



### COUNCIL SUPPLEMENT AGENDA

**Date:** Thursday, 15 December 2022

**Time:** 7.15 pm

**Venue:** The Octagon, 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 - 4**)

**MARK TRILLO**  
**EXECUTIVE DIRECTOR & MONITORING OFFICER**

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## HIGH PEAK BOROUGH COUNCIL

Council

15 December 2022

<b>TITLE:</b>	<b>Questions of which notice has been given</b>
<b>CONTACT OFFICER:</b>	<b>Linden Vernon – Head of Democratic Services</b>
<b>WARDS INVOLVED:</b>	<b>Non-Specific</b>

### **1. Question received from Cllr Nigel Gourlay for the Leader of the Council**

“What progress has been made by the Council to resolve the issues around 9 High Street, Chapel-en-le-Frith, which for almost two years have blighted the centre of this historic market town.”

#### **Response from the Leader of the Council:**

“The Council has exercised its powers under the Building Acts to deal with the immediate issue of the dangerous structure. The powers under that Act only allow us to take the minimum steps to remove the danger to the public. The propping and traffic lights achieve this, albeit that they create another problem in terms of the appearance and traffic issues. However, powers under the Building Act do not permit us to take action to undertake a permanent repair. The costs of the traffic lights and propping are being pursued with the owner.

Initially we had some very positive dialogue with the owner in terms of commissioning a structural survey and determining the cause of the problem and the necessary steps to remedy it. Unfortunately, however, the owner has failed to commission the necessary building works to date and is no longer engaging with the Council.

The Council initially reviewed an approach under the relevant conservation legislation, taking into account the building’s location on the edge of the Conservation area, however, upon taking advice from legal counsel, the Council is currently considering an alternative approach under other legislation which may be more appropriate to require a permanent repair to be undertaken. However, the powers available to the Council are limited and there are of course risks and costs involved. We have been discussing with our legal team the most appropriate powers to use and we believe that we now have a way forward and have taken initial steps which involve informal approaches to the owner.

If these approaches do not result in a positive response we will progress to more formal action.

An Individual Executive Decision report is currently being prepared for Members to update them on the current position and authorise officers to take any necessary further action.“

## **2. Question received from Mr Mark Wilson for the Leader of the Council**

“I would like to know what progress, if any, has been made by the Council in resolving the issue of the playpark at South Head Drive, Chapel-en-le-Frith?”

### **Response from the Leader of the Council:**

“The condition of the land has been a cause of concern for some time.

The Council has taken part in a range of discussions with the current owners of the land (Barratts Homes), to try and reach a point where the Council would be willing to take on the future ownership and management of the land in line with the terms of the Section 106 agreement.

These discussions have also included a public meeting earlier this year and a range of condition surveys for some aspects of the land to ascertain the costs of bringing the line up to a satisfactory condition, with sufficient funding to deal with any of the potential future liabilities of the land at cost to the current owners rather than the local tax payer.

At this time, we have not yet been able to reach a satisfactory agreement with the current owners to consider a transfer of the land to the local authority. The Council remains in discussions with the current land owner to try and resolve the situation.”