



COUNCIL AGENDA

Date: Thursday, 27 February 2020

Time: 7.15 pm

Venue: The Arts Centre, Pavilion Gardens, Buxton

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Please find below an additional report which was unavailable when the agenda was published.

5. Questions of which notice has been given (**Pages 3 - 8**)

SIMON BAKER
CHIEF EXECUTIVE

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HIGH PEAK BOROUGH COUNCIL

Council

27 February 2020

TITLE:	Questions of which notice has been given
CONTACT OFFICER:	Linden Vernon, Senior Officer - Governance & Member Support
WARDS INVOLVED:	Non-Specific

1. Question received from Councillor Haken for the Leader of the Council:

“At the last full council I asked a question with regard to the level of compensation and repairs to the shops within Glossop market arcade affected by the rain water ingress during the repairs to the arcade roof.

At present some repairs have been carried out by the council’s contractors but more is outstanding. One tenant has instructed solicitors to take legal action against the council in the courts. To ensure that High Peak Borough Council, as landlord of the market arcade, is seen to be fair and just to all its tenants may I ask for a full reply to my supplementary question from the 4th December 2019 which was read out to the leader of the council by myself.

I would ask that:

- On completion of the roof repairs to the municipal building, to fully refurbish the retail premises of the council tenants affected by the water leaks at the council’s expense. Such refurbishment to include full electrical rewiring of the units together with full internal ceiling and wall redecoration together with relaying the flooring of the units.
- To allow the tenants a rent free period which shall be of equal length to the full period that has elapsed during the repair to the roof of the municipal building.
- All costs of these repairs shall be paid by High Peak Borough Council together with any legal costs for the council and tenants.”

Response:

“At this point, no roof repairs have yet to start at Municipal Buildings, I assume that Cllr Haken refers to the works that have been undertaken at the Town Hall, which is phase 1 of the project. I can confirm that the works to the roof

section over the Town Hall (and Market Arcade) are complete except for some minor snagging issues which have been delayed by the recent bad weather and we are currently awaiting revised dates.

Three of the tenants of the Market Arcade were affected by water ingress during the work through last summer and autumn, but each one was affected differently. A fourth unit was affected, but this was vacant at the time and was utilised informally to help the affected tenants. Officers were in contact with all the tenants through this period and each tenant was given an appropriate rent free period when they experienced disruption. The electrics were checked to ensure that they were safe to use in all four of the units. Re-wiring was undertaken where appropriate.

Unit 1 unfortunately received most of issue and officers worked with the tenant and the contractor to agree a full rewire, refurbishment and redecoration of this unit which includes new upgraded lighting and mirror fixtures. This was completed and the tenant re-entered the unit before Christmas.

One of the other tenants has now confirmed that they will be closing their business at the end of March. Officers are agreeing an appropriate settlement with this individual.

The third tenant's electrics were checked and the ceiling tiles were replaced as appropriate, they also received new flooring throughout their unit.

It would be inappropriate to allow the tenants a rent free period of equal length to the full period that has elapsed during the repair to the roof of the municipal building as the tenants were not affected for the full time that the works were being undertaken.

The repairs highlighted above have been met by the Council and the contractor. The legal claim advanced by one of the tenants has been passed to the contractor to deal with."

2. Question received from Councillor Haken for the Executive Councillor for Regeneration, Tourism and Leisure - Deputy Leader:

"Many High Peak residents who are receiving chemotherapy treatment for cancer from the Christie Hospital in Manchester are now able to be treated at Arden House Health Centre at New Mills. This wonderful service to High Peak residents is administered by Christies nurses here in our community. The benefit to our affected residents by this service is not just the ease of access to New Mills. The local location reduces an eight hour session at the Christie in Manchester to just two short treatments at New Mills. Residents undergoing treatment save time and travel costs as well.

My wife is currently a recipient of this care and on a visit to the clinic in December I noticed that the Christie nurses providing clinical care have to

come out of the clinic during the day to feed the parking meters on the council's car park.

In view of the relief and wellbeing that these Christie nurses bring to High Peak cancer patients could I ask that Councillor Greenhalgh consult with his executive colleagues and provide a free parking permit to the nurses in consultation with the hospital.”

Response:

I am sorry to learn of your wife's need to access specialist Cancer treatment health services, and I am sure all councillors and officers of the Council will join me in wishing her success in her treatment and seek a full and speedy recovery for her.

