



RUSHMOOR BOROUGH COUNCIL

CABINET

*Tuesday, 1st March, 2016 at 4.30 pm
at the Council Offices, Farnborough*

Councillor P.J. Moyle
Councillor K.H. Muschamp, Deputy Leader and Business, Safety and
Regulation Portfolio Holder

Councillor Hughes, Health and Housing Portfolio
Councillor Sue Carter
Councillor P.G. Taylor, Corporate Services Portfolio Holder
Councillor R.L.G. Dibbs
Councillor A. Jackman

The Cabinet considered the following matters at the above-mentioned meeting. All executive decisions of the Cabinet shall become effective, subject to the call-in procedure, from **15th March, 2016**.

85. **MINUTES –**

The Minutes of the meeting of the Cabinet held on 2nd February, 2016 were confirmed and signed by the Chairman.

86. **SMOKE AND CARBON MONOXIDE ALARM (ENGLAND) REGULATIONS 2015 –**
(Health and Housing)

The Cabinet considered the Head of Environmental Health and Housing's Report No. EHH1605, which set out the implications of the Smoke and Carbon Monoxide Alarm (England) Regulations 2015 on private sector landlords and the Council.

Members were informed that the Regulations had come into force on 1st October, 2015 and required all private sector landlords to fit smoke alarms and, where appropriate, carbon monoxide alarms in their rented properties. There was also now a requirement on local authorities to publish a "Statement of Principles", which must be used to determine the level of penalty charge for non-compliance. Landlords were required to install at least one smoke alarm on each level of their rented properties

and a carbon monoxide alarm in any room containing a solid fuel-burning appliance. It was also the landlord's responsibility to ensure that all existing alarms were in proper working order at the start of each new tenancy. It was explained that the Council was responsible for the enforcement of the Regulations and was required to take enforcement action in the case of a breach. Appendix 2 of the Report set out the Statement of Principles, which detailed the levels of penalties applicable. These showed a stepped increase in the case of landlords who were found to fail persistently. A proportion of the penalty collected would be used by the Council to provide and fit the required alarms.

The Cabinet considered the proposed approach and, in particular, discussed how cases of non-compliance would be identified and remedied.

The Cabinet RESOLVED that

- (i) the Statement of Principles, as set out in the Head of Environmental Health and Housing's Report No. EHH1605, be approved; and
- (ii) the Head of Environmental Health and Housing be authorised to:
 - issue Remedial Notices if a landlord breaches his duty to provide a smoke or carbon monoxide alarm in a privately rented property, under Regulation 6(1);
 - take remedial action to arrange for the installation of the required smoke or carbon monoxide alarms, as specified in the Remedial Notice under Regulation 7;
 - issue Penalty Charge Notices if a landlord fails to comply with a Remedial Notice under Regulation 8;
 - consider and determine Regulation 10 reviews; and
 - revise and republish the Council's Statement of Principles as required in the future.

87. OSBORNE ROAD RECREATION GROUND - BASKETBALL COURT UPGRADE – (Leisure and Youth)

The Cabinet considered the Head of Community and Environmental Services' Report No. COMM1603, which sought approval to vary the 2016/17 Capital Programme by £36,000 to allow works to be commissioned to upgrade the basketball court at Osborne Road Recreation Ground, Farnborough.

The Cabinet was informed that the basketball court was well used by local children and young people but that the facility was nearing the end of its life. The upgrade would include relaying the surface, painting the court and the provision of new posts. The project would be funded by £19,600 awarded by the Sitatrust and £16,400 from developers' contributions allocated to the basketball court upgrade.

The Cabinet RESOLVED that approval be given to a variation of £36,000 to the 2016/17 Capital Programme for the basketball court upgrade at Osborne Road Recreation Ground to be completed.

88. **FARNBOROUGH AIRPORT COMMUNITY ENVIRONMENTAL FUND –**
(Environment and Service Delivery)

The Cabinet considered the Head of Community and Environmental Services' Report No. COMM1604, which sought approval to award grants from the Farnborough Airport Community Environmental Fund to assist local projects.

The Cabinet Member for Environment and Service Delivery had considered three applications and had recommended that all three awards should be made.

The Cabinet RESOLVED that grants be awarded from Farnborough Airport Community Environmental Fund to the following organisations:

Community Youth Work Service (Surrey CC)	£1,350
Farnborough Street Residents' Association	£2,000
Blooming Marvellous (Rushmoor Voluntary Services)	£5,000

NOTE: Cr. K.H. Muschamp declared a personal but non prejudicial interest in this item in respect of his acquaintance with the Chairman of the Farnborough Street Residents' Association and, in accordance with the Members' Code of Conduct, remained in the meeting during the discussion and voting thereon

89. **APPOINTMENT OF CORPORATE DIRECTOR - APPROACH AND NEXT STEPS –**
(Corporate Services)

The Cabinet considered the Chief Executive's Report No. CEX1601, which set out a proposed approach for the appointment of a Corporate Director, following the retirement of Mr. David Quirk on 29th February, 2016. Members were reminded that the current senior management structure had been introduced in April 2015. At that time, direct line management responsibilities had been removed from the newly defined Corporate Director role and had been replaced by new areas of responsibility based on strategic and corporate priorities. It was reported that these new arrangements had bedded in well and provided a robust structure to continue to deliver services in the context of the Council's 8 Point Plan. It was proposed, therefore, that the basic organisational structure of a Directors' Management Board consisting of a Chief Executive and two Corporate Directors should be retained. It was further proposed that the role of Deputy Chief Executive, formally held by Mr. Quirk, would now be carried out by the other Corporate Director, Mr. Ian Harrison. The advertisement for the new Corporate Director would, in the first instance, be restricted to internal candidates, on the basis that it was considered that there were appropriately qualified and experienced potential candidates within the organisation. It was anticipated that, depending on whom the successful candidate was, a review of the service structure would be likely, following the appointment. This would be likely to realise savings in staff salaries. If there was not a suitable internal candidate, the post would be offered externally.

