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CABINET

10 JULY 2017

Present: Councillors Chowney (Chair), Forward, Poole, Batsford, Beaney, Fitzgerald and Lee

Apologies for absence were noted for Councillor Patmore

1. MINUTES OF THE MEETING HELD ON 3 APRIL 2017 AND THE SPECIAL CABINET MEETING HELD ON 15 MAY 2017

RESOLVED that the minutes of the meeting held on 3 April 2017 and the Special Cabinet meeting held on 15 May 2017 be approved and signed by the Chair as a correct record

RESOLVED the Chair called over the items on the agenda, under rule 13.3 the recommendations set out in minute number 6 were agreed without being called for discussion

2. HASTINGS & ROTHER REDUCING HEALTH INEQUALITIES PROGRAMME

The Assistant Director, Housing and Built Environment, presented a report which updated members on the delivery of the council-led projects within the NHS Hastings and Rother Clinical Commissioning Group's (CCG) Healthy Hastings and Rother (HHR) programme 2015/16 and 2016/17. The report also sought approval for the enhanced programme of council-led projects funded from the CCG's HHR programme in 2017/18, 2018/19 and 2019/20.

Richard Watson, Programme Manager for the CCG, attended the meeting. He explained that the CCG acknowledged the high levels of deprivation and health inequality in some parts of the Hastings and Rother. The programme had been designed to address the key thematic areas of preventing ill health, supporting people experiencing ill health, health and wellbeing centres and healthy housing – people and places. He added that the CCG valued the opportunity to work in partnership with partners across the statutory and community sector to deliver the programme.

CCG funding of £1.711 million had been allocated over this financial year and the two subsequent financial years until 31 March 2020. The funding had been allocated to support a variety of initiatives to address domestic violence, adult learning, healthy homes and rough sleeping.

The report also provided an update on projects from the 2015/16 and 2016/17. It was noted that some of the projects had been delayed, and would therefore be extended into subsequent programme.

Cabinet thanked all those involved in supporting the programme.

CABINET

10 JULY 2017

Cabinet amended the third recommendation of the report, as set out in the resolution below. Councillor Batsford proposed approval of the amended recommendations to the Assistant Director, Housing and Built Environment's report, which was seconded by Councillor Lee.

RESOLVED (unanimously) that:

1. Progress with the delivery of the Hastings Borough Council led projects within the CCG Healthy Hastings and Rother Programme,
2. To approve the enhanced programme of council-led projects as described in the report, within the financial resources available as follows:

2017/18 - £107,752
2018/19 - £1,145,924
2019/20 - £457,600

3. To authorise the Director of Operational Services to take the necessary steps to develop and deliver the projects in consultation with the Lead Member for Housing and Leisure

The reason for this decision was:

To update members on the council-led projects within the NHS Hastings and Rother Clinical Commissioning Group's (CCG) Healthy Hastings and Rother (HHR) programme for 2015/16 and 2016/17. Cabinet are also asked to agree the enhanced programme for 2017/18, 2018/19 and 2019/20.

3. COMPULSORY PURCHASE OF LONG TERM EMPTY HOMES

The Assistant Director, Housing and Built Environment, presented a report for cabinet to consider making compulsory purchase orders (CPO) in respect of twelve privately owned empty homes as part of the Empty Homes Strategy Enforcement Programme. A part II report, which had been included later on the agenda, set out further details of the twelve properties.

CPO action formed part of the enforcement model used by the council to bring long term empty properties back into use. Such actions helped to maintain a supply of housing within the town and address concerns from the local community regarding the condition of empty properties which, in some cases, may also become a target for anti-social behaviour. The Assistant Director, Housing and Built Environment, commented that the council had used this approach successfully on a number of occasions in the past, which had significantly reduced the number of empty and dilapidated properties in the town. He added that CPO action was only considered when all other options to bring the properties back into use had been exhausted. In many cases it had also not been necessary to pursue the full course of CPO action to its conclusion.

Councillor Forward proposed approval of the recommendations to the Assistant Director, Housing and Built Environment's report, which was seconded by Councillor Lee.

CABINET

10 JULY 2017

RESOLVED (unanimously) that Cabinet approved the detailed recommendations set out in Part 2 report and approves the making of compulsory purchase orders in respect of the twelve long term empty homes

The reason for this decision was:

The council's empty homes strategy sets out a number of enforcement powers available to the council, including the compulsory purchase of long term empty homes. In addition to taking action to bring empty homes back into use, it is hoped that taking this action will demonstrate to the owners of empty homes that it is unacceptable to leave property empty for an unreasonable period of time. This action will demonstrate to owners of these empty homes that the council will take the necessary action to bring these homes back into use from the benefit of the community.

