

# HAILSHAM TOWN COUNCIL

NOTICE IS HEREBY GIVEN of a meeting of the HAILSHAM TOWN COUNCIL to be held in the Fleur-de-Lys Council Chambers, Market Square, Hailsham on

**Wednesday, 20<sup>th</sup> November 2013 at 7.30 p.m.**

Prior to commencement of the formal business of the meeting a period of not more than 15 minutes will be assigned for the purpose of permitting members of the Public to address the Council, or ask questions on matters relevant to responsibilities under the direction of this Council, at the discretion of the Chairman.

The order of formal business to be transacted will thereafter be as follows:

1. **APOLOGIES FOR ABSENCE:** To receive apologies for absence of elected members.
2. **DECLARATIONS OF INTEREST:** To receive notice of declarations of personal and prejudicial interest in respect of items on this agenda.
3. **CONFIRMATION OF MINUTES**
  - 3.1 To resolve that the Minutes and Reports of **Meeting of Hailsham Town Council** held on 11<sup>th</sup> September 2013 (Ref: HTC/13/3/151-171) as printed and circulated, may be taken as read, confirmed as a correct record, and signed by the Chairman.
  - 3.2 **MATTERS ARISING**
4. **COMMITTEE and PANEL REPORTS**

*(A list of committee/panel minutes attached – Please notify the Town Clerk [email: [john.harrison@hailsham-tc.gov.uk](mailto:john.harrison@hailsham-tc.gov.uk) telephone: 01323 445731] as soon as possible if you wish to reserve an item on any of the following committees or panels)*

  - 4.1 To (a) note the reserved paragraphs (minutes) of the Committee/Panel Reports notified to the Town Clerk prior to the meeting, and  
(b) receive request to reserve any additional paragraphs (minutes) of the Committee/Panel Reports
  - 4.2 To receive “unreserved” paragraphs (minutes) of the following Reports of Committees/Panels (as printed and circulated), and approve and adopt the recommendations contained therein.
    - A. Planning and Development Committee Meetings** (17<sup>th</sup> September, 8<sup>th</sup> October and 29<sup>th</sup> October 2013)
    - B. Staff Administrative Panel Meeting** (7<sup>th</sup> October 2013)
    - C. Festivities and Events Committee Meeting** (14<sup>th</sup> October and 4<sup>th</sup> November 2013)
    - D. Finance and Budget Oversight Committee Meetings** (30<sup>th</sup> October 2013)
    - E. Business Enterprise Committee Meetings** (5<sup>th</sup> September and 14<sup>th</sup> November 2013)
- 4.3 To proceed through the “reserved” paragraphs consecutively (or as decided) and to resolve action before proceeding to the next reserved item.
5. **Update on Matters in Progress**

To receive an oral report from the Town Clerk on matters in progress.

**6. Floodlights at St Mary's Church**

To consider a request to fund the repair of the floodlights at St Mary's Church.  
(Report to follow author Town Clerk)

**7. Heritage Trail**

To consider whether the Town Council will take on the administration and costs of the heritage Trail once Hailsham in Bloom becomes an independent charity. (Report to follow author Town Clerk)

**8. Annual Town Meeting and Annual Council Meeting**

To discuss the plans for the date and format of the Annual Town Meeting and the Annual Council Meeting (Report to follow author Town Clerk)

**9. Youth Services – Town Farm Youth Club**

To consider what role the Town Council may have in supporting the Town Farm Youth Club  
(Report to follow author Town Clerk)

**10. Charity Trusts Update**

To receive an update from the Town Clerk on the issue of the Charity Trust membership  
(Report to follow author Town Clerk)

**11. Redrow Homes Access**

To consider a request by Redrow Homes for access across Council owned land to Gleneagles Drive, for a new 40 dwelling development. (Report to follow, Author Planning & Environment Officer)

**12. Hailsham Street Market**

To consider how the Council may support the Street Market when it is re-launched in 2014.  
(Report to follow, author Deputy Town Clerk & Business Enterprise Manager).

**13. Redecoration of the Council Chamber**

To consider the next steps and finishing touches for the redecoration of the council chamber. (Oral report from Town Clerk)

**14. Confidential Business**

To resolve that due to the special and confidential nature of the business about to be transacted, and possible disclosure of personal or legal information not in the public interest at the present time, the following items of business be transacted following the temporary exclusion of members of the Public and Press, in accordance with the Council's Standing Orders No. 57 and 58. The reason for exclusion is:

(b) terms of tenders, and proposals and counter-proposals in negotiations for contracts;

**15. Cricket Pavilion**

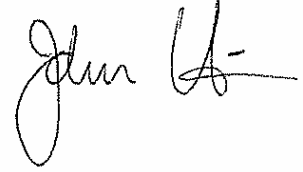
To consider the initial response from the Town Council's offer to Hailsham Cricket Club regarding their taking over control of the Hailsham Cricket Pavilion

**16. Repairs and improvements to 4 Market Square Property**

To consider a request for funding to treat issues and make repairs to the Town Council owned property at 4 Market Square (Report to follow author Deputy Town Clerk & Business Enterprise Manager).

**17. Councillors' Questions/Information Forum**

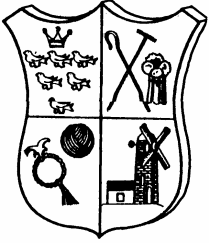
(at the Chairman's discretion).



JOHN HARRISON  
Town Clerk

**NOTE TO MEMBERS: This meeting will be followed by a meeting of the Trustees of the:**

- (1) War Memorial Institute (Reg No 252291)
- (2) Western Road Memorial Institute (Reg No 255104)
- (3) Allotment for the Labouring Poor (South view and HMI) (Reg No 255106)
- (4) Allotment for Recreation Ground (Common Pond Alcove) (Reg No 255105)



## HAILSHAM TOWN COUNCIL

**MINUTES** of the Meeting of Hailsham Town Council, held at the Fleur-de-Lys Council Chambers/Meeting Rooms, Market Square, Hailsham, on Wednesday 20<sup>th</sup> November 2013 at 7.30 p.m.

### **Public Question Time**

Prior to commencement of the formal business of the meeting a period of not more than 15 minutes had been assigned for the purpose of permitting members of the public present to address the Assembly, or ask questions (on matters relevant to the responsibilities of the Town Council) at the invitation and discretion of the presiding Chairman.

The Chairman apologised for not wearing the mayoral chain as it was being repaired.

Mr Trevor Scott, Chairman of Hailsham Cricket Club spoke in respect of agenda item 15 – Western Road Recreation Ground Pavilion. He thanked Councillor Triandafyllou and the Town Clerk for taking the time to meet him recently. He reiterated the points he had made.

The Cricket Club wanted to take over the lease for 50 years, not 25 as proposed. They wanted to expand the pavilion to allow for female changing rooms and disabled toilets. Mr Scott whilst grateful for the Council's existing grant asked if any further funds were available.

The Chairman thanked Mr Scott for attending and said that the item would be discussed under confidential business later in the agenda.

