

**CABINET**

3 September 2018

Minutes of the Cabinet meeting held at the Town Hall, Bexhill-on-Sea on Monday 3 September 2018 at 11:00am.

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

Other Members present: Councillors G.S. Browne, J.M. Johnson, B. Kentfield, M. Mooney and J. Potts.

Advisory Officers present: Executive Director (MJ), Executive Director (AL), Assistant Director Resources, Head of Service Acquisitions, Transformation and Regeneration, Head of Service Housing and Community, Programme Office & Policy Manager (in part), Neighbourhood Services Manager and Democratic Services Manager.

Also present: 3 members of the public and 1 member of the local press.

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Publication Date: 5 September 2018

The decisions made under PART II will come into force on 13 September 2018 unless they have been subject to the call-in procedure.

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**CB18/16. MINUTES**

The Chairman was authorised to sign the minutes of the meeting held on 30 July 2018 as a correct record of the proceedings.

**CB18/17. APOLOGIES FOR ABSENCE**

An apology for absence was received from Councillor P.N. Osborne, Chairman of the Overview and Scrutiny Committee.

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

**CB18/18. PROVISIONAL REVENUE BUDGET AND CAPITAL PROGRAMME MONITORING QUARTER 1 2018/19 (6.3)**

Cabinet received and considered the report of the Executive Director on the Provisional Revenue Budget and Capital Programme Monitoring Quarter 1 2018/19 which detailed changes to the Revenue Budget.

There had been a number of reportable virements relating to the restructure which totalled £842,000k. The significant areas of variations to the Net Cost of services were detailed within the report and overall the cost of services showed an underspend of £0.509m which was attributed to underspends/savings across the service areas.

The Assistant Director Resources highlighted the following key items:

Strategy and Planning: £28,000 deficit – planning fee and land charges income was slightly lower than expected at this stage of the year and reflected the slowdown in construction in the area.

Housing and Community Services: Surplus £205,000 – Bexhill Promenade and Foreshore – the erection and sale of 43 new beach huts had generated income of £250,000.

Housing Needs: £185,000 shortfall relating to costs of temporary accommodation. Housing Administration account – £20,000 shortfall due to agency staff used to manage the increased workload.

Interest from Investments: £35,000 Deficit – income of £327,000 was expected compared to the annual budget of £362,000, a shortfall of £35,000.

The Council Tax element of the Collection Fund was expected to be in surplus by £1,163,337 as at 30 June 2018, with the majority of the surplus accruing to East Sussex County Council as the major preceptor.

The performance of Business Rates collection as at 30 June 2018 was slightly better than the same period last year, however there was predicted to be a deficit of £1,044,092 as at 30 June 2018 due to adjustments to prior year debt and settlements of appeals.

The provisional outturn for the 2018/19 Capital Programme was £8.347 million spend against a £10.552 million budget, an under spend of (£2.205) million. The estimated outturn for the Programme was shown at Appendix A to the report with a revised Capital Programme at Appendix B and the following variations were brought to Members' attention:

East Parade – Project A – Bexhill East Beach: £287,000 slippage – whilst the planning application costs had fallen into 2018/19, it was anticipated that the rest of the project spend would slip into future years. A new Heritage Lottery Fund application for £400,000 of grant had been made which required match funding of £42,000. A further detailed report on the proposals would be made to Members, should the application be successful.

Blackfriars Development: associated consultants/surveys would need to be appointed to carry out a master-planning exercise to work up a holistic, whole site solution which secures the principal of residential development in line with the Council's local plan and Corporate Plan. The anticipated total cost of this work was in the region of £50,000.

It was concluded that overall the Council under spend was projected to be £1.855 million by the end of 2018/19. Of this £1.225 million related to slippage of capital programme items that were intended to be funded from revenue.

**RECOMMENDED:** That:

- 1) the revised Capital Programme set out in Appendix B to the report be approved; and
- 2) an architect and other associated consultants be appointed to carry out the master-planning exercise for the Blackfriars development site at Battle, at a cost of up to £50,000.

**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 12 September 2018.

CB18/19. **COMMUNITY GRANTS 2018 – ROUND 1**  
(6.1)

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 2018/19 closed on the 15 July 2018 and the Community Grant Panel had met on 1 August 2018 to consider 10 applications; all 10 had been recommended for approval. It was noted that the application from Westfield Parish Council now had the approval of the local Ward Member.

The Panel also had delegated authority to award grants up to £500 and two had been awarded; one for £500 to Bexhill Angling Club for the purchase of equipment to be used for coaching junior members and £270 to The Royal British Legion Bexhill Branch towards the cost of a Remembrance Parade.

Details of the Panel's recommendations to award the community grants over £500 were attached to the report at Appendix 1 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 all the Panel's recommendations which resulted in £65,831 being awarded in Round 1. This, together with the small grant applications amounted to £66,601 from the total budget leaving £63,399 for Round 2.