4. HOUSING RENEWAL FINANCIAL ASSISTANCE POLICY

The Assistant Director, Housing and Built Environment, presented the revised Housing Renewal Financial Assistance Policy. The draft policy set out the financial tools available to the council for providing housing renewal help to households in the Borough.

The government recently announced increased funding to the Better Care Fund, which is used for Disabled Facility Grant (DFG) allocations. The allocation for Disabled Facilities Grants in 2017/18 was £1,543,547.

Local authorities across East Sussex have been working in partnership with the county council and Clinical Commissioning Groups East Sussex Better Together to utilise discretionary powers under the Regulatory Reform Order. The draft policy was sufficiently flexible to enable the council to support innovative projects to improve the lives of disabled residents.

Councillor Batsford proposed approval of the recommendations to the Assistant Director, Housing and Built Environment's report, which was seconded by Councillor Beaney.

RESOLVED (unanimously) that:

- 1. Cabinet approve the revised Housing Renewal Financial Assistance Policy 2017-2020, and;**
- 2. Delegated authority is given to the Assistant Director, Housing and Built Environment, in consultation with the Housing and Leisure Portfolio Holder to introduce and develop new types of assistance that enable existing and new sources of funding to be targeted at eligible clients**

The reason for this decision was:

In order to provide financial assistance for housing renewal the council must have an adopted policy.

CABINET

10 JULY 2017

To be able to respond promptly to new freedoms provided by the provision of Disabled Facilities Grant funding through the Better care Fund delegated authority is requested to develop and adopt new funding tools.

5. ENVIRONMENTAL HEALTH SERVICE ENFORCEMENT POLICY

The Assistant Director, Environment and Place, submitted a report which recommended approval of an updated Environmental Health Service Enforcement Policy.

The Environmental Health Service Enforcement Policy covered a range of enforcement activities, including food safety, health and safety, environmental protection (air, water, and land), stray dogs and pest control. The policy formed part of an umbrella corporate policy, which covered all enforcement activities carried out by the council, and reflected the principles of the 2014 Regulators Code. Adopting the policy would help to ensure that the council continued to carry out enforcement activities in a fair, proportionate and consistent manner.

Under rule 13.3 of the council's constitution, this item was agreed without being called for discussion.

RESOLVED that:

1. The revised Environmental Health Service Enforcement Policy is approved, as attached at appendix 1 to the report, and;
2. In future, in consultation with the Lead Member for Environment and Equalities, the Director of Operational Services, the Assistant Director Environment and Place and the Chief Legal Officer, to review and update the council's Environmental Health Service Enforcement Policy on an ongoing basis as and when necessary, in response to legislative changes, developing best practice and revised statutory guidance.

The reason for this decision was:

1. To ensure that enforcement action by the Environmental Health Service continues to be undertaken in a fair, proportionate and consistent manner.
2. To provide evidence to courts, defendants, businesses and the public that the Environmental Health Service undertakes its enforcement activities in accordance with an approved framework.
3. To incorporate the principles set out in the Regulators Code which came into statutory effect in April 2014 to provide a clear, flexible and principles-based framework for how regulators should engage with those they regulate.

6. CABINET APPOINTMENTS TO COMMITTEES, WORKING GROUPS AND PARTNERSHIPS

CABINET

10 JULY 2017

The Chief Legal Officer submitted a report regarding the appointment of Cabinet members to committees, working groups and partnerships. Nominations had been received from both group leaders to fill the places available.

The Chief Legal Officer advised that the following nominations had been received since the agenda was published. Councillors Patmore and Edwards were appointed to sit on Museums Committee, Councillors Batsford and Poole were appointed to sit on Charity Committee, Councillor Clarke was appointed to sit on Member Training and Development Group, Councillor Patmore was appointed to sit on Hastings Country Park Management Forum, Councillor Rankin was appointed to sit on the Order of 1066, Councillors Poole, Forward, Chowney and Rankin were appointed to sit on Personnel Consultative Group, Councillor Atkins was appointed to sit on the Stade Partnership, Councillor Lee was appointed to sit on Hastings Local Strategic Partnership, Councillor Beaver was appointed to sit on Hastings Athletics Track Committee, Councillor Fitzgerald was appointed to sit on East Sussex Community Safety Partnership, Councillor Forward was appointed to sit on Hastings and Rother Transport Action Group.

Councillor Lee advised that Councillor Cooke was to be appointed to Working Arrangements Group.

A copy of the schedule of nominations agreed at the meeting is attached at Appendix A and B to the minutes.