HTC/13/  
4/172 **Present:** Councillors: Mrs. S. J. Bentley (Chairman), W. A. Bentley, J. L. Blake, B. F. Burchmore, Ms C. Collinson, N. A. Collinson, N. S. Coltman, W. F. Crittenden, R. T. Grocock, Mrs. S. E. Henstock, Mrs. B. Holbrook, P. S. Holbrook, G. G. Rowe, Mrs. M. Rowe, Mrs. M. Skinner, S. McAuliffe, Ms A. O' Rawe, Mrs. D. Ryan, M. Ryan, S. Towner, and C. Triandafyllou.

173 **Officers in Attendance:** J. Harrison (Town Clerk), M. Caira (Deputy Town Clerk), Mrs. M. Hagger and D. Saxby.

### **Apologies for Absence:**

174 Apologies for absence were received and accepted from Councillors B. Marlowe, Mrs. M. Burt and Mrs. J. Cook.

### **Declarations of Interest**

175.1 Councillor W. A Bentley declared an interest in The Business Enterprise Minutes with respect to Hailsham Forward.

- 175.2 Councillor W. A. Bentley declared a prejudicial interest in agenda item 11 – Redrow Homes Access as he would have made a predetermined position.
- 175.3 Councillors N. Collinson, N. Coltman and P. Holbrook declared interests in agenda item 12 Hailsham Street Market as they are on the Executive of Hailsham Forward.

### **Confirmation of Previous Minutes**

- 176.1 Councillors W. F. Crittenden and Mrs. M. Skinner said that they were in attendance at the meeting held on 11<sup>th</sup> September 2013.
- 176.2 **RESOLVED** that the Minutes and Reports of the meeting of the Meeting of Hailsham Town Council (Ref: HTC/13/3/151-171) held on 11<sup>th</sup> September 2013 as amended, were confirmed as a correct record, and signed by the Chairman.

### **Matters Arising**

- 177 None.

### **Committee and Panel Reports**

- 178 **RESOLVED**, after consideration in accordance with Standing Order 18(e), to receive the following reports of Committees, to approve and adopt the recommendations contained therein and the actions taken as reported therein.
- F. Planning and Development Committee Meetings (17<sup>th</sup> September 2013, 8<sup>th</sup> October 2013 and 29<sup>th</sup> October 2013)
- B. Staff Administrative Panel Meeting (7<sup>th</sup> October 2013)
- C. Festivities and Events Committee Meetings (14<sup>th</sup> October and 4<sup>th</sup> November 2013)
- D. Finance and Budget Oversight Committee Meeting (30<sup>th</sup> October 2013)
- E. Business Enterprise Committee Meetings ( 5<sup>th</sup> September and 14<sup>th</sup> November 2013)

### **Planning & Development Committee 29<sup>th</sup> October 2013**

- 179 **Minute 122 – Housing Developments**

Councillor Blake said that following the meeting he had checked with Housing Officers at Wealden District Council that the breakdown of occupancy of the 14 new affordable houses in the Dicker development was as follows:

6 were from the Hailsham parish  
4 were from the Hellingly parish  
1 was from a neighbouring parish  
3 were from households within the Wealden District

### **Finance & Budget Oversight Committee – 30<sup>th</sup> October 2013**

- 180 **Minute 39 – Internal Audit Report and Committee Chairman’s Verification**

Councillor W. A. Bentley asked the Finance Officer to challenge the assertion that all councillors were obliged to be trustees,

The Town Clerk confirmed that the statement in the Audit Report was incorrect.

181

Minute 41 – End of Balance Statements

Councillor W. A. Bentley raised the item on the Steam and Pressure Cleaner and said that the service should be discontinued and the equipment sold.

The Town Clerk said that this would need to be an agenda item at a future meeting.

Business Enterprise Committee – 5<sup>th</sup> September 2013

182

Minute 30 – Hailsham Forward

Councillor W. A. Bentley was concerned that no meeting of the Town Team had taken place. The Business Development Manager and Deputy Town Clerk responded that he was currently looking for available dates as it was important that Charles Hendry MP was in attendance.

**Update on Matters in Progress**

183.1 The Town Clerk updated the meeting on various ongoing issues, These were:

183.2 Public Toilets

The planning application is now fully lodged and on the Wealden District Council website. All being well and there being no objections an estimated start date will be early February.

183.3 Hailsham Works

Hailsham Works is now established and the first graduation event is on 6<sup>th</sup> December 2013.

Hailsham Town Council is looking to take on an apprentice as a part-time receptionist.

183.4 Wealden Clerks' Meeting

A meeting had recently been held with Rupert Clubb, Director of Transport and Environment at Wealden District Council and the Wealden Clerks' Network. Things discussed included clusters of parishes undertaking pothole remedial work and sponsorship of roundabouts

183.5 SPACES Meeting

This specifically looked at storage and digitalisation of documents.

183.6 Fleur de Lys meeting Room

An initial consultation and a quote to project manage the removal of the posts had been received from Hamsons (this was in excess of £1500 not including the building)

– however, it was suggested that we can do this ourselves my consulting with a Structural Engineer and Conservation officer.

An initial query had been lodged with a conservation officer.

### **Floodlights at Hailsham Parish Church**

184.1 The Town Clerk said that that there was a budget of £500 for this work and since the officers report had been written (circulated with the agenda and as Appendix HTC/13/4/184A to these minutes) a revised quote had been submitted which fell within this limit.

184.2 All members who participated in the debate were in favour of the recommendation that Hailsham Town Council continues to fund the maintenance of the lights except for Councillor McAuliffe who questioned the Council Tax payer meeting this cost,

184.3 **RESOLVED** to allocate the funds needed to allow the remedial work to be undertaken on the floodlights at St. Mary's Church as in the quotation from G. M. Monk dated 14<sup>th</sup> November 2013.

### **Heritage Trail**

185.1 Members considered the officer's report as circulated with the agenda and as Appendix HTC/13/4/185A to these minutes.

Discussion ensued.

185.2 **RESOLVED** to defer a decision on whether Hailsham Town Council would meet the costs of reproducing the Heritage Trail leaflet until the meeting on 20<sup>th</sup> March 2014.

### **186 Annual Town Meeting and Annual Council meeting**

**RESOLVED** to

a) hold the Annual Town Meeting at the Hailsham Civic and Community Centre on 24<sup>th</sup> April, 2014 and

b) hold the Annual Council Meeting in the Fleur de Lys Meeting Room on 28<sup>th</sup> May 2014.

### **Youth Services – Town Farm Youth Club**

187.1 The Town Clerk spoke in respect of the officer's report as circulated with the agenda and as Appendix HTC/13/4/187A to these minutes.

187.2 Councillor Towner advised the meeting that the equipment in centre was the property of the youth club, not the Town Farm Residents' Association.

187.3 **RESOLVED** to approve Hailsham Town Council's expansion into the Town Farm area through the offering of the Youth Club in the Maurice Thornton Pavilion one day per week.

187.4 Councillor Towner left the meeting at 9.00pm.

### **Charity Trusts Update**

188.1 The Town Clerk spoke in respect of the officers report as circulated with the agenda and as Appendix HTC/13/4/\*188A to these minutes.

188.2 **RESOLVED** to set up a committee to investigate the options available, the membership of which to be decided by the meeting of the Charitable Trusts.

