

## CABINET

4 JUNE 2018

Present: Councillors Chowney (Chair), Forward, Batsford, Fitzgerald, Rogers, Beaney, Lee and Patmore

There were no apologies for absence.

### 81. MINUTES OF THE MEETING HELD ON 9 APRIL 2018

**RESOLVED** that the minutes of the Cabinet meeting held on 9 April 2018 be approved as a correct record.

**RESOLVED** the chair called over the item on the agenda, under rule 13.3 of the council's constitution, the recommendations set out in minute numbers 82 and 83 were agreed without being called for discussion.

### 82. RIPA POLICY

Christine Barkshire-Jones, the Chief Legal Officer provided a report on the RIPA Policy. The purpose of the report was to up-date the Council's RIPA policies and procedures.

The Regulation of Investigatory Powers Act 2000 (RIPA) provides the legal basis for local authorities to carry out surveillance. There are three types of surveillance: Directed Surveillance; Covert Human Intelligence Source (CHIS) and Communications Data.

Under Rule 13.3 of the council constitution, this item was agreed without being called for discussion.

**RESOLVED** that:

1. Cabinet approve the refreshed RIPA policy and procedures.
2. Delegated Authority be given to the Chief Legal officer in consultation with the Lead Member to make any necessary changes to the documentation.

The reason for these recommendations were:

Every three years Councils are visited by the Officer of Surveillance Commissioners to ensure that RIPA policies and procedures comply with the law. It is necessary for council staff to be aware of the policies and procedures and to receive necessary training.

### 83. GDPR – THE GENERAL DATA PROTECTION RULES

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Christine Barkshire-Jones, the Chief Legal Officer provided a report on GDPR – General Data Protection Regulation. The purpose of the report was to up-date members on what steps have been taken in preparation for this legislation which came into force on 25 May 2018. To seek Cabinet's approval of the recommendations as set out in the report.

The General Data Protection Regulation 2014 came into effect on 25 May 2017. It applies to both personal data and sensitive personal data. The data protection principles set out the main responsibilities for organisations. These are similar to existing data protection law the most significant addition is the accountability principle. This requires organisations to show how they comply with the principles.

Under Rule 13.3 of the council constitution, this item was agreed without being called for discussion.

### **RESOLVED that:**

- 1. To approve the Document Retention Policy.**
- 2. To give the Chief Legal Officer delegated authority to amend the Document Retention Policy as necessary (in consultation with the Lead member) without bringing further reports to Cabinet.**
- 3. Endorse the future development of an Information Management Strategy**

The reason for these recommendations were:

The GDPR came into effect on the 25<sup>th</sup> May 2018. As the Council processes data there are specific legal obligations that we must comply with.

### **84. DRAFT TOWN CENTRE AND BOHEMIA AREA ACTION PLAN**

Kerry Culbert, the Planning Policy Manager presented a report on the Hastings Town Centre & Bohemia Area Action Plan Preferred Approaches. The purpose of the report was to provide an update on the development of the Hastings Town Centre & Bohemia Area Action Plan (AAP) and to recommend to Cabinet that the Preferred Approaches version of the draft AAP is published for consultation purposes.

It was stated that the plan aimed to improve infrastructure in the town centre and west of the town centre in to the Bohemia area (formerly known as the White Rock area).

She noted that though the town centre is the commercial heart of Hastings, the western Bohemia Area has much potential, and is compatible with some issues that the Local Plan addresses, such as retail floor space, culture and leisure.

Furthermore, it was stated that partnership working would be key to this. Being a significant land owner and organisation in Hastings, Hastings Borough Council would be able to take a leadership role. Currently, two workshops were ongoing in the town in regards to this area and a sustainability appraisal was ongoing.

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In view of the level of interest that is anticipated, and to accord with the compact for East Sussex the period of consultation will run for 12 weeks. Public consultation will therefore begin in late June with the precise date to be agreed with the Lead Member.

Councillor Forward proposed approval of the motion, seconded by Councillor Rogers.

