

EXECUTIVE

Minutes of a meeting of the Executive of the Bolsover District Council held in the Council Chamber, Sherwood Lodge, Bolsover, on Monday, 16th June 2008 at 1000 hours.

PRESENT:-

Members:-

Councillor A. F. Tomlinson – in the Chair

Councillors J.E. Bennett, K. Bowman, A.J. Hodkin, D. Kelly, D. McGregor (Until Minute No. 88), and B.R. Murray-Carr.

Also in attendance until Minute No. 82, with the permission of the Chairman were Councillors R. Bowler and H. Gilmour.

Officers:-

W. Lumley (Chief Executive Officer), J Brooks (Director of Resources), S. Tomlinson (Director of Strategy), A. Turner (Legal and Standards Officer), F Bacon (Head of Revenue Services), D Whallett (Housing Enforcement Manager) (Until Minute No. 84), T Robinson (Property and Estates Manager) (Until Minute No. 85), L. Hickin (Leisure Operations Manager), D. Troop (Strategic Housing Officer) (Until Minute No. 86), P Campbell (Head of Housing) (Minute No 82 to 88), and A. Brownsword (Democratic Services Officer).

75. APOLOGIES

Apologies for absence were received from Councillors A. Syrett and E. Watts.

76. URGENT ITEMS OF BUSINESS

There were no urgent items of business.

77. DECLARATIONS OF INTEREST

The following declaration of interest was received.

Minute No.	Councillor	Level of Interest
89	D. McGregor	2
90	D. McGregor	2

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78. MINUTES – 12TH MAY 2008

Moved by Councillor D. Kelly and seconded by Councillor B. R. Murray-Carr.

RESOLVED that the minutes of a meeting of the Executive held on 12th May 2008, be approved as a true and correct record.

79. MINUTES – 30TH MAY 2008

Moved by Councillor D. McGregor and seconded by Councillor A. Hodkin.

RESOLVED that the minutes of a special Meeting of the Executive held on 30th May 2008, be approved as a true and correct record.

80. REPRESENTATIVES ON OUTSIDE BODIES

A question was raised regarding whether or not substitutes should be specified. The Chief Executive Officer noted that not all groups allowed substitutes.

Moved by Councillor B.R Murray-Carr and seconded by Councillor D. McGregor.

RESOLVED that the schedule be approved.

(Solicitor to the Council/Head of Democratic Services)

81. CONFERENCES 2008/09

A report was submitted detailing some of the conferences to be attended and Members nominated attendees where appropriate. This was not a complete list and other conferences may be brought before the Executive.

Moved by Councillor D McGregor and seconded by Councillor D. Kelly

RESOLVED that (1) the report be received,

(2) attendance at the conferences listed for the 2008/2009 financial year, be approved,

(3) Member nominations be made to attend those conferences listed, as necessary,

(4) Members consider ad hoc conferences on an ongoing basis.

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Reason for Decision: To establish which conferences it would be most advantageous for the Council to attend.

(Head of Human Resources and Payroll)

The Head of Housing entered the meeting.

82. RECOMMENDED ITEM FROM SCRUTINY COMMITTEE HELD ON 29TH APRIL 2008 – MEMBER SERVICE REVIEW PANELS (PPMG1)

The Former Chair of PPMG1 presented a report detailing a review that had been carried out into the role of Member Service Review Panels.

A discussion took place regarding the Officer comments.

Moved by Councillor A. Hodkin and seconded by Councillor D. Kelly.

RESOLVED that (1) the feedback form be issued to all attendees at the MSRP held this year,

(2) the proposed changes to Officer attendance be approved,

(3) the proposed changes to the Member Service Review Panel reports, be approved.

RECOMMENDED that the changes to the Member Service Review Panel Terms of Reference be forwarded to the Standards Committee for approval.

Reason for Decision: In order to approve the role of the Member Service Review Panels following the Scrutiny review.

(Scrutiny and Policy Officer/Democratic Services Officer)

Councillors R. Bowler and H. Gilmour left the meeting.