189.1 **Councillor Mrs. M. Skinner**

Councillor Mrs. M. Skinner left the meeting at 9.10pm.

### **Redrow Homes Access**

190.1 As Councillor W. Bentley had previously declared a prejudicial interest in this agenda item he withdrew from the meeting for the duration of this item.

190.2 The Town Clerk spoke in respect of the officer's report as circulated with the agenda and as Appendix HTC/13/4/190A to these minutes. Further discussion ensued.

190.3 **RESOLVED** that because of the lack of information to refer this matter to the Planning and Development Committee to investigate and report back to Council.

### **Hailsham Street Market**

191.1 The Deputy Town Clerk & Business Enterprise Manager introduced the officer's report as circulated with the agenda and as Appendix HTC/13/4/191A to these minutes.

191.2 **RESOLVED** to continue to support the Hailsham Street Market in 2014 and other activities of Hailsham Forward, including the management of the finance and payroll until Hailsham Forward is able to do so in its own right.

### **Redecoration of the Council Chamber**

192.1 The Town Clerk updated the meeting on the work to date on redecorating the Hailsham Town Council Meeting Room

192.2 **RESOLVED** to place photographs of the current Mayor and Her Majesty the Queen on the wall and all previous Mayors' photographs to be placed in a bound book and kept in the reception area. It was agreed that Wealden District Council be approached to ascertain if they had unwanted meeting tables following its move to a single site in Hailsham.

193 **Councillors G. Rowe and Mrs. M. Rowe**

Councillors G. Rowe and Mrs. M. Rowe left the meeting at 9.30pm.

194 **Confidential Business**

**RESOLVED** that due to the special and confidential nature of the matters to be discussed, and possible disclosure of personal or legal information not in the public



interest at the present time, the following items of business be transacted following exclusion of members of the public and press, in accordance with the Council's Standing Orders numbers 57 and 58.

195.4 **Hailsham Cricket Pavilion**

**Repairs and Improvements to 4 Market Square Property**

**Councillors' Questions/Information Forum**

197 **Councillor R. Grocock**

The Chairman presented Councillor Grocock with a gift for his recent marriage.

There being no other business, the meeting closed at 9.56pm.

**CHAIRMAN**

Global/Minutes and Agendas/DS/ HTC Minutes 20<sup>th</sup> November 2013.

**Report to:** Hailsham Town Council

**Date:** 20<sup>th</sup> November 2013

**By:** David Saxby

**Title of report:** Floodlights at Hailsham Parish Church

**PURPOSE:**

Members are asked to consider releasing funds to repair the floodlights around Hailsham Parish Church.

**BACKGROUND.**

In September 2005 Hailsham Town Council after consultation with the Parochial Church resolved to install and maintain floodlights around the church. (Minute Ref: FPR/05/2/108. There have been a number of occasions when the lights have not worked; this has been because rain has got into the fittings. Indeed Hailsham Parish Church wrote on 17<sup>th</sup> October 2013 complaining about the situation. This letter is attached.

A quotation has been received to remedy the current problem. This is also attached.

**CONSIDERATIONS.**

Members may consider that lighting the church in the centre of town will enhance the town during the Christmas celebrations. However, there is no budget for this scheme.

**CONCLUSION.**

Council is asked to allocate £200 from the Contingency Fund to allow the work to be undertaken to the floodlights at the Hailsham Parish Church.

Vicar: The Revd. David Bourne

The Vicarage, Vicarage Road, Hailsham,  
East Sussex, BN27 1BL  
Telephone: 01323 842381



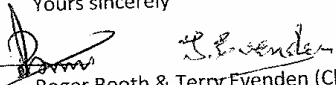
Email: [office@hailshamchurch.org](mailto:office@hailshamchurch.org)  
[www.hailshamchurch.org.uk](http://www.hailshamchurch.org.uk)

17<sup>th</sup>.October 2013

Dear Mr.Harrison

You will be aware that on the instigation of Hailsham Town Council, floodlighting to the tower of Hailsham Parish Church (St.Marys) was installed and started operating in December 2005. A Licence Agreement was drawn up at the time by the council solicitors in which it was agreed that all capital and maintenance costs would be borne by the Town Council. You will also know that since the official 'switch on' the church have informed the council on several occasions that there have been long periods when the lights have not been working and indeed have been unlit now for the last 12 months. We have been told that the council are 'looking at the problem'. We estimate that the lamps have only been on for about 20% of the time since 2005. Can you please confirm why no action has apparently been taken to rectify the situation. It is particularly disappointing since, as you know, we have had lead stolen from this Grade 1 Listed building on three separate occasions and we are being encouraged by our insurers to do all we can to combat the crime, floodlights being seen as a possible deterrent. Additionally, if it hasn't already been reported to you, the Council owned lamp standard situated outside the South porch has been unlit now for several weeks (presumably a failed bulb) Co-incidently the tower floodlights are fed from this source. The Parochial Church Council would welcome your comments on these events.

Yours sincerely

  
Roger Booth & Terry Evenden (Churchwardens)

Mr.J.Harrison  
Clerk, Hailsham Town Council  
The Inglenook  
Market Square  
HAILSHAM  
BN27 2AE

QUOTATION REF SMM/JEC/E37990R

Hailsham Town Council  
Town Council Offices  
Market Street  
HAILSHAM  
East Sussex

14 November 2013

Dear Sir

Ref- St Mary's Parrish Church, Hailsham

I am pleased to submit a quotation to investigate the fault on 4No outside lights within the grounds of St Mary's Parrish Church, Hailsham. These lights include 3No lights in cages at floor level and 1No lamppost at the entrance to the church. This investigation work only includes labour and limited materials which hopefully will overcome the fault.

For the sum of £68.00

Further works or replacement to the lights will not be known until an investigation is carried out. If the light fitting is found to be causing the fault and a replacement is required then this would be in the region of £130.00. If this is found to be the fault then a full quotation will be provided and no works will take place until confirmation by the Council.

This quotation assumes uninterrupted access during normal working hours 08.00 to 16.30 Monday to Friday.

Our quotations are subject to the addition of Value Added Tax and open for acceptance within 8 weeks.

If you have any further questions then please do not hesitate to contact me.

Yours faithfully



S M MONK  
Managing Director



Telephone 01323 841764  
Facsimile 01323 840282  
email: enquiries@gmmonk.co.uk



**Report to:** Hailsham Town Council

**Date:** 20<sup>th</sup> November 2013

**By:** John Harrison, Town Clerk

**Title of report:** Heritage Trail

**PURPOSE:**

To consider whether the Town Council will take on the administration and costs of the heritage Trail once Hailsham in Bloom becomes an independent charity.

**BACKGROUND.**

The Hailsham Heritage Trail leaflets were designed and commissioned as part of the Hailsham in Bloom Activities.

The leaflets give information on historical buildings in Hailsham and the history of the town, with a map detailing their location in the form of a 'Trail'

Supplies are currently down to just three copies.

The original 'editor' of the leaflet has identified some changes that are required to the text. The leaflets when last printed included adverts from local companies some

There is a budget heading part of which could safely be used for this: "Miscellaneous Tourism" has £500 available, although the office Christmas tree has always come out of this budget at about £150.00, therefore there is £350.00 available.

