

Agenda Item No: 6

Report to: Overview and Scrutiny (Services)

Date of Meeting: 15 February 2011

Report Title: Monitoring the Implementation of Cabinet Decisions

Report By: Katrina Silverson
Scrutiny and Electoral Services Officer

Purpose of Report

To provide members with detailed information on Cabinet decisions taken since the last O&S meeting that fall within the remit of this Committee

Recommendation(s)

- 1. That members note the report and consider any items that they would like to bring before the Committee**

Reasons for Recommendations

To inform members of decisions taken by Cabinet since their last meeting on 18 November 2010.

Background

Cabinet Meeting held on 8 November 2010

49. HASTINGS PIER UPDATE

Decision:

- (1) the action of the Deputy Chief Executive and Leader of the Council in agreeing a £200k budget to enable the clearance of dangerous debris on the Pier is approved and that the subsequent placement of a contract with Best Demolition outside the normal tendering arrangements is also agreed;
- (2) The proposed agreement between Hastings Borough Council and Hastings Pier and White Rock Trust is progressed and its conclusion delegated to the Chief Executive or his nominee in consultation with the Leader, Lead Member and Leader of the Opposition;
- (3) the Council make an application to the Magistrates' Court to vary the existing order under Section 77(1)(b) Building Act 1984 to achieve total closure of the Pier;
- (4) support given to the Trust with engineering advice and in developing a business plan be continued;
- (5) the Government be lobbied to give the Council assistance in meeting the costs caused by the Pier fire under the Bellwin Scheme;
- (6) the costs of stabilising the landward parts of the Pier be investigated and financial assistance sought from English Heritage;
- (7) the Council's staff and those of the emergency services be thanked for their outstanding efforts during and after the Pier fire.

Responsible Officer: Simon Hubbard, Corporate Director Regeneration, Homes and Communities

Lead Member: Councillor Peter Chowney

The reason for this decision was:

To meet the Council's obligations regarding public safety and to continue to support HPWRT in developing a scheme for the Pier.

51. PROGRESS REVIEW OF CORPORATE PLAN AND PROGRAMME FOR THE YEAR

Decision:

- (1) the changes to the current Corporate Plan targets arising from changes in Government policy be noted;
- (2) the integration of the Programme for the Year targets into a revised Corporate Plan Part II be approved as set out in appendix A; and
- (3) half year performance progress is noted.

Responsible Officer: Roy Mawford, Chief Executive

Lead Member: Councillor Jay Kramer

The reason for this decision was:

To reflect the changes in national policy, and enable effective reporting on the Council's performance against commitments made in the Corporate Plan and Programme for the year.

53. SEVERE WEATHER RESPONSE PLAN

Decision:

- (1) that the Severe Weather Event Response Plan (SWERP) be developed, setting out what the Borough Council's response to such incidents in conjunction with ESCC will be;
- (2) that the SWERP should include arrangements for monitoring weather forecasts and severe weather warnings;
- (3) that in the event of forecasts of severe weather or continuing severe weather, the convening of an Incident Management Team be considered;
- (4) that a draft Communications and Information Management Strategy for severe weather events is included in the SWERP;
- (5) that the coordination of support for the community is led by the Sussex Resilience Forum arrangements and that any resources we are able to redeploy for this purpose are channelled through those arrangements;
- (6) that our Business Continuity Plan includes contingencies for maintaining services during severe weather and for enhancing mobile and home working capacity;
- (7) The Borough Council will investigate building a database of volunteers (Snow Angels) who can be called upon in bad weather to help clear paths and side roads where "hippo" bags have been left in order to maximise the effectiveness of the Council's response; and

(8) The Borough Council will ask the County Council to include school slipways in its salting programme in order to minimise the number of lost school days.

**Responsible Officer: Richard Homewood, Corporate Director
Environmental Services**

Lead Member: Councillor Phil Scott

The reason for this decision was:

to enhance the Hastings Borough Council response to severe weather incidents alongside the amendments the East Sussex County Council had made to its Winter Maintenance Plan.

54. HASTINGS CASTLE

Decision:

That a major Heritage Lottery Fund bid for £1.5million is submitted in December 2010, matched by c£500,000 of Hastings Borough Council capital money.

Responsible Officer: Kevin Boorman, Head of Communications and Marketing

Lead Member: Councillor Peter Chowney

The reasons for this decision were:

Hastings Castle was a significant heritage site and had a powerful story to tell in terms of the history of England, the English language, and the English legal system. It had the potential to become an important feature of the town, particularly as it developed its cultural offer;

The Castle currently offered a poor visitor experience, and the audio visual display there - the only covered area of the castle - was fast approaching the end of its life. The staff facilities were also very poor;

There was strong community support for improvements to Hastings Castle, and bidding to the Heritage Lottery Fund was an opportunity to draw down a significant amount of external funding, with Hastings Borough Council having to contribute just 25% of the total capital spend; and

An outline business case showed that, with investment in Hastings Castle to improve access and interpretation, if the capital investment was 75% Heritage Lottery Fund grant funded sufficient additional visitors could be attracted to break even.

