

Minutes of the Council meeting held at the Town Hall, Bexhill on Monday 17 September 2018 at 6:30pm.

Present: Councillors: J.M. Johnson (Chairman), S.D. Elford (Vice-Chairman), J. Barnes (MBE), Mrs M.L. Barnes, J.J. Carroll, C.A. Clark, G.C. Curtis, K.P. Dixon, P.R. Douart, R.V. Elliston, K.M. Field, A.E. Ganly, Mrs S. Hart, I.R. Hollidge, Mrs B.A. Hollingsworth, Mrs J.M. Hughes, G.P. Johnson, B. Kentfield, M.J. Kenward, Mrs E.M. Kirby-Green, C.R. Maynard, M. Mooney, D.B. Oliver, P.N. Osborne, J. Potts, Mrs S.M. Prochak, C.J. Saint, G.F. Stevens and M.R. Watson.

Advisory officers present: Executive Director (MJ), Executive Director (AL) and Democratic Services Officer.

Also present: Stewart Drew, Director and Chief Executive – De La Warr Pavilion and 7 members of the public.

C18/31. **MINUTES**

The Chairman was authorised to sign the minutes of the Council meeting held on 9 July 2018 as a correct record of the proceedings.

C18/32. **APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Lord Amptill, A.K. Azad, R.K. Bird, G.S. Browne, R.C. Carroll, S.H. Earl, Mrs D.C. Earl-Williams, T.W. Graham and I.G.F. Jenkins.

The Chairman of the Council advised that Councillor S.H. Earl had been taken ill and was currently in hospital. He requested that the Council's thoughts and best wishes be forwarded to him and his wife Deirdre for a speedy recovery.

C18/33. **DECLARATIONS OF INTEREST**

Declarations of interest were made by Councillors in the Minutes as indicated below:

Mrs Hart	Agenda Item 11: Personal Interest in so far as she is a Council appointed representative on the De La Warr Pavilion Board of Trustees.
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Kentfield	Agenda Item 11: Personal Interest in so far as he is a Council appointed representative on the De La Warr Pavilion Board of Trustees.
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Mrs Prochak	Agenda Item 11: Personal Interest in so far as she is a Patron of the De La Warr Pavilion.
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CHAIRMAN'S COMMUNICATIONS

The Chairman made the following announcements:

- 1) Sadly back in August 2018, as you will have seen in your emails John McEwan died. John was a former Rother District Councillor and Mayor of Bexhill. His funeral was held on 6 September 2018 at Eastbourne Crematorium. Councillor Azad, Bexhill's Mayor and I attended along with other Rother District Councillors and Dr Tony Leonard. It was a beautiful service with a single piper in full regalia playing 'Flower of Scotland' on the pipes giving a very fitting send off for a proud Scotsman. Afterwards we were kindly invited back for refreshments by John's family at the Cooden Beach Hotel. Individual tributes were paid and the Council stood for a minutes' silence.
- 2) The weather this summer on the whole was excellent which had been a real bonus for organised events in Bexhill and the whole district of Rother. I was kindly invited to present the prizes for the best floats at Bexhill Carnival. Glorious weather and lots of people enjoying the fun and spectacle.
- 3) In the evening, I went to Rye for the Rye Castle Museum Association's 90th Birthday celebrations. This was due to be held in the Rye Gun Gardens but due to high winds was diverted to the Museum in East Street. Nonetheless this was a most entertaining and informative evening with excellent refreshments. It was good to meet up with several people that I know there and it was a nice surprise to see Brenda Mason, a past Senior Officer of this Council.
- 4) In early September my wife and I were invited to the 20th Anniversary celebrations of Torr Scientific at the Manor Barn. Torr Scientific was a local business based at the Pebsham Business Park. An entertaining fabulous evening which also raised well over £1,000 for the Rocking Horse Children's Charity. Councillor Azad, Bexhill's Mayor and Councillor Hollidge, Bexhill's Deputy Mayor and his wife were also in attendance.
- 5) Yesterday 16 September 2018, along with many Rother District Councillors, I attended the annual RAFA Service at St. Michael's Church. This was a particularly beautiful and poignant service reminding us all yet again of the sacrifice those brave airmen made during the Battle of Britain.
- 6) In accordance with paragraph 3.2(a) of the Council Procedure Rules Agenda Item 12, that the presentation from De La Warr Pavilion would be taken after his communications. The remainder of the business would be dealt with in the order as set out in the Agenda.

NON DECISION MAKING DEBATE: DE LA WARR PAVILION CHARITABLE TRUST – ANNUAL UPDATE

In accordance with the Constitution, the Chairman of Council had agreed to the Council receiving a presentation on the De La Warr Pavilion Charitable Trust Annual Update from Stewart Drew, Director and Chief Executive of the De La Warr Pavilion (DLWP).