With regard to the application in respect of the Pelham Community Interest Company (CIC), Cabinet agreed that due to the significant size of the grant, the Pelham CIC be invited to present an update to the Council's Overview and Scrutiny Committee a year after the funding had been provided. Members were particularly pleased to support this grant and recognised the excellent support that this local hub provided to the various communities across Bexhill which made use of its services.

Round 2 of the CGS would open for applications on 1 October 2018 and close on 15 January 2019; Members were asked to encourage groups within their Wards to seek advice from Rother Voluntary Action (RVA) prior to starting the application process. Members were also reminded that small grant applications (up to £500) were accepted all year round and prospective applicants were encouraged to make applications through the on-line application process, with support and advice through RVA, as required.

The Leader thanked the officer team that supported the community grant process, the Panel Members for their recommendations and the local Members present who had addressed Cabinet. It was particularly pleasing to note that all the applications received had been approved, enabling local communities to achieve their aspirations, through this grant funding.

**RESOLVED:** That:

- 1) the Community Grants listed below, as recommended by the Grants Panel be approved, subject to specific conditions relating to each application

Audioactive – £3,500

Battle Town Council (Covered shelter) – £3,000

Battle Town Council (Football Pitch) – £1,593

Burghwood House Residents' Association – £2,000

Northiam Parish Council – £5,650

Pett Level Independent Rescue Boat Association – £1,000

The Pelham Community Interest Company (CIC) – £29,975

Westfield Cricket Club – £795

Westfield Parish Council – £15,000

Winchelsea Beach Community Association – £3,318

- 2) the Pelham Community Interest Company be invited to present an update to the Council's Overview and Scrutiny Committee a year after the funding has been provided; and
- 3) all Members be requested to promote the scheme within their wards.

CB18/20.  
(6.2)

**SUSSEX WILDLIFE TRUST – COMMUNITY WILDLIFE GARDEN**

Cabinet considered an application from the Sussex Wildlife Trust (The Trust) for grant funding of £50,000 towards the cost of a Community Wildlife Garden; the works were part of the overall 'Discover Rye Harbour' project, of which the Garden was an integral part. The Discovery Centre (which included the laying out of the Community Garden) already had planning permission, subject to conditions.

The Trust was a long-standing charity that protected wildlife and the natural environment, managing over 30 nature reserves and had more than 30,000 members and 450 dedicated volunteers. It had managed, protected and nurtured the unique Rye Harbour landscape and habitat since responsibility from East Sussex County Council (ESCC) in 2011.

The Discover Rye Harbour project was worth £4 million in total and comprised of a new low-impact and fully-accessible Discovery Centre with the Community Wildlife Garden. A plan for the proposed Garden was set out at Appendix A to the report, which gave details of the key features of the proposed Garden. The Discovery Centre and its Community Wildlife Garden were positioned to act as a high profile Gateway Hub for visitors to the entire region, bringing major sustainable economic and cultural benefits. The Council's Core Strategy identified the promotion of Rye and Rye Harbour for green tourism with particular reference to the careful management of the Rye Harbour Nature Reserve.

The total cost of the Community Wildlife Garden was £85,537, with the Trust committing £34,537 to the project to date, as well as £1,000 received from the Rye Community Shop. Whilst the £50,000 requested from the Council represented greater than 50% of the Garden project costs, the wider project had an estimated cost of £4 million with funding of £2.8 million secured to date, as detailed in the report. The Trust had also submitted an expression of interest to ESCC for additional funding through the South East Local Enterprise Partnership's latest Local Growth Fund round.

Cabinet was pleased to approve the grant request, subject to the Discovery Centre proceeding. The Sussex Wildlife Trusts' significant investment into the 'Discover Rye Harbour' project, along with other organisations, would regenerate the area into a public space with facilities which would encourage learning, community inclusion and increase tourism to the area. As the scale of this project was beyond the remit of the current community grants scheme, the funding would be met from the Medium Term Financial Strategy earmarked reserve.

**RESOLVED:** That a grant of £50,000 be awarded to the Sussex Wildlife Trust, to be met from the Medium Term Financial Strategy earmarked reserve, subject to the Discovery Centre proceeding.

(Councillor Mrs Hart declared a personal and prejudicial interest in this matter as a member of the Appeal Board Campaign for Rye Harbour Discovery Centre and in accordance with the Members' Code of Conduct remained in the room, spoke on the matter but did not vote thereon).

(Councillors Lord Amptill and Hollidge each declared a personal interest in this matter as members of the Sussex Wildlife Trust and in accordance with the Members' Code of Conduct remained in the room during the consideration thereof).

(Councillor J.M. Johnson declared a personal interest in this matter as the Council's appointed Representative on the Rye Harbour Nature Reserve and in accordance with the Members' Code of Conduct remained in the room during the consideration thereof).

