)	<p>1. Cabinet authorises the Head of Community and Regulatory Services in conjunction with the Chief Legal Officer, to implement the statutory legal process required to renew the gating PSPO of public rights of way described in the report and gate a further footpath in Castle ward.</p> <p>2. The Gating PSPO is formally reviewed every 3 years.</p>	As a result of long standing anti-social behaviour affecting the public rights of way, the council has been asked to renew the existing gating of 4 footpaths and gate a further footpath in Castle Ward, using powers set out in the Anti-social Behaviour Crime and Policing Act 2014. The existing Gating PSPO originally came into force on 1 March 2021, was varied and extended on 7 November 2022. It now needs to be reviewed and potentially varied and extended again before it expires on 1 March 2024.
9	Land off Sidney Little Road	<p>1. To add the land to the Council’s Land and Property Disposal Programme.</p> <p>2. Approve the disposal of the land in accordance with section 123 of the Local Government Act 1972.</p> <p>3. Delegate authority to the Property & Commercial</p>	1. Ahead of the wider Council strategic asset review we have conducted an initial review of the Council’s assets and identified the land can be brought forward for immediate sale for the reasons outlined in the report.

Decisions taken by the Cabinet on Monday, 29 January 2024

		<p>Assets Manager in consultation with the Leader of the Council and Finance Portfolio Holder to take all actions to dispose of the land and agree terms of the sale/s.</p>	<p>2. The sale could generate capital receipts currently estimated to be worth in the region of £0.9m. The capital receipts would then be reinvested into funding the capital programme and reduce external borrowing. This would therefore reduce our borrowing costs such as MRP (Minimum Revenue Provision) as well as costly interest charges which are continuing to rise with interest rates.</p> <p>3. This would have a beneficial impact on our revenue position and take some of the pressure off the Council services and general reserve balance which is continuing to be used to fund the revenue budgets for areas such as Homelessness.</p>
<p>10</p>	<p>Housing Allocations Scheme</p>	<p>To adopt the changes to the allocations scheme as proposed in the report.</p>	<p>The council believe that the changes to the allocations scheme will enable better use of the limited affordable housing in the borough to help meet the most acute forms of housing need faced by residents and also help reduce the use of, and therefore the cost of, temporary accommodation to the council.</p>

Decisions taken by the Cabinet on Monday, 29 January 2024

13	Cornwallis Street Hotel Part 1	<p>1. That Cabinet agree to sell the land at Cornwallis Street to Whitbread PLC on the proviso that the Premier Inn hotel is built at their expense, within a reasonable timeframe (to be confirmed subject to legal due diligence) and that the council is released from all liabilities contained in the current agreement.</p> <p>2. That the Chief Executive, Chief Legal Officer and Chief Finance Officer be delegated authority to conclude the legal details of the new agreement (as per the requirements set out in the Part II confidential report) with Whitbread Plc in consultation with the Leader of the Council and the Finance Portfolio Holder.</p>	<p>1. The council entered into an agreement in 2021 to build and lease a hotel on the site at Cornwallis Street.</p> <p>2. The council tendered for the build work and following two procurement exercises, the costs of the build work exceeded the estimated capital programme budget.</p> <p>3. Officers have negotiated with Whitbread PLC (in the light of the council's financial challenges brought about by the housing crisis and requirement for the council to spend over £5.5m p.a. on temporary accommodation), an alternative agreement which enables the much-needed hotel to be built without the need for council investment.</p> <p>4. The council is at present still legally bound by the original agreement which contains significant financial penalties if the hotel is not built within the specified timescale.</p> <p>5. The existing agreement places significant financial and potential legal</p>
----	--------------------------------	--	---

Decisions taken by the Cabinet on Monday, 29 January 2024

			<p>risks on the council’s sustainability and therefore the new agreement is strongly recommended as a solution.</p>
<p>13.1</p>	<p>Cornwallis Street Hotel Part 2</p>	<p>1. That Cabinet agree to sell the land at Cornwallis Street to Whitbread PLC on the proviso that the Premier Inn hotel is built at their expense, within a reasonable timeframe (to be confirmed subject to legal due diligence) and that the council is released from all liabilities contained in the current agreement.</p> <p>2. That the Chief Executive, Chief Legal Officer and Chief Finance Officer be delegated authority to conclude the legal details of the new agreement (as per the requirements set out in the Part II confidential report) with Whitbread Plc in consultation with the Leader of the Council and the Finance Portfolio Holder.</p>	<p>1. The council entered into an agreement in 2021 to build and lease a hotel on the site at Cornwallis Street.</p> <p>2. The council tendered for the build work and following two procurement exercises, the costs of the build work exceeded the estimated capital programme budget.</p> <p>3. Officers have negotiated with Whitbread PLC (in the light of the council’s financial challenges brought about by the housing crisis and requirement for the council to spend over £5.5m p.a. on temporary accommodation), an alternative agreement which enables the much-needed hotel to be built without the need for council investment.</p> <p>4. The council is at present still legally bound by the original agreement which contains significant financial penalties if the hotel is not built within the specified</p>

Decisions taken by the Cabinet on Monday, 29 January 2024

			<p>timescale.</p> <p>5. The existing agreement places significant financial and potential legal risks on the council's sustainability and therefore the new agreement is strongly recommended as a solution.</p>
--	--	--	--

For further details please contact Committee Administration:

Email: Committee_Admin@hastings.gov.uk

Phone: 01424 451719