The Chairman of the Council welcomed Stewart Drew to the meeting who gave an annual update to Members. Following the presentation

Members asked a number of questions and congratulated Stewart Drew on the successes of the DLWP. The Chairman thanked Stewart Drew for his informative and interesting presentation.

It was moved, seconded and agreed that Council Procedure Rules 3.2 (a) (varying the order of business), 14.4 (content and length of speeches) and 14.5 (when a member may speak again) be waived for the duration of this item.

C18/36. MEMBER QUESTION TIME

1. Pursuant to Paragraph 11 of the Council Procedure Rules the following question was put by Councillor Field and answered by Councillor Maynard.

Question:

- a) The original business plan indicated that the new restaurant would open fully in June whereas it only opened partially at the end of July thus missing out on nearly two months of excellent summer weather. Why was there such a substantial delay and why was the opening only partial – as it appears to remain to date?
- b) In response to an earlier question challenging the assertion that the business would be run “as a going concern from the outset” Members were assured that this would be the case and that there would be no need for any trading shortfall to be funded, as that would not arise. The Plan indicated that by the end of August takings would have amounted to £85,000 and costs £57,692 leaving a surplus of £27,308. What are the actual figures for the period ended 31 August 2018?
- c) The Plan indicated the remaining four kiosks could be let at £3,500 each per annum a total income of £14,000. How many have been let to date at what total rental?
- d) In earlier discussions on the role of physical Tourist Information Centres, the administration has placed great emphasis on the pivotal role of the internet in satisfying information requests. The Colonnade's website currently has no contact information and comprises a single page displaying a menu offering only:

A choice of five different cakes.

A choice of 14 hot beverages.

An instruction to “ask your server” about ice cream choices.

This differs very materially from the extensive menu choices indicated in the Plan. Why is there such a substantial difference between what was promised and what has been delivered?

Answer:

- a) It should be acknowledged that a considerable amount of work was required to design, procure and implement the fitting-out works at the Colonnade from a shell finish in a matter of months. Whilst every effort was made by all of the contractors concerned to expedite the work as quickly as possible, the time required for

design, procurement, lead-in time for materials, fabricated items etc. plus the works on site themselves did not permit opening in June. The opening date of 21 July represented a delay of three weeks from the original target date.

The partial opening is due to delays in the connection of the gas supply, which requires the gas utility provider to install and connect a meter to the existing supply at the building. The Council is wholly reliant on the utility provider and the gas network provider to expedite this, however they have been very slow in bringing this forward which is extremely frustrating but ultimately outside of the Council's control.

- b) The appointed consultant's business plan did caveat that this was a new business and in Cabinet receiving the report in January 2018 there was recognition that any new business generally takes 2-3 years to become established and the figures should be treated cautiously.

With the summer season now at an end, officers are undertaking a reconciliation of the performance of the business thus far. The decision for this investment was made by Cabinet and therefore a full and comprehensive report will be provided to them, in the first instance, on 5 November 2018. However, it should be noted that the Council have kept an 'open mind' as to whether to trade themselves or whether the investment and operation would likely attract new commercial interest.

- c) Two of the kiosks are let and the remaining two are currently under offer. The total rent on all four kiosks will be £14,400 per annum.
- d) I refer to the answer given above regarding the gas supply when we are able to provide the full offer.

Supplementary Oral Question: I asked four questions not one. So in answer to the first question, I wondered if we were perfectly happy that there was a sufficiently robust project plan for developing this venture, because it seems unfortunate to me that something relying so much on the summer trade should have been not available and open in the summer when this was happening. So what was the planning process and was it adequate because it certainly does not seem to be?

Answer: Chairman you would naturally expect me to disagree and I think we need to look at the context of the whole project. We have seen a superb presentation from Stewart Drew of the De La Warr Pavilion and we have an overriding and not only an expectation, but aspiration that we want to increase the tourist and indeed general footfall both in terms of daytime and in terms of the evening economy in Bexhill. The Colonnade project, Chairman is a brave one but we need to look at the historical context. We were not attracting people / private sector to come forward and take on the Colonnade when it was not properly fitted out. We have now properly fitted out the Colonnade and as we go forward we have seen already that we have obviously increased footfall since we had it open, but I think that there will be a full agenda item that will be presented to the Cabinet on 5 November

and I would encourage Members of the opposition to do something that they do not ordinarily do which is come along to that meeting on 5 November and actually take part in that debate. But what we on this side said would happen is in fact now happening because now we have the Colonnade fully fitted out, we have private sector people coming forward showing real interest in the Colonnade to take that into the private sector. So we all know that businesses like that and especially ones so unique as the Colonnade are always going to have a difficult start because of the nature of the business in terms of garnering the project, there are very few restaurants whether they are on the seafront or wherever else they are within Rother or anywhere else for that matter that actually make a profit in the first year and we have seen that it has been successful thus far. There have been some hiccups, my answer gives full reference to those hiccups in terms of the gas supply, we are continually pressing the utility to actually make sure that they install that meter which they have not done so yet, the order has been placed and certainly by November's meeting I would hope to have more positive news on that particular fact, but I say it again what I have already said that we have got interest from the private sector not after a year of trading ladies and gentlemen but after just a few months of it being established as a running business.