Councillor Poole proposed approval of the recommendations to the Chief Legal Officer's report, subject to the above amendments, which was seconded by Councillor Lee.

RESOLVED (unanimously) that:

- 1. Members be appointed to committees, working groups, partnerships, and representative bodies as set out in Appendix A and B to the minutes, and;**
- 2. Chairs and Vice Chairs of Charity Committee and Museums Committee be appointed, as listed in Appendix A to the minutes**

The reason for this decision was:

Members are required to serve on the committees, working groups, partnerships and representative bodies to which Cabinet appoints. Chairs and Vice Chairs are required for the committees that report to Cabinet.

7. MINUTES OF THE MUSEUMS COMMITTEE MEETING HELD ON 19 JUNE 2017

This item was deferred until a later meeting.

8. MINUTES OF THE CHARITY COMMITTEE MEETING HELD ON 26 JUNE 2017

CABINET

10 JULY 2017

The minutes of the Charity Committee meeting held on 26 June 2017 were submitted.

RESOLVED that the minutes of the Charity Committee meeting held on 26 June 2017 be received and agreed

Councillor Chowney proposed a motion for the exclusion of the public from the meeting.

RESOLVED (unanimously) that the public be excluded from the meeting during the consideration of the items of business listed below because it is likely that if members of the public were present there would be disclosure to them of exempt information as defined in the paragraphs of schedule 12A to the Local Government Act 1972 referred to in the relevant report.

9. COMPULSORY PURCHASE OF LONG TERM EMPTY HOMES

The Assistant Director, Housing and Built Environment, presented a report which set out details of the properties approved for compulsory purchase action (CPO) in minute 4 and the statement of reasons for utilising these powers.

The Assistant Director, Financial Services and revenues, provided some updated financial information at the meeting.

Councillor Forward proposed approval of the recommendations to the Assistant Director, Housing and Built Environment's report, which was seconded by Councillor Lee.

RESOLVED (unanimously) that:

- 1. Cabinet resolve to take the action by means of making Compulsory Purchase Orders for the twelve long term empty homes, listed in the report, under Section 226 (1)(a) of the Town and Country Planning Act 1990 (as amended by the Planning and Compensation Act 2004).**
- 2. Cabinet give authority to the Assistant Director, Housing and Built Environment, or his delegated nominee to execute all relevant documentation required for the compulsory purchase of the twelve homes set out in recommendation one of the report, and;**
- 3. Cabinet give authority to the Assistant Director, Housing and Built Environment, or his delegated nominee to execute and complete the onward sale of the homes set out in recommendation 1 of the report, once they have been acquired.**

The reason for this decision was:

These are long-term empty homes and without compulsory purchase action, officers are of the view that these homes will continue to remain empty. Officers have spent time working to engage with the owners and assist them in bringing their empty homes back into use. These actions have not achieved the desired

CABINET

10 JULY 2017

result and it is believed that these homes will now be returned to use without CPO action.

It is hoped that taking this action will demonstrate to the owners of empty homes that it is unacceptable to leave homes empty for an unreasonable time. This action will demonstrate that the council will take the necessary action to bring these homes back into use for the benefit of the community.

In deciding to take compulsory purchase action, regard has to be taken to the provisions of article 1 of the First Protocol to the European Convention on Human Rights and, in the case of dwellings, Article 8 of the Convention. The council has to weigh the human rights interest of public need as against private property rights and to consider that sufficient justification exists for the making of these Compulsory Purchase Orders. By authorising these orders the council is therefore of the opinion that a compelling case exists in the public interest.

The Chief Legal Officer has advised that it is in the public interest that the details of the properties and ownership should not be disclosed since the properties are the subject of report by reason of their being empty homes and disclosure of the detail would expose the properties to possible criminal activity as well as squatting and anti-social behaviour. Further the council's negotiating position might be prejudiced by disclosure of details of valuation.

(The Chair declared the meeting closed at. 6.58 pm)

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**CABINET
APPOINTMENTS TO COMMITTEES, WORKING GROUPS, PARTNERSHIPS ETC. JULY 2017**

COMMITTEES, WORKING GROUP / PARTNERSHIPS

COMMITTEES	SEATS TO BE FILLED	ALLOCATION TO POLITICAL GROUPS 2017/18		APPOINTMENTS for 2017/18		NOTES
		LAB	CON	LABOUR GROUP	CONSERVATIVE GROUP	
Museums Committee	Up to 10	6	2	Forward –Chair Bacon Vice-Chair Howard Sinden Street Cartwright	Edwards Patmore	A Chair and Vice Chair is required for this committee Lead Member is chair.
Charity Committee	3	3		Beaney (Chair) Batsford Poole		Chair to be non-portfolio holder member of Cabinet for the majority group
Discretionary Rate Relief Appeal Panel	Up to 7	5	2	Batsford Beaney Fitzgerald Forward Poole	Lee Patmore	All Members of Cabinet, excluding the Leader, to be appointed to the Panel.