It will cost more than this to do a re-print. There is very little left in the Hailsham in Bloom budget.

Last time the leaflets were printed was March 2011. The print run of 250 copies cost £465.00, so it is likely to cost more than that this time.

It also will be necessary for Local Authority Publishing to make the changes to the original artwork and copy etc and they will charge an hourly rate of £75 +VAT.

However, as an added complication, the publication includes nine local businesses' small adverts around the edges of the map. The businesses paid us to advertise for the initial print run of 250 and this covered about 1/3 of the costs of the publication. Some of those businesses are no longer in existence or may not want to advertise in the leaflet any longer. It will take some time to drum up new advertisers for the new print run.

To turn this around more quickly we could contact all of those who are still in business and ask if they want to re-advertise and charge them a similar amount plus inflation, which will then recover some of the costs.

However, we would must still have invoiced and received payment for this service before we can agree the print run. Then we'd replace those who do not wish to re-advertise with local photos.

Or for an even quicker solution we could just replace all the adverts with local photos.

**RECOMMENDATIONS:**

Assuming Council wishes to commission a reprint of the leaflets in the name of promoting historical tourism in the town;

Council is asked to consider whether it has a preference with the advertising in the leaflet.

Council is asked to consider allocating the additional £200-250 required for the reprint from reserves. (Print run estimated cost of £500 less £350.00 from Tourism Budget equals £150.00 plus £75 for reformatting and making changes to the original text)

Council is also asked to agree that the responsibility for the leaflet no longer comes under the Hailsham in Bloom remit, particularly as Hailsham in Bloom is currently engaged in the process of becoming an independent charity.

**Report to:** Hailsham Town Council

**Date:** 20<sup>th</sup> November 2013

**By:** John Harrison, Town Clerk

**Title of report:** Annual Town Meeting and Annual Council Meeting

**PURPOSE:**

To discuss the plans for the date and format of the Annual Town Meeting and the Annual Council Meeting.

**BACKGROUND.**

At the Town Council meeting held on 24<sup>th</sup> April 2013, the council resolved that: "the Annual Electors' Meeting and Council Annual Meeting would also be an additional date with the two being combined into one meeting in May". (Ref HTC12/11/322.2(d))

At the Annual Council meeting on 22<sup>nd</sup> May 2013, Council resolved that the Annual Town Meeting and Annual Council meeting would be held on Wednesday 14<sup>th</sup> May 2014. (Ref HTC/AM12/114). The Town Clerk duly booked the Community Hall for that date.

On 20<sup>th</sup> September, the Town Clerk was informed by Wealden District Council officers that the Community Hall is not available for a two week period due to the European Parliamentary Elections encompassing that date.

The Town Clerk has subsequently booked the Community Hall for the only remaining dates available in May and as close to May as possible.

These are:

Thursday 24<sup>th</sup> April 2014  
Tuesday 29<sup>th</sup> April 2014  
Wednesday 28<sup>th</sup> May 2014

Please note that the Local Government Act 1972 states that the Annual Town meeting must be held annually between 1<sup>st</sup> March and 1<sup>st</sup> June and that the Annual Council meeting must be held in May.

The last two Annual Town meetings were held on Monday 13<sup>th</sup> May 2013 and Tuesday 8<sup>th</sup> May 2012. The last two Annual Council meetings were held on Wednesday 22<sup>nd</sup> May 2013 and Wednesday 23<sup>rd</sup> May 2012.

**RECOMMENDATIONS:**

1. Council is asked to consider rescheduling the Annual Town Meeting and Annual Council Meeting onto separate dates for the sake of brevity, for administrative ease and to allow full attention to be given to

each meeting by the council, officers and public.

2. Council is asked to reschedule the Annual Town meeting for one of the dates in April when the Civic Community Hall is available (24<sup>th</sup> April or 29<sup>th</sup> April)

3. Council is asked to reschedule the Annual Council Meeting for a date in May and consider the venue. This could be Wednesday 28<sup>th</sup> May when the Civic Hall is available, although in the past when held as single meetings, these have been held in the Fleur-De-Lys/Council Chamber



**Report to:** Hailsham Town Council

**Date:** 20<sup>th</sup> November 2013

**By:** John Harrison, Town Clerk

**Title of report:** Youth Services – Town Farm Youth Club

**PURPOSE:**

To consider what role the Town Council may have in supporting the Town Farm Youth Club.

**BACKGROUND**

The Town Farm Youth Club has been organised by the Town Farm Resident's Association and had been operating from the Maurice Thornton Pavilion on Monday evenings from 6.30-8.30pm, taking up to 20 young people aged 11-18, supervised by two volunteers.

Hailsham Town Council's Youth Projects Co-ordinator has recently learned that the Youth Club has ceased to operate. It is proposed therefore that Hailsham Town Council expands its own youth services into the Maurice Thornton Pavilion and re-establishes the Town Farm Youth Club, offering the same service as that which has recently folded, that is, using Hailsham Town Council paid staff and volunteers to offer a Youth Club on Monday evenings for two hours.

The HTC Youth Projects Co-ordinator suggests running the service with three staff, two paid and one volunteer, and is confident that the organisation and staff management will not add significantly or adversely affect his management capacity.

Anything established will be done in collaboration or consultation with the local Police and existing member's of the Town Farm Resident's Association.

**FINANCIAL IMPLICATIONS.**

The short term financial implications are minimal, since budget exists in the current HTC Youth Services budget to cover the costs of two members of paid staff for two and a half hours each on one evening (allowing half an hour to set up and close down the pavilion before and after each session).

It is suggested that in collaboration with the local police, Wealden District Council and East Sussex County Council, other funding streams are explored in the long term that may aid the maintenance or expansion of this service.

**RECOMMENDATIONS:**

1. Council is asked to approve the Town Council's expansion into the Town Farm area through the offering of the Youth Club in the Maurice Thornton Pavilion on one day per week for a trial six month basis,

This is to be reviewed again via the relevant committee (Full Council or the Staff Administration Panel) at the closest meeting to the end of that six month period, (i.e. In May/June 2014).

**Report to:** Hailsham Town Council

**Date:** 20<sup>th</sup> November 2013

**By:** John Harrison, Town Clerk

**Title of report:** Charity Trusts Update

**Purpose:**

To receive an update from the Town Clerk on the issue of the Charity Trust Membership

**Background and Update:**

**1. Project to Merge the Four charities and change the Trustees:**

The Hailsham Town Council, as a corporate body, is trustee for four charitable trusts. Charities Reg.No. 252291/255106/255105/255104.