2. Pursuant to Paragraph 11 of the Council Procedure Rules the following question was put by Councillor Mrs Prochak and answered by Councillor Maynard.

Question: At planning meetings we often have planning applications come before us to decide on because they are related to a Member of the Council or related to an officer. My question is very straightforward. Is there an Officers' register of interests?

Answer: Thank you Chairman, I understand there is.

Supplementary Oral Question: How do the public and Councillors find this register?

Answer: Thank you Chairman, it is held by the officer responsible for Human Resources. If there is a specific question that Councillor Mrs Prochak wishes to ask that particular officer, then I suggest that she does that outside of this meeting.

C18/37.

REPORT OF THE CABINET ON MATTERS FOR DETERMINATION BY COUNCIL

1. It was moved by Councillor Maynard and seconded that the report of the meetings of the Cabinet held on 30 July and 3 September 2018 as set out in the Agenda be approved and adopted.
2. The Chairman of the Council having called over the report, the following Minutes were reserved for discussion:

Cabinet 30 July 2018	CB18/13
Cabinet 3 September 2018	CB18/18

3. On the Motion of the Chairman of the Council, duly seconded, the Chairman proceeded to deal with the reserved minutes.

C18/38. **RESERVED MATTER**

Cabinet – 30 July 2018

CB18/13 – Community Governance Review – Battle

Cabinet – 3 September 2018

CB18/18 – Provisional Revenue Budget and Capital Programme Monitoring Quarter 1 2018/19

RESOLVED: That Minutes CB18/13 and CB18/18 be approved and adopted as submitted.

C18/39. **REPORT OF THE HEAD OF PAID SERVICE ON DECISIONS TAKEN BY CABINET AS MATTERS OF URGENCY**

It was moved by Councillor Maynard and seconded that it be noted that no urgent decisions had been taken by Cabinet at its meetings held on 30 July and 3 September 2018.

RESOLVED: That the report be noted.

C18/40. **REPORT OF THE AUDIT AND STANDARDS COMMITTEE**

1. It was moved by Councillor Curtis, Chairman of the Audit and Standards Committee, and seconded that the report of the Audit and Standards Committee held on 25 July 2018 be received.
2. The Chairman of the Council having called over the reports no Minutes were reserved for discussion.
3. On the Motion of the Chairman of the Council, duly seconded, the Council received the report of the Audit and Standards Committee.

C18/41. **NOTICE OF MOTION – REDUCE VOTING AGE TO 16 YEARS OF AGE**

In accordance with Council Procedure Rule 12 consideration was given to the following Motion for Council; it was moved by Councillor Clark and seconded that:

Council Motion – “This Council supports the Campaign to reduce the voting age to 16 years of age.

I note that our MP Huw Merriman supports reducing the voting age from 18 to 16.

In Scotland 16 year olds are able to vote in local elections and also in the Scottish Referendum, reducing the voting age to 16 is also being considered by the Welsh Assembly.

What can 16 year olds do?

- Get married with consent.
- Drive a moped.
- Consent to sexual activity with others over 16.
- Join a Trade Union.
- Work full-time if left school.
- Drink wine or beer with a meal if accompanied by an over 18 person.
- Join the Armed Forces with parental consent.
- Leave home with or without consent.
- Buy a lottery ticket.
- Pilot a glider.
- Apply for a passport without consent.

But cannot vote in a Local or General Elections in England.

Other countries where 16 year olds can vote: Argentina; Austria; Brazil; Cuba; Ecuador; Malta; and The Channel Islands.”

At the request of Councillor Clark, supported by three other Members and in accordance with Council Procedure Rule 17.5(a) a vote by roll call for the Motion was taken.

AGAINST the Motion (22): J. Barnes, Mrs M.L. Barnes, J.J. Carroll, G.C. Curtis, P.R. Douart, S.D. Elford, R.V. Elliston, A.E. Ganly, Mrs S. Hart, I.R. Hollidge, Mrs B.A. Hollingsworth, Mrs J.M. Hughes, G.P. Johnson, J.M. Johnson, B. Kentfield, M.J. Kenward, Mrs E.M. Kirby-Green, C.R. Maynard, M. Mooney, P.N. Osborne, J. Potts and C.J. Saint.

FOR the Motion (5): C.A. Clark, K.P. Dixon, K.M. Field, Mrs S.M. Prochak and M.R. Watson.

ABSTAIN the Motion (1): D.B. Oliver.

The Motion, on being put, was declared **LOST**.

CHAIRMAN

The Council rose at 7:55pm

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