

CABINET

15 January 2018



Minutes of the Cabinet meeting held at the Town Hall, Bexhill-on-Sea on Monday 15 January 2018 at 11:05am.

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, J.M. Johnson, B. Kentfield, P.N. Osborne and J. Potts.

Advisory Officers present: Executive Director of Resources, Executive Director of Business Operations, Service Manager – Finance and Welfare, Service Manager – Community and Economy, Economic Development Manager, Service Manager – Strategy and Planning, Neighbourhood Services Manager, Operations Team Leader, Housing and Asset Development Officer (in part) and Democratic Services Manager.

Also present: 5 members of the public.

Publication Date: 17 January 2018

The decisions made under PART II will come into force on 25 January 2018 unless they have been subject to the call-in procedure.

CB17/57. MINUTES

The Chairman was authorised to sign the minutes of the meeting held on 18 December 2017 as a correct record of the proceedings.

CB17/58. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Mrs M.L. Barnes, Chairman of Council and Mrs B.A. Hollingsworth, Spokesperson for Health and Wellbeing.

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

**CB17/59. THE COLONNADE, BEXHILL-ON-SEA
(6.4)**

In October 2017 Cabinet had approved to enter into a lease with a new operator for the Colonnade restaurant, however, it was reported that the preferred operator had subsequently withdrawn in late November 2017 on financial grounds and a new approach was required. Council

had also previously agreed a capital contribution of £100,000 towards the cost of fitting-out works (Minute CB17/32 refers).

Following consultation with the Members' panel who had considered the initial expressions of interest and business cases, it was concluded that the best option would be to increase the commercial offer and income streams derived at the Colonnade by partially subdividing the western half to create four additional retail kiosks as well as retaining a sizeable food and drink facility. It was considered that this facility could then be leased out externally, operated by the Council in-house or run in partnership with a third party.

It was advised that whilst an in house operation would result in the Council taking on more of or the entire commercial risk, it would also benefit from potential financial surpluses from the catering operation, whilst also receiving a rental income from the additional kiosks. This option sat well within the context of the Council's Rother 2020 plans and medium term financial strategy, in terms of being less risk averse and maximising income streams.

Regardless of which option the Council took, it was necessary to carry out further works to the interior of the premises to make it ready for occupation. Officers were currently preparing a detailed schedule of works in readiness for competitive quotes; depending on the final specification, the cost of these works were estimated to be in the region of £200,000; therefore an additional capital provision of £100,000 was required in addition to the £100,000 previously approved. In addition to the fit out costs, there would also be set up costs (fixtures / fittings etc.) that were estimated to be in the region of £60,000 and would need to form part of the overall Capital Programme provision for the project.

Members were supportive of the proposal to manage the facility in house and for the Council to appoint a catering manager with strong management direction to run the business as a going concern from the outset. Some budget forecasting had been undertaken that indicated an annual income of over £200,000, with gross profit of around 70% of turnover and net profit of around 10% of turnover. In addition, there would be the rental income from the new units in the western half of the Colonnade, expected to be approximately £14,000 per year.

It was recommended that an in-depth review take place following three years of trading, to consider whether the Council should seek an independent operator and sell the business as a going concern, or retain it as a useful long term source of income with potential for growth.

Members were keen to see the operation up and running as soon as possible and with the relevant approvals in place, it was expected that the café/restaurant would be open for business by the summer and the lettings of kiosk spaces achievable in a shorter timescale.

RECOMMENDED: That:

- 1) the Capital Programme be increased to £260,000 for the internal fit-out of the Colonnade café/restaurant and kiosks funded from the Medium Term Financial Strategy Earmarked Reserve; AND

***RESOLVED:** That:

- 2) officers be authorised to proceed with the establishment of an in-house café/restaurant offer at the Colonnade with the future operation to be kept under review.

*The **RESOLVED** part of this minute is subject to the call-in procedure under Rule 16 of the Overview and Scrutiny Procedure Rules.

(The Leader had accepted this item onto the Agenda as an Additional Agenda Item in order for the decision to be taken with regard to establishing an in-house café/restaurant offer at the Colonnade as soon as possible).

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 24 January 2018.

