

**CABINET****Tuesday, 3rd November, 2015**

Present:-

Councillor Burrows (Chair)

Councillors	T Gilby	Councillors	Ludlow
	T Murphy		Serjeant
	Huckle		A Diouf
Non Voting	Bagley		Wall
Members	Hollingworth		

\*Matters dealt with under the Delegation Scheme

**89 DECLARATIONS OF MEMBERS' AND OFFICERS' INTERESTS RELATING TO ITEMS ON THE AGENDA**

No declarations of interest were received.

**90 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Blank, Brown and J Innes.

**91 MINUTES****RESOLVED –**

That the minutes of the meeting of Cabinet held on 6 October be approved as a correct record and signed by the Chair.

**92 FORWARD PLAN**

The Forward Plan for the four month period November 2015 – February 2016 was reported for information.

**\* RESOLVED –**

That the Forward Plan be noted.

**93 DELEGATION REPORT**

Decisions taken by Executive Members during October were reported.

**\* RESOLVED –**

That the Delegation Report be noted.

**94 ABSENCE OF A MEMBER OF THE COUNCIL**

The Committee and Scrutiny Coordinator submitted a report to enable the Cabinet to consider, for the purposes of Section 85(1) of the Local Government Act 1972, the reasons for the absence of a Member of the Council from meetings of the Authority.

Councillor Helen Elliott had been prevented by attending to urgent caring responsibilities from attending meetings of the Authority since her last attendance on 2 June, 2015. It was not known when she might be in a position to resume his duties.

**\*RESOLVED -**

1. That, for the purposes of Section 85(1) of the Local Government Act, 1972, the reason for the absence from meetings of Councillor Helen Elliott from 2 June of attending to urgent caring responsibilities, be approved and her continued absence from meetings be authorised through until 31 March, 2016.
2. That the best wishes of all her Council colleagues are sent to Councillor Elliott.

**REASON FOR DECISIONS**

To meet the requirements of Section 85(1) of the Local Government Act 1972.

**95 ASBESTOS MANAGEMENT COMPLIANCE REVIEW**

The Housing Services Manager – Business Planning and Strategy and the Business Transformation Manager submitted a report informing Members of the findings of the recent Asbestos Management Compliance Review.

Chesterfield Borough Council manages and owns a wide portfolio of domestic and non-domestic premises, and as such needs to satisfy statutory and legislative compliance obligations to ensure that a safe environment is provided for building occupiers and tenants.

In November 2014, as part of a regular review of policies and procedures in relation to all compliance requirements, Housing Services commissioned Savills to conduct a preliminary audit and review of its asbestos compliance. The review was extended to also include the non-domestic property portfolio, to ensure a consistent approach in asbestos management policies and practices across the entire Chesterfield Borough Council property portfolio. The purpose of the review was to establish the current status of asbestos compliance in relation to domestic and non-domestic premises, identify any shortcomings and to make recommendations in relation to prioritised actions to ensure best practice.

The report produced by Savills acknowledged many areas of good practice with regard to the Council's asbestos management and risk management processes, but also highlighted some areas for improvement. Savills had produced an Action Plan which detailed the recommended actions required to address the areas highlighted as needing improvement. The Action Plan was presented to Members to request their approval for the recommended actions which would need to be implemented, reviewed and audited, as part of an on-going compliance management regime to enable the Council to reach a point of robust assurance with regards to asbestos management.

The officers' report also recommended that an Asbestos sub-group of the Corporate Health and Safety Committee be formed to oversee the implementation of the action plan. The sub-group would consist of representatives from Housing Services, the Corporate Health and Safety team, Kier Asset Management and the Corporate Health and Safety Committee.

**\*RESOLVED -**

1. That the Asbestos Management Compliance Review be received, and that the Asbestos Compliance Recommendations Action Plan be implemented.
2. That an Asbestos Management Compliance Sub Group be established to oversee implementation of the actions set out within the Asbestos Compliance Report Recommendation Action Plan, and that the Sub Group reports progress to the Corporate Health and Safety Committee on a quarterly basis.

**REASON FOR DECISIONS**

To ensure legislative and statutory obligations in relation to the management of asbestos risk are met.