CB18/21.  
(6.4) **LAND AT THE SALTS, RYE**

Members considered a request from Rye Amenity Community Interest Company (CIC) who wished to take on an area of land at the Salts,

Rye, under a 25 year lease, at no cost to Rother District Council (RDC). The area in question was formerly a putting green and more latterly the wider ground was popular with dog walkers and strollers.

Rye Amenity CIC intended to further enhance the area of the Salts, with the longer term aim of making it more attractive for locals and visitors, while also improving its environmental benefits and turn the land into a 'managed wildflower meadow' or 'managed perennial meadow'. The plans included retaining the current picnic benches in situ (installed by RDC) and increase the number if required. If the initiative was successful RDC could complement it by changing the current grass maintenance regime in part of the surrounding area, however this would be a matter for discussion with the CIC and Rye Town Council at a future date; it was likely that this would result in a reduction in special expenses for Rye Town Council.

Members were happy to support the request and it was noted that due to the length of the proposed lease, RDC was required to advertise the proposed disposal of public open space. Rye Amenity CIC currently held a 25 year lease to operate the two allotment sites in Rye (Love Lane and South Undercliff) and had a proven track record of managing sites. The granting of a lease to Rye Amenity CIC was in line with RDC's policy of devolving assets to local groups and was supported by both the local Ward Members.

**RESOLVED:** That:

- 1) the proposed disposal by lease of land at the Salts, Rye be advertised on two consecutive weeks as required by Section 123 of the Local Government Act 1972; and
- 2) subject to completion of this process, a lease be granted to Rye Amenity Community Interest Company for a term of 25 years at a peppercorn rent and other terms and conditions to the satisfaction of the Executive Director.

CB18/22.  
(6.5)

#### **LAUNCHING AND LANDING OF PERSONAL WATERCRAFT AT HERBRAND WALK, BEXHILL**

Consideration was given to the report of the Executive Director that advised that the existing boat lane at Herbrand Walk, Bexhill had been designated as a launch and recovery point for personal watercraft (PWC) under the powers afforded by the Bexhill Seashore Byelaws. The decision had been taken, following legal advice, in time for the August Bank Holiday by the Executive Director as an operational matter, to meet the Council's Health and Safety obligations and in consultation with the local Ward Member.

The Leader of the Council confirmed that many Members had received extensive lobbying from a variety of interested parties concerning this matter and Cabinet would take all points of view into account, together with correspondence tabled at the meeting, during the debate.

Members were advised that for some years, PWC users had chosen to launch and recover contrary to the existing byelaws from the beach at

Herbrand Walk leading to numerous resident complaints, particularly during the summer season. Designating a specific area enabled the Council to encourage PWC users to launch and recover safely and minimised risk to other water users who would be more aware and avoid the designated area. It also provided the Council with the improved control to enforce the byelaws for the launching and landing of PWCs at Herbrand Walk and obtain assistance from the police if individuals did not co-operate.

Officers had identified and investigated areas within the Rother District at Galley Hill, Herbrand Walk, Normans Bay, Pett Level / Winchelsea and Rye Harbour (current sole designated launch site) as potential designated launch and recovery areas; an options appraisal and risk assessment for each site was appended to the report. Factors taken into account included distance from Bexhill, parking, gradient and depth of the beach, types of existing users and hazards in the water together with existing Royal National Lifeboat Institution risk assessments which were being reviewed this month.

It was confirmed that the village green status had not been affected by this designation. The village green status meant that vehicles could not drive across the village green onto the beach however there was no restriction on transporting PWCs across the beach by foot on trailers, or by using winches.

Members were concerned at the designation of the existing boat lane for the launching and landing of PWC and felt unable to support the recommendations for the following reasons:

- authority had now been given for an activity that was previously not permitted at Herbrand Walk;
- Members felt that generally speaking, PWC users by their nature tended to be risk taking / thrill seekers who came across as reckless and dangerous;
- noise pollution;
- Herbrand Walk was less than 5m wide and already made for difficult vehicular access and this designation with the associated trailers and equipment would add to the situation;
- PWC would disrupt the local fishing businesses operating within the boat lane;
- PWC would have a detrimental impact on the peace and tranquillity of the area; and
- other sites to the west of Bexhill should be investigated, albeit outside of the Rother District Council border.

Following the debate Members agreed that the designation of the existing boat lane at Herbrand Walk to launch and recover PWCs should be on a temporary basis only, that its use be kept under review and that officers liaise with the fishing and local communities to re-examine further optional sites, with a further report back to Cabinet before Spring 2019.

**RESOLVED:** That:

- 1) the action taken by the Executive Director to designate the existing boat lane at Herbrand Walk as a launch and recovery area for personal watercraft be noted as a temporary measure only;
- 2) the use of the launch and recovery area at Herbrand Walk be kept under review and a further report be presented to Cabinet in Spring 2019; and
- 3) officers to liaise with the fishing and local communities to re-examine further optional sites.

**CHAIRMAN**

The meeting closed at 12:15pm

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