**1.1 At the June 2011 Hailsham Town Council meeting a report was considered that recommended:**

*Previous Councils have discussed reforming the trustee membership as it is suggested that twenty four members is too large a body to act in this capacity. In addition on occasions members face a conflict of interest when making decisions that involve both the trusts and representing the town.*

*The Charity Commission has already been consulted as to whether*

- (a) it is possible to vary the existing arrangement, and*
- (b) a more vibrant and less cumbersome body could be formed by appointing a small number of town councillors (6-8 has been suggested). This number could be augmented by inviting members from those community organizations that regularly use, or are tenants of the charities property, to form a trust committee.*

*The Charity Commission responded that they would wish to have a definite proposal from the Council/Trust to consider.*

**1.2 A further proposal was put to the Hailsham Town Council Meeting on 13<sup>th</sup> July 2011:**

**Proposal 1**

**(a) Merge all four (4) of the charities to form "Hailsham Memorial Trust"**

**(b) The Trust body to comprise:-**

**Eight (8) members of the Council**

**Four (4) members from local community organisations**

**Two (2) Hailsham residents**

*Three of the four charities are memorial bequests. The War Memorial Institute Trust (Robertson-Luxford) – in memory of all who died in the Great War. The Memorial Institute Trust (Green brothers) in memory of their brother who was killed in the Great War. The Harold Maryan Trust was set up to maintain the memorial alcove at the Common Pond.*

*The William Walter Slye bequest left a sum of money to provide bread and fuel for the destitute.*

*It would therefore seem reasonable that, by merging the trusts and continuing to maintain the properties associated with all of them for the benefit of the people of Hailsham, the original intentions of the givers will be fulfilled.*

*By reducing the size of the trust body to include both elected council members and residents a more vibrant and less cumbersome body would be formed.*

*... If Proposal 1 was to be accepted then it would seem reasonable to seek approval from the Charity Commission for the Trust Correspondent to be one of the trust members, thus reducing the council's financial commitment.*

### **1.3 The resolution passed at the Hailsham Town Council Meeting 13<sup>th</sup> July 2011, (Minute Ref HTC11/3/189.1-189.2) was as follows:**

#### ***Trust Representation***

*Members considered the officers' report circulated prior to the meeting.*

**RESOLVED** that proposal 1 as set out in the officers' report be put to the Charities Commission, and as amended as follows:

#### *Trust Representation*

*The Trust body comprise:*

- *Four members of the Council*
- *Four members from local community organisations*
- *Three members from local churches*
- *Two Hailsham residents.*

The Town Clerk cannot locate any record that this was formally put to the Charities Commission.

1.4 The Clerk commissioned the Voluntary Sector organisation 3VA to look into the feasibility of the project, scope the work required and undertake the necessary background research. 3VA undertook this work, which equated to several days, making no charge to the Town Council or Charitable Trusts.

### **1.5 At a meeting of the trustees on 13<sup>th</sup> February 2013**

A report and presentation was given by the Mrs Sue Shoesmith of 3VA (full report attached as an appendix to this report). The report explained the processes to go through in order to achieve the desired outcome of merging the four charities and from there amending the make-up of the trustees board to a more community based membership, whereby the town council does not automatically make up the board of trustees.

The board of trustees was informed that:

*It has become clear that before firm proposals (Schemes) can be submitted to the Charity Commission for one new Town Charity research needs to be undertaken to establish the current positions of the current Charities, including:*

- 1) *Establish the current position of all assets noted in the Charity Commission records.*
- 2) *Do they still exist?*
- 3) *Are they still within the control of the specified Trusts?*
- 4) *If land or buildings are they registered with Land Registry.*
- 5) *If land or buildings, are there endowments limiting their use.*
- 6) *Are the assets still used for their original objective?*
- 7) *If not had Charity Commission permission been sought to change the objective of the Charity.*
- 8) *If they are no longer within the control of the Trust, when and how were they disposed of?*
- 9) *If disposal was after Charity Commission registration, was the Charity Commission permission sought.*

**1.6 The Board of Trustees resolved that the charities' correspondent (Town Clerk) should contact the Charities Commission to ascertain if a merger of the four charities was achievable based on the information the commission currently holds:**

Charities Trust Meeting 13<sup>th</sup> February 2013, Minutes Ref 3.1:

*RESOLVED that Mr Harrison write to the Charities Commission on behalf of the trustees requesting permission to establish a new charity, incorporating the aims of the existing four charities, and dissolving them. If this fails to reach a satisfactory conclusion then Mr Harrison to commission 3VA to carry out the first part of the work as in Mrs Shoemsmith's report to the trustees.*

### **1.7 An answer has been received from the Charities Commission stating that a merger of the four charities is not possible:**

*With regard to your query, the charities would be not able to merge or dissolve and form a new charity as they are all separate with different sets of objects and may hold designated land.*

*As the charity's [sic] all have the same set of trustees, the town council, they may wish to ask for the charities to be linked for administrative purposes*

*Linking charities is a way to reduce the administrative burden on charity trustees by enabling closely connected registered charities to:*

- *prepare only one set of aggregated annual accounts for the linked charities*
- *produce only one Trustees' Annual Report for the linked charities*
- *have only one registered charity number*
- *need submit only one Annual Return to the Commission*

*For the Commission, linking charities means we have to process fewer sets of accounts and also means that the Register of Charities gives a clearer picture of how a charity is being administered*

*While linking charities will provide some benefits to charity trustees, there are common misconceptions about what linking charities will achieve. It is important that the trustees are aware of the limitations of linking.*

*Linking charities will not enable the trustees to:*

- *combine the assets of the charities*
- *merge the charities*
- *spend the funds of the linked charities for the purposes of any one of the charities*
- *avoid the need to use the statutory provisions to transfer the property of a charity*
- *avoid having to comply with the accounting requirements of the Companies Act 2006 (where a charitable company is involved in the linking)*
- *avoid the requirement to complete a public benefit report for each charity*
- *avoid having to identify each restricted and unrestricted fund separately*

### **1.8 The Issue was again addressed at a Charities Trust Meeting on 17<sup>th</sup> July 2013**

The trusts were recommended to commission 3VA to undertake the work required to update the Charities governance documents and the background research work required (as detailed by 3VA) in order to take the desired outcome of changing the make-up of the trusts forwards.

***The Trusts resolved that*** *as there was uncertainty of the competitiveness of the price for undertaking the work given by 3VA, the Town Clerk (Trusts Correspondent) is delegated to find another quote and to proceed accordingly.*

### **1.9 Update**

The Clerk has contacted the Surrey and Sussex Association of Local Councils (SSALC) and the National Council for Voluntary Organisations (NCVO).

SSALC were asked if they knew of suitable organisations that may be able to undertake the work required. The Clerk was informed that SSALC could “*only suggest Legal representation, and we recommend Hedleys who are well versed in the intricacies involving Parish Councils and their links in charities*”.

The NCVO initially stated that their team of consultants could undertake the work at £600 per day, however, when asked to provide a more detailed quote, replied that:

*Upon review of this with one of my colleagues, ... we're not sure we could add much value to what you have received from 3VA. In particular, given the legal complexity of the situation we thought the Council might instead seek the assistance of a charity lawyer to review and/or draft new governing documents. Unfortunately, NCVO does not provide legal services so I would direct you to the Law Society's [Find a Solicitor](#) directory if the Council do not have an existing legal provider in this area. You can search by area of law.*

**The Clerk has not pursued obtaining quotes for this work from legal companies due to the likely costs involved.**

### **1.10 Charities Commission 'Loop'**

The Clerk had a further discussion with Cllr McAuliffe on these issues and it was suggested that the Clerk write to the Charities Commission requesting that the trustees be changed without updating the governing documents.

