

CABINET**Tuesday, 17th May, 2016**

Present:-

Councillor Burrows (Chair)

Councillors T Gilby
T Murphy
Blank
Huckle

Councillors Ludlow
Serjeant
A Diouf

Non Voting Members Bagley
J Innes
Brown

Hollingworth
Wall

*Matters dealt with under the Delegation Scheme

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

No declarations of interest were received.

2 **APOLOGIES FOR ABSENCE**

There were no apologies for absence.

3 **MINUTES**

RESOLVED –

That the minutes of the meeting of Cabinet held on 5 April be approved as a correct record and signed by the Chair.

4 **FORWARD PLAN**

The Forward Plan for the four month period 1 June to 30 September was reported for information.

***RESOLVED –**

That the Forward Plan be noted.

5 DELEGATION REPORT

Decisions taken by Cabinet Members during April, 2016 were reported.

***RESOLVED –**

That the Delegation Report be noted.

6 SYRIAN VULNERABLE PERSONS RESETTLEMENT PROGRAMME

The Policy and Communications Manager submitted a report requesting cabinet members consider Chesterfield Borough Council's participation in the national Syrian vulnerable persons resettlement programme (SVPRS).

The United Nations had estimated that as of February 2015, 12.2 million people were in need of humanitarian aid within Syria and that more than 7.7 million people had been forced to flee their homes. In light of this situation the SVPRS was the government's resettlement programme to relocate to the UK 20,000 of the most vulnerable Syrian refugees. The report noted that the SVPRS prioritised help for survivors of torture and violence, as well as women and children at risk, or in need of medical care.

At the East Midlands Migration Board meeting in November 2015, all authorities in the East Midlands had been asked to formally consider taking part in the SVPRS, with Nottingham City Council, Nottinghamshire County Council and the Nottinghamshire districts being the first areas within the East Midlands to take part in the scheme. These authorities had subsequently developed a partnership to facilitate the resettlement of 17 family units during December 2015. It was noted that East Midlands Councils and the Nottinghamshire partnership had been keen to share their knowledge and experience of the SVPRS, and that Derbyshire had benefitted greatly from this information sharing when considering its own involvement.

Since November, 2015 work had been carried out by the Derbyshire districts to establish potential locations, numbers and size of suitable housing available for the scheme, with Derbyshire County Council looking at other requirements of the scheme, such as access to health, education

and other local services. Six council properties in the borough had been identified as potentially suitable to house refugees, although it was noted that it would be likely that only three or four would be needed. The homes chosen would not impact on council house waiting lists as the properties were those that had proved difficult to let to tenants in the past.

It was proposed that Derbyshire County Council should act as the single point of contact and lead partner for the scheme with all partners being asked to contribute £2000 towards the costs associated with administering the scheme. It was noted that all other costs in relation to housing the refugees would be met by the government scheme.

***RESOLVED –**

1. That Chesterfield Borough Council agrees to take part in the Syrian vulnerable persons resettlement scheme.
2. That Chesterfield Borough Council formally joins the Derbyshire SVPRS partnership, and agrees to Derbyshire County Council acting as lead partner for this scheme.
3. That up to six Chesterfield Borough Council housing properties be utilised for the scheme.
4. That a contribution of £2,000 be made to the Derbyshire SVPRS partnership to assist with it's set up costs.

REASON FOR DECISIONS

To contribute to the UK response to the humanitarian crisis in Syria.

7 UNAUTHORISED DEPOSIT OF WASTE (FIXED PENALTIES) REGULATIONS 2016

The Senior Environmental Health Officer submitted a report to seek approval for proposed actions needed for the council to meet its obligations with regard to the Unauthorised Deposit of Waste (Fixed Penalties) Regulations 2016, and for amendments to be made to the council's constitution to allow the issuing of Fixed Penalty Notices.

The officer's report noted that the illegal depositing of waste, known as fly tipping, had resulted in over 2000 complaints being made to the council

since 2012, and that a number of existing enforcement options were currently used for dealing with fly tipping offences, such as informal warning and formal cautions, as well as prosecutions in the courts. The introduction of the Unauthorised Deposit of Waste (Fixed Penalties) Regulations 2016 would now allow local authorities to issue fixed penalty notices when an enforcement officer had reason to believe that a person had committed a fly tipping offence in the council's area. The regulations stated that non-payment of the fixed penalty notice would result in a prosecution.

***RESOLVED -**

1. That the proposed actions to enable the enforcement of the provisions of The Unauthorised Deposit of Waste (Fixed Penalties) Regulations 2016, as set out in the officer's report, be approved.
2. That the Council's Constitution be amended to enable the enforcement of the Regulations and to enable officers within the Environmental Protection Team to issue Fixed Penalty Notices.
3. That the amount of the Fixed Penalty Notice be set at £300.

