

**CABINET**

4 September 2017

Minutes of the Cabinet meeting held at the Town Hall, Bexhill-on-Sea on Monday 4 September 2017 at 11:00am.

Cabinet Members present: Councillors C.R. Maynard (Leader), Lord Ampthill, A.E. Ganly, Mrs S. Hart, I.R. Hollidge, Mrs J.M. Hughes, I.G.F. Jenkins, G.P. Johnson, M.J. Kenward (Deputy Leader) and Mrs E.M. Kirby-Green.

Other Members present: Councillors J.J. Carroll, R.V. Elliston, T.W. Graham, J.M. Johnson, J. Potts, M. Mooney (in part) and M.R. Watson.

Advisory Officers present: Executive Director of Resources, Executive Director of Business Operations, Service Manager – Finance and Welfare, Service Manager – Environmental Services and Licensing, Service Manager – Community and Economy, Economic Development Manager, Partnership and Community Safety Coordinator, Contracts Manager and Democratic Services Officer.

Also present: Two members of the public.

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Publication Date: 7 September 2017

The decisions made under PART II will come into force on 15 September 2017 unless they have been subject to the call-in procedure.

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**CB17/13. MINUTES**

The Chairman was authorised to sign the minutes of the meeting held on 31 July 2017 as a correct record of the proceedings.

**CB17/14. APOLOGIES FOR ABSENCE**

Apologies for absence were received from non-Executive Members, Councillors Mrs B.A. Hollingsworth, P.N. Osborne and the Chairman of the Council, Mrs M.L. Barnes.

**CB17/15. EXCLUSION OF PRESS AND PUBLIC**

**RESOLVED:** That the press and public be excluded whilst matters containing exempt information, as prescribed by Part 1 of Schedule 12A of the Local Government Act 1972, as amended and relating to Minute CB17/16, was under consideration. The report submitted in connection with this item and which contains information exempt from publication by virtue of Part 1 of Schedule 12A to the Act shall remain confidential if and so long as, in all the circumstances of the case, the

public interest in maintaining the exemption outweighs the public interest in disclosing the information.

**PART I – RECOMMENDATIONS TO COUNCIL** – not subject to call-in procedure under Rule 16 of the Overview and Scrutiny Procedure Rules.

**CB17/16. DEVELOPMENT OF THE FORMER BEXHILL HIGH SCHOOL SITE**  
(9.1)

Consideration was given to the confidential report of the Executive Director of Business Operations concerning the development of the former Bexhill High School site as a leisure destination.

The Council's aspiration was to provide a one site facility in Bexhill to encompass all leisure facilities for the community and this objective was reflected in the Council's Corporate Plan 2014-2021, Local Plan Site Allocation and the Bexhill Town Centre Strategy.

The Council's objective was to secure a leisure destination on the site of the former Bexhill School. Following the presentation of an initial scoping study a full feasibility study and site master plan was undertaken and presented to Cabinet in October 2014.

Cabinet was aware that the acquisition of the former High School site had encountered a number of complex legal obstacles and the report provided an update on the progress of the project and future actions to be taken. Cabinet confirmed its support for the proposed scheme and supported the recommendation subject to further legal advice regarding the issues which were highlighted within the report and during debate.

**RECOMMENDED:** That the 2017/18 Capital Programme be increased by £2 million to meet the costs of site acquisition and the cost of appointing a dedicated project manager funded from the Earmarked Reserve for Corporate Priority Projects and the Medium Term Financial Strategy Earmarked Reserve subject to further legal opinion on the issues highlighted in the report.

(This matter was considered exempt from publication by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972, as amended).

(When it first became apparent, Councillor Maynard declared a personal interest in this matter as an Executive Member of East Sussex County Council and in accordance with the Members' Code of Conduct remained in the room during the consideration thereof).

(When it first became apparent, Councillor Hollidge declared a personal interest in this matter as he hires/contracts a hall with Bexhill Leisure Centre for a club he runs and in accordance with the Members' Code of Conduct remained in the room during the consideration thereof).

**PART II – EXECUTIVE DECISIONS** – subject to the call-in procedure under Rule 16 of the Overview and Scrutiny Procedure Rules by no later than 4:00pm on 14 September 2017.

**CB17/17. STREET NAMING AND PROPERTY NUMBERING POLICY**  
**(6.1)**

Members received and considered the report of the Executive Director of Resources on the Street Naming and Property Numbering Policy. The report detailed consequential changes to the Street Naming and Property Numbering Policy and proposed changes to the fees charged. The policy was the Council's guide for exercising its responsibilities for the naming and numbering of properties and the naming of streets. A number of consequential changes had been required to the guide which updated the policy that included amendments resulting from changes in legislation, relevant contact details and database names and revised the list of authorities informed of street and property changes.

Councils could charge for providing street naming and numbering activities and Rother District Council's charges in relation to carrying out this function had not been amended for a number of years. A review had been carried out of the charges and proposed new charges were appended to the report for Cabinet's consideration.