However, the Charities Commission continually refer the Clerk back to their guidance on changing Governance Documents whenever asked if the Council/Trustees charities can be changed, (This seems to be an eternally 'circular formula', since council cannot update the Governance documents without knowing the backdated story of the charities original assets etc; as originally stated by 3VA.).

## **2. Conflict of Interest for the Council as the Charitable Trust Corporate Body.**

As part of the attempt to find an alternative supplier for the consultancy work required, the Town Clerk also lodged a query with the Society for Local Councils (SLCC) larger councils' network of Clerks.

On the point of the perceived conflict of interest for council members as the council is the trustees body, the Clerk received comments from fellow clerks that there 'is no inherent conflict of interest' for individual council members as the Council is the Trust as a corporate body, rather than individual councillors (that is, the council itself is recorded as the trust on the Charities Commission records etc). This therefore means that for individual councillors, there is no inherent conflict of interest in dealing with trust issues that may affect council issues.

The Clerk was sent a copy of a document published by the (now defunct) Standards Board for England which explained it in these terms:

### **When my local authority is the trustee**

*A corporation such as a local authority can itself have been appointed to act as a trustee of a charity, usually known as a corporate trustee. It may be appointed as a charity trustee, or a holding trustee or nominee, or as both.*

*If your local authority is itself the charity trustee, it decides within the scope of local government law, what structures should be used to reach decisions in its name as a charity trustee. For example, it may decide all the decisions are to be reached by the council or it may decide to delegate the decisions to a separate management committee. Whatever the structure employed, the individual councillors concerned are not themselves charity trustees and do not have an interest to register but it may still be a personal interest (see below).*

### **When do I have a personal interest?**

*It is important to remember that even when your role as a holding trustee or nominee does not give rise to an interest that needs to be registered or when you make decisions for your authority as the charity trustee, it may still be a personal interest that you need to declare at a meeting of your authority. This is when a decision in relation to the business of your authority relating or affecting the charity might reasonably be regarded as affecting your or a relevant person's well-being or financial position more than it would affect the majority of inhabitants of the ward or electoral division or authority's area affected by the decision*

**The Clerk has asked the Monitoring Officer for clarification of this position and to confirm if the documents' recommendations on the lack of 'inherent conflict of interest' still stand.**

### **3. The Way Forward**

Further clarification and conversations with the Clerks at Lewes and Bishop Stortford Town Councils (both of whom volunteered helpful advice and information), it was suggested that:

- (i) Governance Documents cannot legally be changed without there being a 'Power of amendment' clause written into the documents. As the governance documents of the Hailsham charities are in essence deeds of land or property transfer (and in fact one of the Trusts has no governance document on record), an alternative is to ask the Charities Commission to create a 'Charity Commission Order'. This is essentially a supplementary deed which grants the power of amendment and also updates the existing governance documents. The clerk has written to the Charities Commission enquiring as to whether this is possible.
- (ii) Many parish and town councils appoint 'management committees' to oversee the business of the trusts. These work in the same way as appointed council committees but ensure that full attention and time is given to the interests and issues for the trusts.

### **4. Summary:**

- The council has resolved to change the body of trustees from the council as a whole to 13 named individuals.
- The Charity Commission has advised that the four charities cannot be merged.
- The initial scoping and research work undertaken by 3VA revealed that *It has become clear that before firm proposals (Schemes) can be submitted to the Charity Commission for one new Town Charity research needs to be undertaken to establish the current positions of the current Charities*
- Requests to the Charity Commission to change the Trusts membership without undertaking this more lengthy process result in being referred back to the guidance on the changing of governance documents, for which a full updating of current documents and research establishing the current position of the charities is required.
- A request for a 'Charity Commission Scheme' which would pave the way for these amendments to be made has been lodged with the charity commission.
- However, the background research establishing the current position of the charities and their assets would still be required. It seems unlikely that anyone other than 3VA or a legal firm would be able to undertake this work.

### **5. Recommendation:**

1. The council is recommended to appoint a Trusts Committee, as a working group on a temporary basis in the first instance.

(The make up of the committee could be the same as that resolved in July 2011:

- *Four members of the Council*
- *Four members from local community organisations*
- *Three members from local churches*
- *Two Hailsham residents.*)

*Or could simply consist of four members of council for the time being.*

This trusts committee could then explore in more detail working towards the desired outcome of permanently changing the trusts membership, with the required ‘back ground work’ of updating the charities governance documents and tracing the historical narrative of the charities assets as required, through whatever means is required including commissioning.

The committee would also work towards finding the non-council membership of the trust assuming the project is able to be progressed.

The committee would also for the time being address other ad-hoc requests to the Tusts such as alterations required to the Southview Building etc.

This would allow more time and consideration to be given to trust issues, as the Trusts’ meetings would not be held at the end of the full council meetings.

This model is common amomngst other parish and town councils which are also charitable trusts corporate. This model would not prevent the council from being the trust as a corporate body for the time being, but would offer a solution in working towards making that change and exploring all the possibilities and possible commissioning of work required.

The committee would ultimately report to council and be making recommendations to council as required, but could also meet on a more regular basis or as required, giving more time and consideration to trusts issues.

**Appendix -Project proposal and costings presented by Sue Shoemith of 3VA, February 2013**

**PROPOSAL**

<b>ACTIVITY</b>	<b>TIMEFRAME</b>	<b>OUTCOME</b>
1. 3VA undertakes research to identify any barriers to ‘linking’ of current charities and ensuring charities records are up to date.	Up to 12 weeks @ 4.5 hours per week	Report to Hailsham Town Council detailing barriers and recommendations for next steps, this will include advice on where legal support may be needed.
2. 3VA implements recommendations from report to ensure that existing charities are ready for “linking”.	<i>This will depend on findings of the above.</i>	3VA produce a “Scheme” consideration by Hailsham Town Council. The “Scheme” is submitted to the Charity Commission.
3. 3VA to undertake activities to take forward the “Scheme” including establishing a new Board of Trustees and producing new governing documents.	<i>This will depend upon the “Scheme”.</i>	4 existing Hailsham Town Charities are closed and one or more new Hailsham Town Charities (as approved by the Charity Commission) are established as per the agreed “Scheme”.

**Cost**

3VA charge £25.00 per hour plus any additional expenses (travel @ 65p per mile, printing etc.) to be agreed in advance of incursion with John Harrison.

Until Step 1 has been completed it is impossible to scope the size and projected cost of the whole of this project. 3VA recommends that if Hailsham Town Council asks 3VA to take this project forward, a budget is agreed for each project stage on completion of the previous stage.

## Considerations

In order to reduce some of the costs, as much of the documents sourcing and research as possible can be undertaken by HTC officers, this savings some of the time it will take 3VA to uncover and locate relevant documents etc.

3VA have the relevant background and expertise in undertaking this project, both in general terms with respect to their expertise in the charities sector but also because they have undertake a considerable amount of preliminary work specifically looking into the Hailsham Town Council charities. As part of this project, 3VA will have access to their internal legal advisers and solicitors.

It would be possible commission a legal firm to undertake this project but it is considered that this would be at a considerably higher cost than 3VA are requesting.