55. JOINT WASTE CONTRACT PROCUREMENT

Decision:

- (1) a Memorandum of Understanding (Appendix A) be entered into with those Waste Collection Authorities in East Sussex that wished to be a party to the joint working opportunities that a joint procurement exercise would deliver;
- (2) the Chief Executive in consultation with the Lead Member for Environment be authorised to take such decisions as are considered necessary by them to ensure the project progresses between critical milestone stages;
- (3) budget provision of £10,000 be made, along with each other authority in the procurement process, to be held and administered under the terms and conditions set out in the Memorandum of Understanding;
4. the terms of reference for the project team (Appendix B) be approved;
5. the details of the Project Plan as set out in Appendix D be supported; and
6. the Governance structure as set out in Appendix I of the Memorandum of Understanding be approved.

**Responsible Officer: Richard Homewood, Corporate Director
Environmental Services**

Lead Member: Councillor Phil Scott

The reason for this decision was:

Developing joint working opportunities for waste and recycling had already been recommended by the individual Waste Collection Authorities (WCAs). This arrangement provided a framework in which the joint procurement project could be developed, leading to an opportunity for WCAs to participate in any future contract arrangement and / or shared service that provided an overall financial, environmental or service improvement to the residents of East Sussex.

56. AMICUS HORIZON YELLOW LAND PROPOSAL

Decision:

- (1) planning consent for each site being obtained on a site by site basis;
- (2) suitable arrangements being made with the scouts to ensure their local service continues;
- (3) confirmation from Amicus Horizon that the finance to deliver these schemes is in place;

(4) confirmation that Amicus Horizon have entered into a binding contract for the construction of the affordable homes outlined in the report; and

(5) Amicus Horizon entering into a Nominations Agreement with the Council for the affordable homes.

Responsible Officer: Andrew Palmer, Head of Housing Services

Lead Member: Councillor Trevor Webb

The reasons for this decision were:

Delivering new housing in the Borough had become increasingly difficult over the last few years, particularly so following the downturn in the economy and the collapse in the housing market. Issues with organisations or individuals accessing finance and the degree of uncertainty within the market had made it increasingly difficult for the Council to encourage Registered Social Landlords and/or private developers to deliver new units and meet our current Housing Strategy target of delivering 70 new affordable homes per year.

If the Council was to meet this challenge it would need to consider innovative ways of working with our partners to enable new housing development to take place. The proposal from Amicus Horizon took a slightly different approach to delivering new affordable housing, making the most of the land in their ownership and eliminating the need for them to rely on finance from banks.

Cabinet Meeting held on 6 December 2010

64. LOCAL DEVELOPMENT FRAMEWORK – ANNUAL MONITORING REPORT (AMR) APRIL 2009 – MARCH 2010

Decision:

That the Annual Monitoring Report be submitted to the Secretary of State as required by Section 35 of the Planning and Compulsory Purchase Act 2004 subject to minor amendments to the current draft of the Annual Monitoring Report being delegated to the Chief Executive or his nominee, in consultation with the appropriate Lead Member and Opposition Spokespersons.

Responsible Officer: Tim Cookson, Borough Planning Officer

Lead Member: Councillor Peter Chowney

The reason for this decision was:

A submission was required in order to meet Government legislation.

67. EMPTY HOMES STRATEGY: COMPULSORY PURCHASE ORDERS FOR SEVEN LONG TERM EMPTY PROPERTIES (PART 1 REPORT)

Decision:

That the report is noted and the detailed recommendations be considered under the report included in Part 2 of the agenda for this meeting.

Responsible Officer: Andrew Palmer, Head of Housing Services

Lead Member: Councillor Trevor Webb

The reasons for this decision were:

The Council's Empty Homes Strategy set out a number of enforcement powers available to the Council, including the compulsory purchase of suitable properties. In addition to taking action to bring individual empty properties back into use, it was hoped that taking this action would demonstrate to the owners of empty homes that it was unacceptable to leave property empty for an unreasonable time. This action would demonstrate to owners of empty homes that the Council would take the necessary action to bring them back into use again for the benefit of the community.

68(E). EMPTY HOMES STRATEGY: COMPULSORY PURCHASE ORDERS FOR SEVEN LONG TERM EMPTY PROPERTIES (PART 2 REPORT)

Decision:

- (1) Compulsory Purchase Orders be made for seven long term empty homes, as listed in recommendation 1 to the report, under Compulsory Purchase powers set out in Section 226 Town & Country Planning Act 1990 (as amended by the Planning and Compensation Act 2004);
- (2) the Chief Executive or his delegated nominee be authorised to execute all relevant documentation required for the Compulsory Purchase of the seven properties set out in recommendation 1 to the report; and
- (3) the Chief Executive or his delegated nominee be authorised to execute and complete the onward sale of the properties set out in Recommendation 1 of the report, once they have been acquired.