**96 LOCAL GOVERNMENT ACT 1972 - EXCLUSION OF THE PUBLIC****RESOLVED -**

That under Regulation 21(1) (b) of the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000, the public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 1 of Part I of Schedule 12A to the Local Government Act 1972 – as it contained information relating to an individual.

**97 BARROW HILL ENVIRONMENTAL IMPROVEMENTS UPDATE**

The Housing Service Manager – Business Planning and Strategy, submitted a report to update Members on the progress of the environmental work planned for the London Boroughs estate at Barrow Hill since the scheme was approved by Cabinet in March, 2015. The report also sought approval for ex-gratia payments to be made to owner occupier households, as compensation for acquiring land to deliver the scheme, and for permission to demolish two blocks of flats to facilitate a future phase of environmental improvements for the London Boroughs Estate.

It was noted that since the plans had been approved by Cabinet progress had been made in the following areas:

- Completion of highways and drainage surveys
- Negotiation with Right-to-Buy owners on the estate
- Development of detailed design
- Preparation of a Planning Application for submission
- Scoping options on a second phase of works on land surrounding Duewell Court
- A review of demand for flats in Barrow Hill
- Development of tender documents for appointing a contractor to deliver the improvements
- New staircases for flats was being installed
- Planting plans and schedules developed

The Housing Service Manager also provided an update on Kier's negotiations with the owners of right to buy properties in the area where their property boundaries would be affected by the environmental improvements. The original proposals affected the boundaries of twenty four privately owned properties, however only two were critical to the delivery of the scheme. It was noted that negotiations with these two households had been successful and that outline terms for the transferal of their land to Council had been agreed.

Work had also started on what a second phase of environmental improvements for the London Boroughs estate would look like, with a large underutilised area of land surrounding Duewell Court being part of these considerations. Initial discussions had taken place with the Homes and Communities Agency about suitable programmes to bring forward the development of the land. In order to increase the attractiveness of the land, the demolition of the two blocks of flats at Chiswick Court and Ealing Court had been considered.

It was noted that there was a significant over supply of flats on the estate, with high turnover rates and many properties being difficult to let. Tenants in Chiswick and Ealing Courts would be offered the opportunity to transfer to alternative properties anywhere within the Borough, and would also be eligible for home loss and disturbance payments. The demolition of the two blocks would enable an improved layout for the environmental improvement scheme allowing better integration with the proposed second phase of works at Barrow Hill.

In the original proposals all of the costs associated with the scheme were to be met by the Housing Revenue Account and from the 2015/16 and 2016/17 Housing Capital Programmes. In the budget in July 2015, it had been announced that social and affordable housing rents were to be cut by 1% a year, for four years. The implications of this change had meant that as the income that had been predicted to be received had been reduced, several cost saving measures had had to be integrated into the proposals. The schedule of works had also been re-phased to take place over the financial years 2016/17 and 2017/18, in order that the planned environmental improvements could still be delivered, but also be affordable.

**\*RESOLVED -**

1. That Cabinet continues to support the on-going delivery of the Barrow Hill Environmental Improvements Master-Plan.
2. That Cabinet approves the revisions to the budget and the phasing of the work, in order to ensure that the proposals are affordable following the changes announced in the Government summer budget and the subsequent impact on the Housing Revenue Account Business Plan.
3. That a budget of £2,500 is set aside to cover the cost of making payments to property owners in Barrow Hill in order to facilitate the delivery of the environmental improvements, and to reduce the likelihood of objections to the Planning Application.
4. That the Right-to-Buy property of 8 Chelmsford Way is purchased in order to facilitate the delivery of the environmental improvements.
5. That the the blocks of flats, namely Ealing Court and Chiswick Court are demolished in order to facilitate a future phase of development at Barrow Hill in the area around Duewell Court.
6. That the Housing Services Manager – Business Planning and Strategy be authorised to tender for, and appoint a demolition contractor.

7. That a further report is brought to Members, following an open tender process with a recommendation to appoint a contractor to deliver the improvement programme.

## **REASON FOR DECISIONS**

To meet the Corporate Plan 2015-19 key objective “to increase the quality of public space for which the Council has responsibility through targeted improvement programmes.”