

CABINET

Monday, 13 September 2021 (7:00 pm – 7:07 pm)

PRESENT:

Councillor House (Chair); Councillors Bicknell, Airey, Corben, Craig and Kyrle

Apologies for absence were received from Councillor Pretty

RECOMMENDED ITEMS (REQUIRING A DECISION)46. PUBLIC PARTICIPATION

There was no public participation on this occasion.

47. COMMITTEE RECOMMENDATIONS

There were no recommendations from Committees.

48. PRIVATE SECTOR HOUSING FINANCIAL ASSISTANCE POLICYIssue

The Council has a statutory duty to administer disabled facilities grants (DFGs) to pay for adaptations that will allow residents to remain living in their homes for longer. For adults, this is means tested. The Council is required to have a policy on how grants (and other financial assistance) are provided and as the current policy was approved in 2014, it is now due for review. (Paper 6)

Consideration

The Council has a statutory duty to deliver DFGs. These grants are given to provide adaptations that fall within one of 11 specified categories to allow disabled or elderly residents to remain living safely in their own homes.

RESOLVED

That Cabinet notes the changes and approves the updated Public Sector Housing (PSH) Financial Assistance Policy.

49. PRIVATE SECTOR HOUSING ENFORCEMENT POLICYIssue

The proposed penalty charging structures and statement of principles contained within the Private Sector Housing (PSH) Enforcement Policy outlines when and how penalty charges will be utilised in the execution of the Council's statutory duty.

It is intended to bring in the provisions made available to the Council that have previously been overlooked. It ensures the ability of the Council to meet its statutory obligations and transparency around the use of these powers and penalty charges that may be issued. (Paper 7)

Consideration

There is a statutory duty placed on the Council under the Smoke and Carbon Monoxide Alarms (England) Regulations 2015 to issue a remedial notice where it is satisfied a landlord is failing, or has failed, to comply with one or more of the regulations, and to undertake remedial action themselves if the landlord does not comply with any notice served.

RESOLVED –

That Cabinet:

- (1) adopt the Energy Act 2011 and so by doing, also the Energy Efficiency (Private Rented Property)(England and Wales) Regulations 2015 (as amended) made under it;**
- (2) adopt the Energy Act 2013 and so by doing, also the Smoke and Carbon Monoxide Alarm (England) Regulations 2015 made under it;**
- (3) adopt the Enterprise and Regulatory Reform Act 2013 and so by doing, also the Redress Schemes for Letting Agency Work and Property Management Work (requirement to belong to a scheme etc.) (England) Order 2014 made under it;**
- (4) delegate to the Executive Head of Health and Wellbeing all powers under the Energy Act 2011, Energy Act 2013 and the Enterprise and Regulatory Reform Act 2013 and subsequent regulations and authorise the Executive Head of Health and Wellbeing to delegate the discharge of those powers to Specialists of suitable experience, competency, and seniority;**
- (5) approve the penalty charging structures in appendix 1 (appendix 5 of the policy) which is proposed to be used for any charges issued under the above pieces of legislation; and**
- (6) authorise that the annual review and any minor amendments to be made to the matrix be delegated to the relevant Portfolio Lead and the Executive Head of Health and Wellbeing.**

50. SUITABLE ALTERNATIVE NATURAL GREEN SPACE POLICY

Issue

Increased development leads to a number of environmental and other impacts which need to be mitigated to minimise harm. One of these impacts is from recreational pressures causing erosion and disturbance on the Solent and the New Forest Special Protection Area (SPA) and Special Area of Conservation (SAC). (Paper 8)

Consideration

Although Eastleigh Borough Council does not border the New Forest National Park there is evidence that residents of the Borough choose to visit the area from time to time and thus contribute towards erosion of the internationally important habitats and disturbance of the species they support. This evidence has been reinforced by technical research which has been commissioned by the local authorities in and around the New Forest. As a result of this new evidence, without suitable mitigation Natural England has advised that increased recreational impacts from the growth in resident numbers within the Borough are likely to have significant adverse effects on the protected sites and species and will maintain an objection to all new dwellings proposed within the Borough until appropriate and satisfactory mitigation is agreed.

RESOLVED –

That Cabinet approves in principle the development of a package of mitigation measures, including creating areas of Suitable Alternative Natural Green Space (SANG) and providing financial contributions towards the management of visitor pressures to assist in the mitigation of the impacts of the increasing Borough population on the New Forest National Park and notes that the detail will be brought back for approval at a later date.

51. TOWN CENTRE PRINCIPLES

Item 9 on the Agenda (Town Centre Principals) could not be taken due to a technical issue with the Agenda.

It will be heard at the next Cabinet meeting on 18 October 2021.

52. MODERN SLAVERY STATEMENT

Issue

The statement for 2020/21, sets out what steps the Council has taken, and will be taking, to ensure that modern slavery is not occurring within the Council and in our supply chains. It also addresses the partnership role that the Council has within the Borough. (Paper 10)

Consideration

Eastleigh Borough Council is committed to eradicating modern slavery and aims to eliminate the impact on people in the Borough.

Pursuant to Section 54, Part 6 of the Modern Slavery Act 2015 Eastleigh Borough Council is producing a slavery and human trafficking statement each financial year.

RESOLVED –

That Cabinet:

- 1) approves the appended Modern Slavery Statement; and**
- 2) agrees that a signed copy is displayed on the Council's website and the Home Office Modern Slavery Statement Registry.**

RESOLVED ITEMS (SUBJECT TO QUESTIONS ONLY)

53. DECLARATIONS OF INTEREST

There were no declarations of interest in relation to items of business on the agenda.

54. MINUTES

RESOLVED -

That the Minutes of the meeting held on 29 July 2021 be agreed as a correct record.

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