APPENDIX A

Licensing Committee (Scrap Metal Dealers)	Up to 7	5	2	Batsford Beaney Fitzgerald Forward Poole	Lee Patmore	All Members of Cabinet, excluding the Leader, to be appointed to the committee. Functions relating to the licensing of Scrap Metal Dealers as set out in the Scrap Metal Dealers Act 2013 or by virtue of any amending or consolidating legislation and any regulations made under the Act as such amending or consolidating legislation.
Income Generation Board	3	2	1	Chowney Forward	Rankin	Leader and Deputy Leader of the Council and Chair of the Audit Committee

APPENDIX A

WORKING GROUPS ETC	SEATS TO BE FILLED	ALLOCATION TO POLITICAL GROUPS 2017/18		APPOINTMENTS for 2017/18		NOTES
		LAB	CON	LABOUR GROUP	CONSERVATIVE GROUP	
Working Arrangements Group	5	4	1	Street – Chair Cartwright Rogers Scott	Cooke	Opposition member is Vice-Chair
Member Training and Development Group	4	3	1	Poole – Chair Sinden – Vice Chair Cartwright	Clarke	Lead Member is chair
Hastings Country Park Management Forum	5	4	1	Fitzgerald – Chair Street – Vice-Chair Poole Turner	Patmore	Lead Member is chair
Order of 1066	4	3	1	Rogers Sinden B.Dowling	Rankin	To comprise Mayor, Deputy Mayor & 1 member from each Political Group
Joint Waste Committee	2	2		Chowney Fitzgerald		Leader of the Council and Lead Member for Env & Highways
Personnel Consultative Group	4	3	1	Poole Forward Chowney	Rankin	

APPENDIX A

PARTNERSHIPS	SEATS TO BE FILLED	ALLOCATION TO POLITICAL GROUPS 2017/18		APPOINTMENTS for 2017/18		NOTES
		LAB	CON	LABOUR GROUP	CONSERVATIVE GROUP	
Stade Partnership	2	2		Bacon Poole		Old Hastings members
Hastings Overseas Student Advisory Council	3	2	1	Roberts Sinden	Atkins	Known as HOSAC
Hastings Local Strategic Partnership	2	1	1	Chowney	Lee	
Safer Hastings Partnership	1	1		Fitzgerald		Relevant Lead Member
Jt. Advisory Cttee. the High Weald AONB	1	1		Street		
Combe Valley (formerly Pebsham) Countryside Park Management Forum	2	2		Howard Webb		
Hastings and Rother Task Force Steering Group	1	1		Chowney		Leader of the Council
Hastings Athletics Track Committee	2	1	1	Batsford Rogers	Beaver	
AmicusHorizon Hastings Area Panel	1	1		Batsford		Relevant Lead Member

Page 4

APPENDIX A

Sussex Police & Crime Panel	1	1		Fitzgerald		Lead Member
East Sussex Health Overview & Scrutiny Committee	1	1		Turner		Needs to be a non-executive Member.
East Sussex Community Safety Partnership	1	1		Fitzgerald		Needs to be either the Chair of the Safer Hastings Partnership or a member of the Sussex Police and Crime Panel.
Big Local North East Hastings	1	1		Charman		Must be Baird, Ore or Tressell member.
Hastings and Rother Transport Action Group	1			Forward		Relevant Lead Member

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CABINET – JULY 2017**APPOINTMENT OF MEMBERS TO REPRESENTATIVE BODIES**

ORGANISATION	SEATS TO BE FILLED	APPOINTMENTS FOR 2017/18
East Sussex Energy Infrastructure and Development Ltd (Sea Change) (This is a directorship)	1	Lead Member for Regeneration - Forward
Love Hastings (formerly Hastings & St Leonards Town Centre Management Group)	1	Leader – Peter Chowney
Hastings Health Improvement Network	1	Rogers
Health & Wellbeing Board	1 (not Health O & S Cttee member)	Beaney
Local Gov. Assoc. – National Body	1	Leader – Peter Chowney
Local Gov. Assoc. – Urban Commission	1	Lead Member for Regeneration – Kim Forward
Local Gov. Assoc. – Coastal Issues Group	1	Lead Member for Regeneration – Kim Forward
South East England Councils	1 (The Leader of the Council)	Chowney

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