Responsible Officer: Andrew Palmer, Head of Housing Services

Lead Member: Councillor Trevor Webb

The reasons for this decision were:

These were long standing empty homes and without Compulsory Purchase action, officers were of the view that these properties would continue to remain empty. Officers had spent considerable time attempting to engage with the owners and assist them in bringing their properties back into use. These actions had not achieved the desired result and it was not believed that the properties would be returned to use without CPO action.

This action should demonstrate to the owners of empty homes that it was unacceptable to leave property empty for an unreasonable time and that the Council would take the necessary action to bring them back into use again for the benefit of the community. In deciding to take Compulsory Purchase action regard was given to the provisions of Article 1 and Article 8 of the First Protocol to the European Convention on Human Rights. The Council had weighed the human rights interest of public need as against private property rights and considered that sufficient justification existed for the making of these Compulsory Purchase orders. By authorising these orders the Council was therefore of the opinion that a compelling case existed in the public interest.

Cabinet Meeting held on 10 January 2011

72. NEW HOMES BONUS CONSULTATION RESPONSE

Decision:

That the content of the report and the consultation response submitted to the Department be noted.

Responsible Officer: Andrew Palmer, Head of Housing Services

Lead Member: Councillor Trevor Webb

The reason for this decision was:

That it was important that the Council responded to this consultation paper as the government's proposals were likely to have significant financial and policy implications. The consultation period ended 24 December 2010 and the response therefore, was being reported to Cabinet retrospectively.

73. PRE – APPLICATION CONSULTATION FORUM

Decision:

- (1) the pre-application consultation Forum model be adopted in line with that used at Havant DC and outlined in the report of the Borough Planning Officer;
- (2) a one year trial of the pre-application consultation forum be commenced from 1st April 2011 and the Chief Executive or his nominee, in consultation with the Lead

Member on Regeneration and Planning, be delegated authority to review progress and make suitable changes;

(3) a charge be made of the developer to cover the costs of the forum, particularly the staff time, publicity and postage costs. Such charge initially to be set at £1,000 plus VAT per meeting.

(4) the Lead Member responsible for Regeneration and Planning or a nominated substitute is the Chair for each meeting;

(5) a senior officer of Havant DC be invited to make a presentation to all Councillors prior to the system commencing in order to raise awareness of the forum technique and to answer queries;

(6) suitable changes be made to the planning protocol; and

(7) suitable changes be made in line with the Localism Act when it is adopted.

Responsible Officer: Tim Cookson, Borough Planning Officer

Lead Member: Councillor Peter Chowney

The reason for this decision was:

To agree the form that a Pre-Application Consultative Forum could take in order to implement the proposals from 1 April 2011.

74. ENVIRONMENTAL ACTION PLAN

Decision:

(a) the addition of the following to Action 3 of Theme 4 (Optimising the use of resources) to the Environmental Action Plan:-

“4.3.c By April 2012 investigate publishing online the consumption figures for 4.3a and 4.3b and the savings made”; and

(b) the opposition spokesperson be added to the membership of the Strategic Project Board.

**Responsible Officer: Richard Homewood, Corporate Director
Environmental Services**

Lead Member: Councillor Phil Scott

The reason for this decision was:

To ensure that the Council could fulfil its own environmental agenda and respond to national and international initiatives through a strategic and coordinated approach.

75. EAST SUSSEX COUNTY COUNCIL (ESCC) CONSULTATION ON TRANSPORT STRATEGIES

Decision:

That the County Council be advised of Hastings Borough Council's response to the consultation on the draft Local Transport Plan 3, the draft Community Transport Strategy, and the draft Freight Strategy as set out in paragraphs 3 - 17, 20 - 31 and 33 - 43 of the report.

**Responsible Officer: Richard Homewood, Corporate Director
Environmental Services**

Lead Member: Councillor Phil Scott

The reason for this decision was:

To ensure that East Sussex County Council were informed of Hastings Borough Council's views on the draft Local Transport Plan 3, the draft Community Transport Strategy and the draft Freight Strategy.

Wards Affected

Ashdown, Baird, Braybrooke, Castle, Central St. Leonards, Conquest, Gensing, Hollington, Maze Hill, Old Hastings, Ore, Silverhill, St. Helens, Tressell, West St. Leonards, Wishing Tree

Area(s) Affected

Central Hastings, East Hastings, North St. Leonards, South St. Leonards

Policy Implications

Please identify if this report contains any implications for the following:

Equalities and Community Cohesiveness	Yes
Crime and Fear of Crime (Section 17)	Yes
Risk Management	Yes
Environmental Issues	Yes
Economic/Financial Implications	Yes
Human Rights Act	Yes
Organisational Consequences	Yes

Supporting Documents

Cabinet Minutes: 8 November, 6 December 2010 and 10 January 2011

Officer to Contact

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