Commissioning 3VA to initiate this project will ensure the desired outcome, as previously resolved by the trustees, or the establishment of a new board of trustees, is given specific attention and is brought to a realistic deadline. Capacity within the own Council does not exist to undertake this work without prioritising this to the detriment of other Town Council priorities. The legal and charities knowledge also does not exist within the Town Council's current resources.

The outcome of administratively linking the charities and the creation of a new board of trustees could also galvanise the charities into utilising their resources to the greater good of the town.

## Financial Health of the Hailsham Town Council charities

### CHARITY CONTROLLED FUNDS as at 30.06.13

#### THE WESTERN ROAD MEMORIAL INSTITUTE (GREEN BROS. TRUST)

Current A/C (70129437) Community Room Management A/C	11,279.80	
Current A/C (60446858)	10,806.26	
COIF Charities Deposit Fund (891310001C)	<u>88,257.44</u>	110,343.50

#### Charities Official Investment Fund

775.60 Income shares @ valuation 30/06/13		<u>8,503.68</u>
		<u>118,847.18</u>

(103.61 Accumulation shares @ valuation 30/06/13 = £10008.62)

#### THE WAR MEMORIAL INSTITUTE (ROBERTSON-LUXFORD TRUST)

Current A/C (00449210) Community Hall Management Account - A/C Closed		
Business Reserve (70734780) Community Hall Management Account - A/C Closed		
Community A/C (70832790)		225.09
COIF Charities Deposit Fund (863950003C)		6,391.82
Business Premium A/C (90888095)		1,588.18

#### Charities Official Investment Fund

963.51 Income shares @ valuation 30/06/13		<u>10,563.92</u>
		<u>18,769.01</u>



(584 Accumulation shares @ valuation 30/06/13 = £56413.82)

**ALLOTMENT FOR THE LABOURING POOR (W.W. SLYE TRUST)**

COIF Charities Deposit Fund (891320001C)

3,012.39

**THE ALLOTMENT FOR RECREATION GROUND (HAROLD MARYAN TRUST)**

COIF Charities Deposit Fund (891330001C)

3,028.45

COMMITTEE: Full Town Council

DATE: 19<sup>th</sup> November 2013

PURPOSE: To consider a request by Redrow Homes for access across Council owned land to Gleneagles Drive, for a new 40 dwelling development.

**BACKGROUND:**

At a Full Town Council meeting in April 2008, it was reported that Redrow Homes had applied for permission to build 40 new dwellings on land adjacent to Grovelands School. A request had been put forward by Redrow Homes for the Council to allow them access to this development across Council owned land and this was taken to the Town Council meeting for discussion.

At the meeting the following was agreed:

“Resolved that, if requested by Redrow Homes Limited, permission be granted for access to the development site adjacent to Grovelands School across Hailsham Town Council POS land, subject to the Council’s conveyance and legal costs being met” (min ref: HTC/07/4x/530.1)

There was no further contact from Redrow Homes after this time until recently when Wealden District Council contacted the Town Clerk requesting a meeting to discuss access adjacent the site as construction is now due to start for the development. The meeting took place in July of this year and the Town Clerk and Councillor M. Ryan met with Claire McIntyre of Wealden District Council and Redrow Homes. At the meeting, Redrow Homes asked whether the previous resolution was still in place and the Town Clerk and Councillor Ryan advised that the resolution was now out of date and the request would have to go back to the Town Council for discussion.

The Council owned area where access is requested is a strip of public open space and a map is attached showing this area, highlighted in pink. A map is also attached showing the plan for the new development.

**FINANCIAL IMPLICATIONS:**

The developers have not offered any financial compensation in return for the use of the Council land.

**CONCLUSION:**

The two options available are:

- a) access through Council owned land
- b) access through Dunbar Drive

If the Council gives permission for the developer to gain access from Council owned land this will result in the loss of an area of the open space. If the Council refuses permission, the only alternative to this will be for the developers to obtain access from Dunbar Drive. Both options are therefore unfavourable and will not be popular with local residents as option A will result in loss of an area of public open space and extra traffic in this area and option B will cause heavy traffic flow in the residential area of Dunbar Drive.

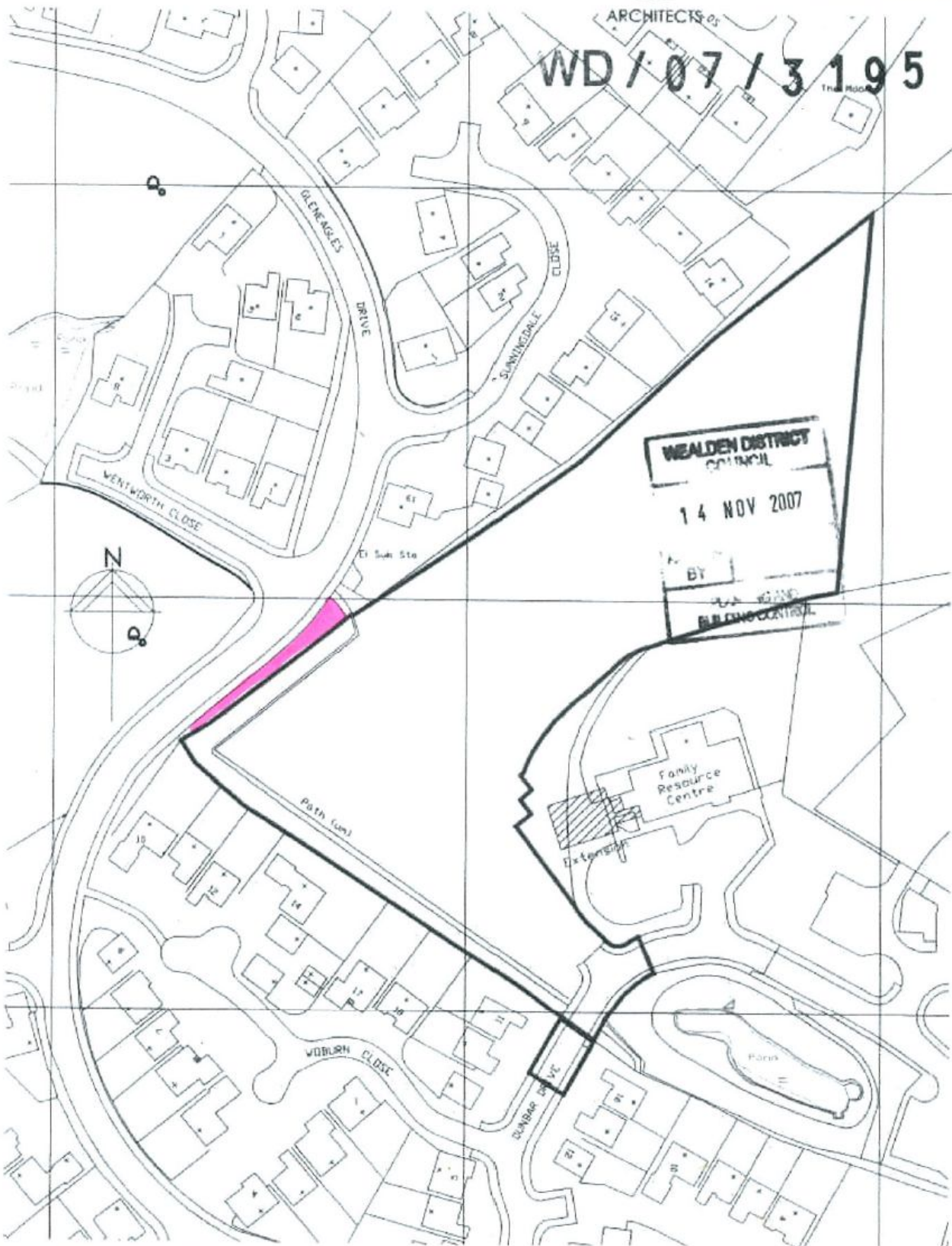
Further information in respect of this report can be obtained from Karen Moralee. Tel: 01323 445 738, Email: [karen.moralee@hailsham-tc.gov.uk](mailto:karen.moralee@hailsham-tc.gov.uk)