83. RECOMMENDED ITEM FROM SCRUTINY COMMITTEE HELD ON 29TH APRIL 2008 – CORPORATE ENFORCEMENT POLICY (PPMG2)

The Legal and Standards Officer presented the report which had been developed through the Patch Management Group and approved by PPMG2 and the Scrutiny Committee. The policy covered enforcement activities across all of the Council's services.

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Moved by Councillor D. McGregor and seconded by Councillor D. Kelly.
RESOLVED that the Corporate Enforcement Policy be approved.

Reason for Decision: In order to approve the Corporate Enforcement Policy.

(Legal & Standards Officer)

84. RECOMMENDED ITEM FROM SCRUTINY COMMITTEE HELD ON 29TH APRIL 2008- ANTI SOCIAL BEHAVIOUR POLICY (PPMG2)

The Housing Enforcement Manager presented the report, which had been developed through the Patch Management process and approved by PPMG2 and the Scrutiny Committee. The policy set out the Council's process of dealing with anti-social behaviour throughout the district.

Moved by Councillor D. McGregor and seconded by Councillor A. Hodkin
RESOLVED that with the inclusion of Parish/Town Councils being included in the list of partners, the Anti Social Behaviour Policy, be approved.

Reason for Decision: In order to approve the Anti Social Behaviour Policy.

(Housing Enforcement Manager)

The Housing Enforcement Manager left the meeting.

85. POLICY OUTLINING PROCEDURES REGARDING EXTERNAL CONTRACTORS WORKING AT COUNCIL PREMISES

The Property and Estates Manager submitted a report seeking approval of a generic policy outlining procedures regarding external contractors working at all Council premises.

Moved by Councillor D. Kelly and seconded by Councillor J.E. Bennett.
RESOLVED that the policy be approved for inclusion in the Council's policy framework.

Reason for Decision: In order to improve the supervision and management of contractors on all Council owned sites in accordance with obligations under Health and Safety at Work and other legislation.

(Property and Estates Manager)

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The Property and Estates Manager left the meeting.

86. CORPORATE RESPONSE TO DRAFT 2008 EAST MIDLANDS HOUSING STRATEGY

The Strategic Housing Officer submitted a report detailing a proposed consultation response to the draft 2008 East Midlands Housing Strategy.

Moved by Councillor B. R. Murray-Carr and seconded by Councillor D. Kelly.

RESOLVED that the proposed consultation responses included within the report, be approved.

Reason for Decision: Consultation response to Regional Policy as affecting District Policy.

(Strategic Housing Officer)

The Strategic Housing Officer left the meeting.

87. ORDER OF BUSINESS

Due to the Head of Housing being present, the Chairman consented to the order of business being changed. Agenda Item 14 – Verbal Update on Rent Arrears would be taken before Agenda Item 13 – Creswell Miners Welfare Cricket Ground Site Lease.

88. VERBAL UPDATE ON RENT ARREARS

The Head of Housing circulated information to Members on area based targets in respect of housing rent arrears and confirmed that the outstanding amounts were steadily decreasing.

Moved by Councillor J. E. Bennett and seconded by Councillor B. R. Murray-Carr.

RESOLVED that the report be noted.

Reason for Decision: To keep Members updated on the present position.

(Head of Housing)

Having previously declared his level 2 interest in the following item of business, Councillor D. McGregor left the meeting.

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89. CRESWELL MINERS WELFARE CRICKET GROUND SITE LEASE

The Leisure Operations Manager submitted a report seeking to approve the lease of the Creswell Miners Welfare Cricket Ground to Elnton with Creswell Parish Council in order to facilitate a Sports and Arts in the Community Project.

Moved by Councillor J. E. Bennett and seconded by Councillor D. Kelly.