Members supported the updated guide and proposed charges as appended to the report.

**RESOLVED:** That:

- 1) the consequential changes to the Street Naming and Property Numbering Policy be noted; and
- 2) the revised charges for street naming and number activities be approved as submitted.

**CB17/18. REVENUE BUDGET AND CAPITAL PROGRAMME MONITORING**  
**(6.2) QUARTER 1 2017/18**

Cabinet received and considered the report of the Executive Director of Resources on the Provisional Revenue Budget and Capital Programme Monitoring Quarter 1 2017/18. Three virements were reported relating to adjusting salary budgets for the pay award, accounting for rental income from Amherst Road and the provision of funding for the housing stock and condition survey. The significant areas of spend were highlighted within the report.

Overall the cost of services showed an underspend of £0.331m which was attributed to underspends/savings across the six service areas. In addition, due to investments in the Churches Charities Local Authority Property Fund, it was anticipated that an additional £65,000 of income would be achieved by the end of the financial year. Additional grants totalling £233,000 had also been received supporting welfare changes and temporary accommodation matters.

The Council Tax collection rate as at 31 July 2017 was comparable to previous years and the total collectable was above the original estimate. The Council Tax element of the Collection Fund was expected to be in surplus at year end however, the overall performance could be significantly influenced by the number of appeals made by businesses. Members were advised that each year funding provision would need to be increased until appeals were settled by the Valuation Office Agency. Information on timings was vague, however settlements were now being received.

The estimated outturn for the Capital Programme was detailed in Appendix A to the report. Members were advised that work continued to resolve the outstanding issues regarding the former Bexhill High School site land swap with East Sussex County Council, with recent discussions indicating that a way forward had been identified. A grant of £133,000 funded from Section 106 monies would be given to Optivo (formerly AmicusHorizon) for affordable housing provision in Peasmarsh. During 2017/18, the Disability Facility Grants (DFGs) spend was estimated at £1m. Additional funding from Section 106 contributions had been spent on improvements to the Galley Hill public play area. Funding from the sale of beach huts and surplus monies ring-fenced from future income generation projects would be used to buy and install additional beach huts. £50,000 over three years had been set aside for the replacement of waste bins for the joint waste partnership and would be funded jointly by the partner councils. Approximately £710,000 would be spent on essential maintenance on the Council's ICT network, the Corporate Document Image processing and the Enterprise Resource Planning (financial and HR) systems.

Overall, the revenue budget underspend was £0.629m, of which £385,000 related to the expected capital underspend on DFGs which would be transferred to earmarked reserves for future years.

**RESOLVED:** That the report be noted.

CB17/19.  
(6.2)

## **IRRECOVERABLE DEBTS**

Consideration was given to the report of the Executive Director of Resources on irrecoverable debts. Debts in excess of £4,000 could only be written out of the Council's accounts with the consent of the Cabinet. Where it was apparent that the debts would not be recovered, it was financially prudent for these to be excluded from the accounts; this did not mean that the Council could not take action in the future if information was received indicating the debt could then be recovered.

Cabinet was asked to write off seven cases in total relating to business rates (four cases), Council Tax (one case) and Housing Benefit overpayments (two cases) totalling £42,681.46.

The Council's debt recovery work was undertaken in accordance with current Council policy and the Council's work around debt recovery performed very well; it was noted that there was no known time limit on recovering the debt should the whereabouts of liable persons come to light in the future.

**RESOLVED:** That the debts totalling £42,681.46 be approved for writing out of the accounts.

CB17/20.  
(7.1)

**ENFORCEMENT OF PUBLIC SPACES PROTECTION ORDERS BY HASTINGS BOROUGH COUNCIL (HBC) STAFF ON HBC LAND WITHIN ROTHER**

Cabinet gave consideration to the report of the Executive Director of Business Operations on enforcement of Public Spaces Protection Orders (PSPOs) by Hastings Borough Council (HBC) staff on HBC owned land within Rother.

Rother District Council (RDC) had brought into force PSPOs in relation to dogs which included the removal of faeces by dog owners, excluding dogs from certain areas and the requirement for dogs to be on leads in certain areas.

Certain areas of land within the District was actually owned by HBC and used by them for their own statutory purposes. As such HBC had requested that its staff and contractors be authorised to enforce the Orders on such land in the same terms as RDC's own staff and contractors.

It was recognised that under section 101 of the Local Government Act 1972, a local authority could arrange for the discharge of its functions by any other local authority. It was also noted that HBC would meet any claims arising out of its activities of their personnel and would keep any fixed penalty or proceeds arising from those activities.

Members were satisfied with the proposal especially as this would enhance the level of enforcement in the public interest and contribute to the working partnership between the two authorities.