**RESOLVED** (by 6 votes for, to 0 votes against with 2 abstentions) that:

1. **The Preferred Approaches version of the Hastings Town Centre & Bohemia Area Action Plan, as presented at Appendix 1, be approved in accordance with Regulation 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012;**
2. **The document, together with the supporting Sustainability Appraisal (Appendix 2), be published for public consultation, subject to any presentational and other non-substantive changes to be authorised by the Director of Operational Services or his deputy in consultation with the Lead Member.**
3. **Public engagement be undertaken in accordance with the Council's Statement of Community Involvement to include a 12 week consultation period.**

The reason for these recommendations were:

To proceed with the preparation process of the Area Action Plan in accordance with agreed timescales.

### **85. CABINET APPOINTMENTS TO COMMITTEES, WORKING GROUPS AND PARTNERSHIPS**

Christine Barkshire-Jones, Chief Legal Officer presented a report, subject to the amendments, on the nominations received for Cabinet appointments to committees, working groups and partnerships etc. and the appointments of the Chairs and Vice Chairs to the committees of Cabinet.

Two amendments were made to the documents in the report. The first was that on the Stade Partnership, "Councillor Poole" who was no longer a councillor would be replaced with "Councillor Louise".

The second was that Councillor Fitzgerald would be placed on the Safer Hastings and Rother Partnership, as the Environment and Equalities Portfolio Holder.

Councillor Chowney proposed approval of the motion, which was seconded by Councillor Rogers.

**RESOLVED** (unanimously):

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1. To appoint members to committees, working groups, partnerships and representative bodies as set out in Appendix A and B, and;
2. To appoint the Chairs and vice Chairs of Charity Committee and Museums Committee, as listed in Appendix A.

The reasons for these recommendations were:

Members are required to serve on the committees, working groups, partnerships and representative bodies to which Cabinet appoints. Chairs and Vice Chairs are required for the committees that report to Cabinet.

### **86. URGENCY PROVISION - HASTINGS FISH BRAND**

Kevin Boorman, the Marketing and Major Projects Manager presented a report on the Hastings Fish Brand Project. The purpose of the report was to provide a summary of information on the Hastings Fish Brand project, and to recommend that the authority is delegated to the Director of Operational Services or his nominee to sign the funding agreement with the Marine Management Organisation (MMO) for the Hastings Fish Brand project and any other HBC-led Fisheries Local Action Group funded projects.

This report was presented to the Cabinet on urgency provisions.

Hastings Borough Council has been successfully approved by the MMO for funding for a Hastings Fish Brand via the Fisheries Local Action Group (FLAG) programme.

The small scale nature of our fleet, the seasonal and unpredictable nature of the catch and the demand from restaurants and consumers wanting to purchase the same product continue to be barriers to growth in sales of Hastings landed fish products. Hastings Fish Brand will market the fish landed as a premium, sustainable and local product using a simple and unique logo (see image in Appendix 2). The marketing will focus on education and understanding around seasonal produce, using this as a unique selling point.

It was noted that this fish brand would be appropriately debuted at the Seafood and Wine festival in the town in September. Furthermore, there would be no funding from Hastings Borough Council towards this project.

Councillor Forward approval of the motion, seconded by Councillor Batsford.

### **RESOLVED (unanimously) that:**

1. The authority be delegated to the Director of Operational Services or his nominee in consultation with the lead member for regeneration:
  - To sign the funding agreement for the Hastings fish Brand with the Marine Management Organisation,

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- **To enter into the MMO funding agreements for any further HBC-led FLAG funded projects, including those summarised in Appendix 1.**

The reasons for this recommendation were:

Hastings Fish Brand has been formally approved by the MMO and we can now proceed with immediate delivery of the project, as set out in the submitted application form and business case. The delay in the MMO approving the funding means that urgency provisions have been used, set out in rule 26.20 of the constitution, and Cabinet is asked to note these.

(The Chair declared the meeting closed at. 6.28 pm)