RESOLVED that (1) the report to be received,

(2) the Executive approve 'in principle' the hand over of the Creswell Miners Welfare Cricket Ground site including Bowling Green to Elnton with Creswell Parish Council to be used for recreational purposes only. (subject to Planning Committee views),

(3) the Executive approve 'in principle' that along with the hand over of the site, the provision in the section 106 agreement for the capital sum of £18,000 and the maintenance/revenue sum of £44,823.79 would also be handed over to the Parish to assist them develop and deliver their programme and allow them to maintain the site in the future,

(4) the Executive approves that any further funding arising from a new section 106 agreement should be subject to a further report,

(5) the Executive approve 'in principle' that a 'surrender' clause in relation to the Parish Council's failure to achieve the project aims, should be negotiated by the District Council Senior Valuer and delegated powers given to the Director of Strategy in consultation with the Chief Executive Officer, Leader of the Council, Deputy Leader of the Council and Portfolio Holders for Social inclusion and planning, to agree terms of 'clawback' provision,

(6) the Executive approve 'in principle' that a 'clawback' clause in relation to the value of the land significantly changing in the future, should be negotiated by the District Council Senior Valuer and delegated powers given to the Director of Strategy in consultation with the Chief Executive Officer, Leader of the Council, Deputy Leader of the Council and Portfolio Holders for Social inclusion and planning to agree terms of clawback provision.

Reason for Decision: **To consider various options for the future control and management arrangements of the former Creswell Miners Welfare Cricket Ground and Bowling Green site.**

(Leisure and Operations Manager)

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90. SHORT TERM LOAN TO ELMTON WITH CRESWELL PARISH COUNCIL

The Revenue Service Manager presented a report seeking approval to place a short term loan to Elmton with Creswell Parish Council to assist with enabling the development of a new Health Centre.

Moved by Councillor J. E. Bennett and seconded by Councillor B. R. Murray-Carr.

RESOLVED that (1) the Council loans money to Elmton with Creswell Parish Council in support of the financial assistance required for the Health Centre,

(2) the Council charges interest on the outstanding principal at the Bank Base Rate applicable at the time.

Reason for Decision: To enable Elmton with Creswell Parish Council to go ahead with the scheme to provide a Health Centre

(Head of Finance)

91. ARREARS – IRRECOVERABLE ITEMS OVER £1000

The Head of Revenue Services submitted a report requesting approval to write off irrecoverable items as detailed in the report, including costs amounting to £17,601.36.

Moved by Councillor A. Hodkin and seconded by Councillor B. R. Murray-Carr.

RESOLVED that the irrecoverable items, including costs amounting to £17,601.36 be written off with the proviso that should any of the debts become collectable, the amounts be re-debited.

Reason for Decision: In order that outstanding debts can be written off.

(Head of Revenue Services)

92. THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1972

Moved by Councillor K. Bowman and seconded by Councillor A. Hodkin.

RESOLVED that under Section 100(A)(4) of the Local Government Act 1972 (as amended), the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in the stated Paragraph of Part 1 of Schedule 12A of the Act and it is not in the public interest for that to be revealed.

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93. APPLICATIONS FOR CHARITABLE AND DISCRETIONARY RATE RELIEF EXEMPT – PARAGRAPH 3

The Head of Revenue Services submitted a report for Members to consider two applications, from an applicant who was a registered charity who qualified for mandatory relief and from a 'not for profit' organisation to determine whether discretionary relief should be granted.

Moved by Councillor D. Kelly and seconded by Councillor B. R. Murray-Carr.

RESOLVED that (1) the organisation on Schedule A be granted 80% mandatory relief and 20% discretionary relief,

(2) the organisation on Schedule B be granted 100% discretionary relief.

Reason for Decision: In order to apply relief for rates when billing ratepayers in order to assist Voluntary and Charitable Organisations by wholly or partially covering their National Non-Domestic Rate charge.

(Head of Revenue Services)

94. SPECIAL WRITE OFF REPORT EXEMPT – PARAGRAPH 3

The Head of Revenue Services submitted a report to inform Members that the Chief Finance Officer under delegated authority had written off 15 Sundry Debtor invoices amounting to £4,243.49 and sought approval to write off uncollectable National Non-Domestic Rates amounting to £30,860.33.

Members asked questions which the Head of Revenue Services responded to.

Moved by Councillor K. Bowman and seconded by Councillor J. E. Bennett.

RESOLVED that the actions of the Chief Finance Officer in writing off sundry debts amounting to £4,243.49, be noted.

Moved by Councillor A. Tomlinson and seconded by Councillor A. Hodkin.

RESOLVED that the itemised National Non-Domestic Rates amounting to £30,860.33 be written off as uncollectible.

(Head of Revenue Services)

The meeting concluded at 1212 hours.