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ARCHITECTS

WD / 07 / 3 195



WEALDEN DISTRICT  
COUNCIL  
14 NOV 2007  
BY  
BUILDING CONTROL

LAND AT GROVELANDS SCHOOL, HAILSHAM.  
SITE LOCATION PLAN.

Scale 1:1250 at A4

REV. A Extension to Family Resource Centre added 07.11.07

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WINCHESTER GUILDFORD BRISTOL

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Notes

**NOTES:**  
 This drawing and associated .dwg and or .dxf files are not to be used for dimensional information. Refer to Architects drawings for dimensions or obtain on site as appropriate UNO.

PI	Preliminary Issue	MR	JR	02/11/13
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Rev	Description	By	CHK	Date
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**barter hill** Barter Hill Partnership Limited  
 11 Lynton Park Lane  
 Hightable Lane  
 Chichester PO19 1SW  
 01243 430000  
 01243 430007  
 or mail@barterhill.co.uk

**Construction Services & Contractors**  
 01243 100140  
 01243 430014  
 or mail@barterhill.co.uk

Client  
  
**REDROW HOMES**

Project  
 Gleneagles Drive  
 Hailsham, East Sussex

Drawing Title  
 Existing Layout Showing  
 Proposed Site Access

Designed by	Drawn by	Checked by
JR	NV	MG

Scale @ A3	Date
As Shown	October 2013

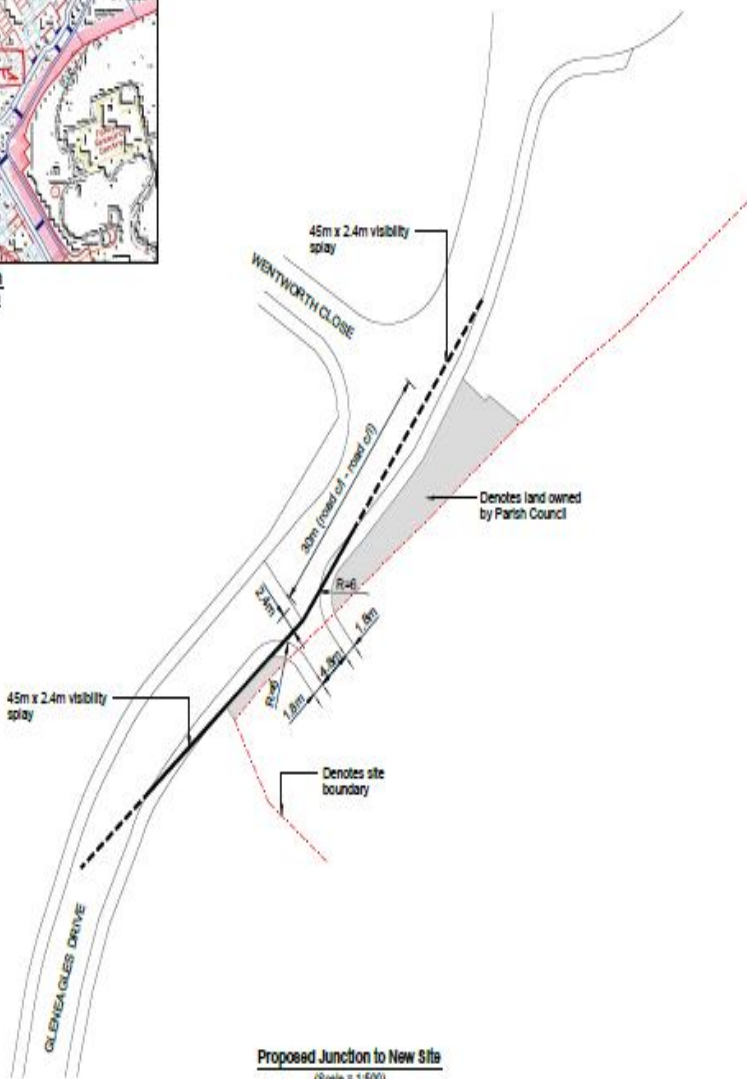
Drawing No	Revision	Alt. Ref
5216/100	P1	5216

Status  
**PRELIMINARY ISSUE**

Cost No	Control Office
	Magdalen Lever



**Location Plan**  
 (Scale = 1:1500)



**Proposed Junction to New Site**  
 (Scale = 1:500)

COMMITTEE: Hailsham Town Council

DATE: 14<sup>th</sup> November 2013

PURPOSE: To consider a request for the Council to continue to support the Hailsham Street Market in 2014 and other activities of Hailsham Forward.

Background:

- 1.1 The Council has supported the Hailsham Street Market project since it started in August and agreed to provide support up to the end of 2013. The Market has been a great success during the trial period and the Hailsham Forward Executive have agreed to operating the market every Saturday commencing on 4<sup>th</sup> January 2014, except the second Saturday of the month; to avoid the regular Farmers' Market.
- 1.2 During the trial period the operation of the market has been under constant review including the management on the day and the setting-up and taking-down of the market stalls. The Team has reviewed the potential use of professional market contractors to fulfil these tasks, but has not been able to progress this as they will only work on larger markets (40 plus stalls) and insist that they take full control, which is not something that the Team believes should be relinquished.
- 1.3 Whilst there have been some inevitable teething problems with the management of the market the current set up is now working well and without a viable alternative the only option is to continue with the current system.

Support from the Council:

- 2.1 Whilst Hailsham Forward has progressed a number of projects in the short time it has existed, it has not taken any steps to get formally constituted. This is something that the Executive would like to progress with the Hailsham Forward Stakeholder Group in the coming months.
- 2.2 Hailsham Forward is unable to operate in its own right without the continued support of Hailsham Town Council. This includes management of the accounts, receiving income, processing invoices and paying staff. It is therefore vital that the Council continues with this support until such time Hailsham Forward is properly constituted and had established a bank account and payroll facilities.
- 2.3 The Street Market is the main call on resources and will need the support of the Finance Team. This support, however, is limited to officer time in processing income, invoices and payroll and not the actual cost of these services, these will be charged to the Hailsham Forward account, and will not come from Hailsham Town Council funds.

3. Conclusion:

- 3.1 It is clear that the projects progressed by Hailsham Forward including the Street Market project is having a positive impact on the town centre and it is recommended that the Council continues to support the project and manage the finances and payroll until Hailsham Forward is able to do so in its own right.