

**Report to:** Charity Committee

**Date of Meeting:** 18 March 2019

**Report Title:** Part of Upper Promenade Building at Former White Rock Baths

**Report By:** Peter Grace  
Assistant Director Financial Services & Revenues

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### **Purpose of Report**

To consider use of the premises.

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### **Recommendation(s)**

- 1. That Charity Committee delegates to the Estates Manager in consultation with the Chair the authority to agree the final terms of the lease.**

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### **Reasons for Recommendations**

The premises are currently vacant following Hastings Pier Charity going into administration and Source Park (Hastings) Ltd have a right of first refusal under the terms of their existing lease of other parts of the building.

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## Background

1. Part of the Upper Promenade Building of the Former White Rock Baths as shown outlined on the attached plan, known as The Hub, was let to Hastings Pier Charity but the lease was surrendered following them going into administration.
2. The Source (Hastings) Ltd have a lease of most of the remainder of the building and under the terms of the agreement they have a right of first refusal if the Charity lease of The Hub expires or ends.
3. This is on the proviso that agreement of suitable commercial terms are agreed at an open market rent.
4. In order to deal with any potential conflict of interest between Hastings Borough Council and the Trust and in accordance with Charity Act requirements an independent report has been obtained from Dyer & Hobbis. This is confidential to the Trustees, and the Protector, as it contains recommendations in respect of the terms of the new lease, including the rent.
5. The Source (Hastings) Ltd have indicated in principle that they would like to progress with a lease on the same terms as their existing agreement (a term expiring on 11 January 2026) at the open market rent.
6. The premises falls with the remit of the Hastings Borough Council Act 1988.

### Coastal Users Group

7. Under the Scheme the Council must consult with the Coastal Users Group on:
  - The charity's policy relating to the exercise of any power under the Hastings Borough Council Act 1988 or otherwise to manage, let sell or otherwise dispose of the charity's property.
  - The exercise, other than in accordance with established policies, of any power under the Hastings Borough Council Act 1988 or otherwise to manage, let see or otherwise dispose of the charity's property.
8. The Trustees must have regard to the recommendations of the Coastal Users Group.

## Conclusion

9. It is recommended that the Estates Manager is given authority to finalise a lease with the Source (Hastings) Ltd on the same terms as their existing lease and at the market rent as this is considered to be in the best interests of the Charity.

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## Wards Affected

Castle

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## Policy Implications

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	No
Environmental Issues	No
Economic/Financial Implications	Yes
Human Rights Act	No
Organisational Consequences	No
Local People's Views	No
Anti-Poverty	No

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## Additional Information

Plan ESAD 1608.

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## Officer to Contact

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