REASON FOR DECISIONS

Fly tipping is a significant blight on local environments; a source of pollution; a potential danger to public health and a hazard to wildlife. It also undermines legitimate waste businesses where unscrupulous operators undercut those operating within the law. The Fixed Penalty Notice will provide an additional enforcement tool and is in addition to the existing options listed in paragraph 3.5 of the officer's report.

8 HOUSING REVENUE ACCOUNT BUSINESS PLAN

The Housing Manager submitted a report to advise Cabinet of the implications arising from the introduction of the new Welfare Reform and Work Bill and the new Housing and Planning Bill, and also from the announcements made in the Comprehensive Spending Review; and to recommend the adoption of a strategy and policy changes to mitigate the impacts of these on the long term viability of the Housing Revenue Account Business Plan.

***RESOLVED –**

1. That the implications arising from the introduction of the new Welfare Reform and Work Bill, the new Housing and Planning Bill, and also from the announcements made in the Comprehensive Spending Review for the Housing Revenue Account Business Plan be noted.
2. That the proposed strategy and policy changes to ensure the long term viability of the Housing Revenue Account Business Plan, as outlined in Section 6 of the officer's report be approved.
3. That further reports are brought to Cabinet as further mitigation actions are developed, and as the full implications of Central Government policies become known.

REASON FOR DECISIONS

To deliver a sustainable HRA Business Plan.

9 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 items of business on the grounds that they involved the likely disclosure of exempt information as defined in Paragraphs 1 and 3 of Part I of Schedule 12A to the Local Government Act .

10 ACTION IN RESPECT OF MISCELLANEOUS HOUSING STOCK

The Housing Manager submitted a report seeking approval to dispose of two miscellaneous residential properties that were surplus to requirements and to refurbish three further miscellaneous residential properties.

The report noted that over the years the Council had acquired a number of miscellaneous residential properties which have been held within the

Housing Revenue Account and managed by the Housing Service. These properties were not 'traditional' council houses, in that they are not situated on the large municipal estates and had had a variety of uses over the years, including most recently some being used by South Yorkshire Housing Association as interim homeless accommodation for families. Four of the properties had been vacant for some years and Housing Services had not been able to let them due to their physical condition, locations and unsuitability as accommodation for families.

The report outlined the current situation with regard to the properties, including structural condition, location and the estimated costs to bring the properties up to a satisfactory standard. The report also considered various options for the future of the properties including leasing to another housing provider, refurbishment and re-letting, refurbishment and sale, demolition as well as selling the properties in their current state.

It was noted that while the current transferred tenant of the Spital Cemetery Lodge had indicated their wish to return to the property after repairs, the high costs required to improve the property, along with the high on-going maintenance costs due to the property's grade II listed status, would not provide value for money for the council.

***RESOLVED -**

1. That the Housing Manager be authorised to dispose of 49 Compton Street, Chesterfield by means of sale at auction.
2. That the Housing Manager be authorised to dispose of Spital Cemetery Lodge, Chesterfield by means of sale at auction.
3. That the refurbishment of the properties at 11, 13 and 15 King Street North, Old Whittington be approved, and that the associated cost be met from the 2016/17 Housing Capital Programme.

REASONS FOR DECISIONS

1. To manage the Council's Housing assets effectively and to support the Housing Capital Investment Programme.
2. To contribute to the Council's Priorities - 'to improve the quality of life for local people' and 'to provide value for money services'.

11 DEMOLITION OF 9 AND 9A WENSLEY WAY, MIDDLECROFT

The Housing Manager submitted a report to recommend action in respect of the former Careline Office at 9 Wensley Way, Middlecroft, the attached garage, neighbouring boiler room and attached bungalow at 9A Wensley Way. The property at 9 Wensley Way had been a Careline office, but had been empty since June 2013, with the one bedroom bungalow at 9a Wensley Way currently occupied by a tenant. It was noted that all the buildings were of steel framed 'trusteel' non-traditional construction and were suffering from several structural problems which would require substantial and costly work to make them structurally viable into the future.

The report considered various options and their related costs for dealing with the properties, but recommended that members approve the demolition of the properties as the most cost effective solution. The demolition of the properties would save some capital works costs associated with the improvements required to the building and also create a far more usable space for a future development of housing to take place.

The report noted that the tenant of 9a Wensley Way would be granted a permanent move to a property of the same size elsewhere in the Borough if their property was demolished.

***RESOLVED –**

1. That the properties at 9 and 9a Wensley Way, Middlecroft be demolished.
2. That the Housing Manager be authorised to tender for and appoint a demolition contractor.
3. That the Housing Manager be authorised to make an offer of equivalent accommodation to the affected tenant.
4. That the Housing Manager be authorised to make Home loss Payments in line with statutory amounts and a disturbance payment to the displaced tenant.

REASON FOR DECISION

To meet the Councils priority 'to improve the quality of life for local people' and the objective, 'To increase the supply and quality of housing in Chesterfield Borough to meet current and future needs'.