CB17/60.
(6.1)

CAMBER TRAFFIC AND PARKING MANAGEMENT

Consideration was given to the comprehensive report of the Executive Director of Business Operations regarding the periodic traffic congestion and parking issues experienced in recent years at Camber. Although the issues only occurred on a maximum of 4 to 6 days a year, due to the large number of visitors, it caused significant disruption for residents and visitors, and more importantly, the emergency services in terms of delays in emergency response times.

Following two particularly congested days in 2017, Camber Parish Council (CPC) had formally requested that Rother District Council (RDC) work to identify potential solutions. In response to this request RDC, in conjunction with Sussex Police and East Sussex County Council (ESCC) as the highways authority, commissioned Transport Planning Associates (TPA) in August 2017 to undertake a comprehensive traffic management study, equally funded between the three agencies.

The detailed traffic and parking study highlighted the following key areas as potential causes for traffic congestion:

- Delays in accessing car parks
- Overall lack of car parking capacity
- Poor signage
- Illegal and inconsiderate parking
- Sheer volume of traffic seeking to get to the beach

TPA presented their report to the joint agencies on the 5 December 2017 and a panel of officers from RDC, Sussex Police and ESCC discussed a range of solutions in response to the highlighted key areas of concern, including installing an Automatic Number Plate Recognition (ANPR) entry and payment system, providing additional parking, providing a further dot-matrix variable messaging sign (VMS), improved management of illegal and inconsiderate parking and additional police resources.

The recommendation to provide additional parking was not supported due to capacity and safety reasons; the prospect of improved management of illegal and inconsiderate parking would not be considered by ESCC until the outcome of the current Civil Parking Enforcement scrutiny review had been concluded and Sussex Police were unlikely to change the current deployment of police officers to enforce parking restrictions due to other policing priorities across the district. This left two options for progression, the ANPR and VMS.

In progressing the proposal for an ANPR at Western car park a number of legal, financial and operational concerns (including safety of pedestrians / children due to speedier entry of vehicles and potentially reduced income) would need to be addressed and officers would work with suppliers to determine the best approach. Operators would earn income through fining non-paying visitors. It was recommended that the new system be trialled for two seasons without capital or significant revenue outlay and without obligation for permanent deployment. After this period officers would report back on the impacts, both positive and negative of ANPR.

In progressing the VMS proposal, officers would source a suitable supplier and seek funding through the Community Safety Partnership Joint Action Group. In retaining responsibility for the deployment of the VMS, the Coastal Officer and his team would be able to maximise the use of the signage function in conjunction with the fixed VMS capability installed in the car parks in 2017. Members agreed that their preference was for the VMS to be in a fixed location so that it was always available as required for RDC in dealing with the Camber parking issues. Other methods such as increased use of social media, local radio messages etc. would also be deployed and a communications plan would be drawn up. Members were keen that the VMS was deployed as far away as on the M20/A20 to divert visitors approaching Camber when it was at capacity; officers agreed to liaise with Highways England on this matter.

It was noted that whilst pay on entry had significant benefits in car park management, new technology potentially offered the prospect of addressing some of the congestion issues consequent on the popularity of Camber as a tourism destination.

RESOLVED: That:

- 1) the work undertaken to address traffic congestion in Camber be noted and officers work with ESCC to liaise with Highways England about Variable Messaging Sign on the M20/A20;

- 2) the implementation of a two year trial of an Automatic Number Plate Recognition payment system for Camber Western car park be approved, with costs to be met from car park reserves;
- 3) the Community Safety Partnership Joint Action Group be requested to fund a fixed Variable Messaging Sign for traffic management to be owned and operated by Rother District Council; and
- 4) if problems continue, Sussex Police and East Sussex County Council's highways authority be asked to take measures to close the road or restrict the number of vehicles entering the village during exceptional peak days.

(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).

CB17/61.
(6.2) **CEMETERY LODGE, BEXHILL**

Cabinet had considered proposals for the long term use and disposal of the Cemetery Lodge site, Bexhill, as a community led housing scheme in December 2017 (Minute CB17/50 refers) but had deferred a decision pending further information and a site visit to consider further the suitability of the land. Additional information was now provided on the relocation of the cemetery entrance, preparing the cemetery lodge site ready for future disposal/redevelopment, and a proposal for discussions with the local community on a community-led housing scheme and the adjoining site at 276 Turkey Road.

