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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.

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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)