The Christie and its dedicated staff do fantastic work in its Manchester base and through the community outreach services in the High Peak such as the one he has personal experience of in New Mills. There have been similar suggestions to support other workers that make significant contributions to our Borough, such as local Mountain Rescue Teams for instance too for when their members are on-call.

There will be a review of the Car Parking Strategy later this year, and we will therefore take this opportunity to look at what the Council's policy can do to recognise these in our charging and policy.

In the meantime I would encourage either the Christie or the Arden House Health Centre to contact the Council's parking team directly to discuss the range of passes and permits we can currently offer.

3. Question received from Councillor Hardy for the Leader of the Council:

“With the Glossop Market Hall closing in April will the Leader of the Council please explain what is the method or formula that has been used by the High Peak Borough Council to fully compensate all of the traders within the Glossop Market Hall for the enforced loss of their business. Will the leader of the Council confirm that all ex-traders will be treated equally and fairly.”

Response:

“Calculation of compensation is governed by the Landlord and Tenant Act 1954 (Section 37(2), LTA 1954.)

For those tenants with a secure tenancy:

The compensation is calculated by applying a multiplier to the rateable value of the property. The compensation is doubled where tenants and any predecessors had been in occupation of the property for the purpose of the same business for 14 years or more.

Calculations for the compensation are as follows:

For less than 14 years occupation: the rateable value of the property x the appropriate multiplier x 1.

For 14 years or more: the rateable value of the property x the appropriate multiplier x 2.

The tenants are entitled to the compensation as calculated above following service of at least six months notice. If the tenants are asked to move out of the property earlier than the six month statutory notice period this would have to be by agreement and subject to negotiation of further compensation. The current closure date is less than six months notice for some tenants.

For those tenants with non secure tenancy:

There is no entitlement to compensation except in the following circumstance: If the Council ends the tenancy agreement earlier than the end date as set out in their tenancy agreement this would have to be by agreement and subject to negotiation of appropriate compensation. The current closure date is earlier than the end date in a number of current non secure tenancy agreements.

As Members will be aware the Council has been seeking to develop options which will allow all market traders to continue in business during the closure of the market hall.”

4. Question received from Councillor Atkins for the Leader of the Council:

“The threatened closure of the Goyt Valley House Adult Care Home in New Mills gives rise to not only serious problems for residents of the Home but also to close relatives who wish to visit them on a very frequent basis. Many of these relatives may themselves be elderly and infirm and may not be able to drive and/or have access to a motor vehicle. Furthermore, they may live some distance from the nearest public transport access point and that transport itself may not take them to any point close to the nearest care home the person they wish to visit is moved to.

Could I request that, given the daunting prospect of closure of the Goyt Valley Home, High Peak Borough Council should endeavour to work in conjunction with other local organisations to try and establish a viable system that will enable regular visits by close relatives to the nearest continuing care homes?”

Response:

“The County Council has entered into a period of consultation, running until 24th April 2020, about the closure of Goyt Valley House and a number of other care homes in the County. The County Council has stated that depending on the outcome of the consultation and its subsequent decision it

will 'carry out a full assessment of needs assessment of all its residents and ensure they and their relatives are fully supported to make the best choices for their future'. High Peak Borough Council can contribute its own views to the public consultation but then needs to await the County Council's decision. Recognising just how difficult any closure could be for the residents of Goyt Valley House and for their relatives High Peak Borough Council can contribute its own views to the public consultation which we will do at the next meeting of Community Select, but we then need to await the County Council's decision. We recognise the concerns and just how difficult any closure could be for the residents of Goyt Valley House and for their relatives and High Peak Borough Council will stand ready to work with other local organisations to assist if required."

5. Question received from Councillor Collins for the Leader of the Council, Executive Councillor for Housing and Licensing and Executive Councillor for Climate Change, Environment and Community Safety:

"In October 2019 High Peak Borough Council passed a motion to make its operations and services carbon neutral by 2030.. Buildings are the local highest emitters of greenhouse gases over which the Council has some control, and are therefore a priority.

When is the Council going to start retrofitting its own housing to a standard which will contribute proportionately to High Peak's challenging target and ensure that new housing also contributes through energy efficiency of a higher standard than that in current building regulations?"

Response:

"The Climate Change Update report sets out that the Housing Stock conditions survey has identified a below average energy efficiency rating (SAP rating) for HPBC housing stock. The report indicates that there is an opportunity to further improve the energy efficiency in the Council's housing stock. Progress can be achieved in the coming year within the current budget and subject to consideration by the Council's Climate Change Working Group a programme can be developed for future years."

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