Relocating the entrance to Bexhill Cemetery had a number of benefits, including improving the existing awkward junction, providing additional parking and the creation of a self-contained development site where the Cemetery Lodge currently stood. It was therefore recommended that officers be authorised to proceed with a planning application to reconfigure the entrance to the cemetery. If feasible and affordable, this would include the re-use of the current gates and pillars at the new entrance.

With regard to the Community Led Housing Scheme, it was recommended that, working in conjunction with Action in Rural Sussex Community Housing Hub, officers made further enquiries to establish what interest may exist in the wider community for a community-led housing scheme and for officers to report back progress to a future meeting. Cabinet would receive a further report on the future of the current building after the outcome of these preliminary discussions.

The confidential appendix to the report set out the significant planning history of the land at 276 Turkey Road. The land was currently held in private ownership and there were discussions currently ongoing for the lifting of the covenant to enable the development of housing; the owner was not interested in acquiring Cemetery Lodge as part of their development proposal.

It was concluded that progressing the work to install a new cemetery entrance would optimise the site for a community-led housing scheme or for sale on the open market or as a development site. In the meantime, and whilst this work was carried out, there was the opportunity for discussions to establish what interest may exist within the community to develop the site for the benefit of the local residents.

RESOLVED: That:

- 1) the submission of a planning application for a new entrance to Bexhill Cemetery from St Marys Lane, incorporating if practicable, the original cemetery gates and pillars, be approved, with the cost of construction to be met from reserves; and
- 2) Officers be authorised to identify the level of interest within the community for a community-led housing scheme at the Cemetery Lodge site and to report back to Members at a future meeting.

(The Confidential Appendix in relation to this matter, as set out at Agenda Item 8.1 was considered exempt from publication by virtue of Paragraph 3 of Schedule 12A of the Local Government Act 1972, as amended. In accordance with the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 Cabinet did not consider it necessary to exclude the press and public whilst considering this matter).

CB17/62.
(6.3)

PUBLIC OPEN SPACE – BREDE LANE, SEDLESCOMBE

Members gave consideration to the report of the Executive Director of Business Operations that detailed a request from Sedlescombe Parish Council (SPC) for Cabinet to reconsider its decision made in November 2017 (Minute CB17/40 refers) concerning the transfer of public open space at Brede Lane, Sedlescombe in the S106 agreement relating to the Street Farm planning application (RR/2016/1837/P) to SPC.

Cabinet had agreed “in principle” that the land be transferred to SPC at the appropriate time in accordance with the S106 agreement that stated that once the development had started that no later than:

- the occupation of the 5th open market House – the open space shall be transferred to RDC for £1;
- the occupation of the 9th house a payment of £37,500 (index linked) shall be made to RDC for future maintenance of the open space; and
- the occupation of the 14th house all landscaping required to the public open space shall be completed.

The S106 planning obligation required the freehold interest of the public open space to be transferred from the developer, MJH Homes to RDC. Thereafter, RDC could transfer the land so long as it is protected as ‘public open space’.

It was confirmed that the transfer of the land to RDC (and then to the parish council/or trust) could not take place until the planning permission was activated and the development had gone through the triggers set out above.

Once the land was transferred to RDC as public open space, the Council would then instigate the due legal process under S123 of the Local Government Act 1972 to dispose of the public open space. If there were no objections the Executive Director of Business Operations already had the delegated authority to transfer the land as either a leasehold or freehold whichever was considered to be the most appropriate. Therefore, whilst it was every intention of RDC to dispose of the land to SPC, it could only give an 'in principle agreement' at this time as the Council was required by law to advertise its disposal and take due consideration of any objections.

The November Cabinet resolution had already given authority (after the S123 stage if there were no objections) to the Executive Director of Business Operations to deal with all aspects of the disposal of this public open space and this was the furthest RDC could go in giving its commitment to SPC as governed by the legal framework. The Local Member, Councillor Ganly full supported the transfer of land to SPC but understood the need to follow the necessary legal requirements of disposing of public open space.

RESOLVED: That Sedlescombe Parish Council be advised of the reasons for the previous resolution and Rother District Council's commitment to transfer the land to Sedlescombe Parish Council subject to the necessary legal processes being followed.

CHAIRMAN

The meeting closed at 11:55am

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