The Cabinet RESOLVED that

- (i) the appointment of Mr. Ian Harrison to the role of Deputy Chief Executive, with effect from 1st March, 2016, be approved;
- (ii) the proposed approach for the retention of the Corporate Director post and the process for recruitment, as set out in the Chief Executive's Report No. CEX1601, be endorsed; and
- (iii) the Chief Executive, in consultation with the Leader of the Council and the Cabinet Member for Corporate Services, be authorised to agree any consequential changes to the organisational structure resulting from the appointment.

90. DELEGATION OF AUTHORITY - BUSINESS SUPPORT CONTRACTS –
(Environment and Service Delivery)

The Cabinet considered the Head of Environmental Health and Housing's Report No. EHH1606, which sought approval for the Council to enter into contracts to provide regulatory advice and support to businesses, up to a value of £10,000.

The Cabinet was informed that the Council's Food / Health and Safety team already provided advice and support to businesses in the Borough around regulatory matters but, increasingly, there was a demand for the provision of extended advice and support. This work would offer the opportunity for cost recovery and could be undertaken under the 'spare capacity rule'. Some pilot work of this nature had been carried out by the Food / Health and Safety team and the Council's Internal Audit team had been consulted. The Cabinet was informed that this work would have the potential to recover up to £10,000 of officer time in the first year for the provision of this extended advice.

The Cabinet RESOLVED that the Head of Environmental Health and Housing be authorised to enter into contracts, up to the value of £10,000, to provide regulatory advice to businesses, as set out in the Head of Environmental Health and Housing's Report No. EHH1606.

91. EXCLUSION OF THE PUBLIC –

RESOLVED: That, taking into account the public interest test, the public be excluded from the meeting during the discussion of the under mentioned items to avoid the disclosure of exempt information within the paragraph of Schedule 12A to the Local Government Act, 1972 indicated against the items:

Minute Nos.	Schedule 12A Para. Nos.	Categories
92, 93 and 94	3	Information relating to financial or business affairs

THE FOLLOWING ITEM WAS CONSIDERED IN THE ABSENCE OF THE PUBLIC

92. **NO. 12 ARTHUR STREET, ALDERSHOT - UPDATE –**
(Corporate Services)

The Cabinet considered the Solicitor to the Council's Exempt Report No. LEG1602, which provided an update on the progress of the project to convert the property at No. 12 Arthur Street, Aldershot into domestic accommodation. The Report also sought approval for the funding to undertake the conversion works. It was explained that, since the original Report to the Cabinet on 1st September, 2015, the indicative cost of the conversion works had increased significantly due to the poor state of repair of the property. It was reported that this would be covered by an increase of a similar amount in the predicted market value of the completed units. It was proposed that the decision as to whether to rent out or sell the units should be deferred until the conversion works had been completed.

The Cabinet RESOLVED that

- (i) approval be given to a variation in the Capital Programme, as set out in the Solicitor to the Council's Exempt Report No. LEG1602, to allow for the conversion works to be tendered and the build contract awarded; and
- (ii) the Head of Financial Services, in consultation with the Cabinet Member for Corporate Services, be authorised to approve an increase in the Capital Programme, subject to the scheme delivering a rate of return of at least 7%, should the tender process exceed £260,000.

93. **SALE OF LAND - QUEENSMEAD AND KINGSMEAD, FARNBOROUGH –**
(Corporate Services)

The Cabinet considered a Record of Executive Decision, which set out an urgent decision made on 17th February, 2016 by the Chief Executive, in consultation with the Cabinet Member for Corporate Services, to sell two plots of land to the rear of Nos. 61 – 71 Queensmead and Kingsmead Shopping Centre, Farnborough. The reason for urgency had been to enable the sale of land at Queensmead to proceed and the terms were set out in the Record of Executive Decision.

The Cabinet RESOLVED that the action taken, as set out in the Record of Executive Decision dated 17th February, 2016, be noted and endorsed.

94. **SALE OF LAND - WESTMEAD AND SOLARTRON ROAD, FARNBOROUGH –**
(Corporate Services)

The Cabinet considered a Record of Executive Decision, which set out an urgent decision made on 17th February, 2016 by the Chief Executive, in consultation with the Cabinet Member for Corporate Services, to dispose of the freehold of land and buildings on the north-west side of Westmead and Nos. 8 and 9 Solartron Road, Farnborough. The reason for urgency had been to allow the Receiver to conclude arrangements with the development partner promptly to avoid jeopardising any deal. The terms of the sale were set out in the Record of Executive Decision.

The Cabinet RESOLVED that the action taken, as set out in the Record of Executive Decision dated 17th February, 2016, be noted and endorsed.

The Meeting closed at 5.13 pm.

D.E. CLIFFORD
LEADER OF THE COUNCIL