**RESOLVED:** That arrangements be entered into with Hastings Borough Council pursuant to section 101 of the Local Government Act 1972, whereby any person duly authorised by them is thereby also authorised by this Council to take any steps necessary for or incidental to discharge of the enforcement function, in relation to any Public Spaces Protection Order for the time being in force on any land occupied by Hastings Borough Council located within Rother District. Such arrangements to include indemnification by Hastings Borough Council in respect of any claim or costs thereby arising and retention by them of any fixed penalty or other income arising out of the exercise of these powers.

CB17/21.  
(7.2)

**JOINT WASTE AND RECYCLING COMMITTEE AND CONSTITUTION**

Cabinet received and gave consideration to the Executive Director of Business Operation report on the Joint Waste and Recycling Committee (JWRC) and Constitution.

The current waste and recycling, street and beach cleaning contract was due to end on 28 June 2019 and Councils that formed the Joint Waste Committee (JWC) including Lewes District Council (who began

to attend the JWC in a co-opted role without voting rights in April 2016) had had the opportunity to participate in discussions for a potential new joint waste contract since 2016.

The Councils had confirmed their position with regard to the procurement of the new contract to start on 29 June 2019. Hastings Borough Council (HBC), Rother District Council (RDC) and Wealden District Council (WDC) had resolved to participate in the procurement project. Eastbourne Borough Council (EBC) and Lewes District Council (LDC) had resolved not to participate in the procurement process in order to develop a joint service. It was noted that both EBC and LDC had both requested to be named on the OJEU notice for potential future access to the contract by variation.

To enable a clear distinction between matters concerning the current contract and the future procurement decision, it was recommended that a new JWRC was established. The new committee would work concurrently to the existing JWC and would consider matters concerning procurement and the future delivery of services.

Appended to the report for consideration was both an amended Constitution for the JWC and a draft JWRC Constitution. Cabinet's authority was sought to adopt both documents and the appointment of two Member representatives (and substitutes) to the JWRC.

**RESOLVED:** That:

- 1) the associated changes to the Constitution of the Joint Waste Committee at Appendix A to the report be approved;
- 2) the formation of the Joint Waste and Recycling Committee be approved and its Constitution at Appendix B to the report be adopted;
- 3) the existing Rother Members and substitutes for the Joint Waste Committee be appointed as Members and substitutes for the new Joint Waste and Recycling Committee; and
- 4) the Lead Director be authorised to make minor amendments to the Constitutions, in consultation with the Chairman of the Joint Waste and Recycling Committee.

CB17/22.  
(7.3)

**COMMUNITY GRANT SCHEME**

The Council's Community Grant Scheme (CGS) made provision for up to £130,000 per annum to be made available to community groups or organisations that met the specific grant criteria of the Scheme. Round 1 for 2017/18 closed on the 31 July 2017 and the Community Grant Panel had met on Wednesday 2 August 2017 to consider five applications. Of the five, four had been recommended for approval and one was recommended for refusal.

Details of the Panel's recommendations to either grant or decline a community grant were attached to the report at Appendices 1 and 2

and Cabinet gave detailed consideration to each of the applications, being mindful of the benefits offered to the communities and hearing from the local Ward Members present. Members agreed with the Panel's recommendations regarding the grants detailed in Appendix 1 and noted that the amounts offered to Beckley Parish Council and Peasmarsh Parish Council projects would be adjusted if sufficient grant was received from other sources.

Members also considered the application from Crowhurst Village Hall Management Committee for £10,000 contained within Appendix 2 which had failed to meet the criteria for the CGS. Members were unclear as to how much of the requested funds were for an extension to the premises and how much was for renovation of the existing kitchen area. Members noted that the kitchen was used to produce school dinners and the importance of provision being made to fund maintenance, repairs and replacement from generated income was emphasised. Members considered and agreed the Panel's recommendation to decline the application, however invited Crowhurst Village Hall Management Committee to resubmit its application providing further detailed information.

In order to make the small grant fund of the CGS for grants up to £500 more accessible, Cabinet noted that the Panel had agreed a simplified application form and guidance process. The scheme would replicate the successful process applied to the previous celebratory schemes and would be a pilot for online applications. Cabinet noted that the applications could be made at any time and would be continually processed throughout the year; Members were requested to encourage applications for small grants.

**RESOLVED:** That:

- 1) the Community Grants listed below, as recommended by the Grants Panel be approved, subject to specific conditions relating to each application
  - Battle Town Council - £25,000
  - Beckley Horticultural Society - £1,000
  - Beckley Parish Council – up to a maximum of £30,000 (no more than 50% of the project costs)
  - Peasmarsh Parish Council – up to a maximum of £15,000.
- 2) the Community Grant for Crowhurst Village Hall of £10,000 be declined;
- 3) the changes to the Small Grants Scheme agreed by the Panel, be noted; and
- 4) all Members be requested to promote the scheme with their wards.

**CHAIRMAN**

The meeting closed at 1.00pm

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