

## EXECUTIVE

Minutes of a meeting of the Executive of the Bolsover District Council held in the Council Chamber, Sherwood Lodge, Bolsover, on Monday, 27<sup>th</sup> October 2008 at 1000 hours.

### PRESENT:-

Members:-

Councillor E. Watts – Chair

Councillors J. E. Bennett (from Minute No. 453), K. Bowman, A. J. Hodkin, B. R. Murray-Carr, A. M. Syrett, and A. F. Tomlinson.

Also in attendance were Councillors R. Bowler, H. Gilmour and J. Smith.

Officers:-

W. Lumley (Chief Executive Officer), S. E. A. Sternberg (Solicitor to the Council), J. Brooks (Director of Resources), P. Campbell (Head of Housing (to Minute No.450)), B. Truswell (Head of Procurement (From Minute No.454)), R. Owen (Senior Valuation Officer (from Minute No.458)), B. Beddows (Residential Environmental Health Technical Officer (to Minute No. 449)), S. Bentley (Residential Environmental Health Officer (to Minute No. 449)), L. Kheller (Consultant (to Minute No 448)), P. Brown (Chief Executives and Partnership Manager (to Minute No 448)), K. Drury (Customer Service and Access Officer (to Minute No.451)), M. Connelly (Special Projects Officer - Leisure (from Minute No.454)), and R. Leadbeater (Democratic Services Officer).

### 444. APOLOGIES

Apologies for absence were received from Councillors D. Kelly and D. McGregor.

Apologies for late arrival were received from Councillor J. E. Bennett.

### 445. URGENT ITEMS OF BUSINESS

There were no urgent items of business to consider.

### 446 DECLARATIONS OF INTEREST

Minute No.	Member	Level of Interest
457	B. R. Murray-Carr	Personal

## EXECUTIVE

### 447. MINUTES – 8<sup>TH</sup> SEPTEMBER 2008

Moved by Councillor E. Watts, seconded by Councillor K. Bowman

**RESOLVED** that the minutes of a meeting of the Executive held on 8<sup>th</sup> September 2008 be approved as a true record.

### 448. RECOMMENDED ITEM FROM SCRUTINY COMMITTEE – 30TH SEPTEMBER 2008 – PLANNING 106 CRITERIA

Councillor R. Bowler presented the report outlining details of the review of Planning Section 106 Criteria undertaken by Scrutiny Chairs. The report considered criteria for both commercial and housing developments and provided a list of priority outcomes for a policy to be formulated. Councillor Bowler extended her thanks to the Head of Planning, Development Control Manager, Director of Strategy and the Portfolio Holder for the Environment for their help and assistance with the review.

Members asked questions and acknowledged the work undertaken by Scrutiny Chairs but raised concerns that community consultation and input from other key services, such as Leisure and Community Services had not been adequately sought. It was generally agreed that the review should be expanded to include wider consultation and also the impact of the new Planning Bill which was currently being considered by Parliament.

It was suggested that the interim report be noted and that Chairs of PPMGs meet with Cabinet Members to discuss and formulate an action plan to progress the review.

Moved by Councillor E. Watts, seconded by Councillor B. R. Murray-Carr

**RESOLVED** that the interim report be noted and that Chairs of PPMGs meet with Cabinet Members to discuss and formulate an action place to progress the review.

**Reason for decision: To enable wider consultation to be undertaken before a policy is formulated.**

Councillors Bowler, Gilmour and Smith left the meeting.

### 449. WORKING NEIGHBOURHOODS FUND UPDATE

The Chief Executive Officer presented the report and advised Members that the Working Neighbourhoods Fund had been introduced as part of the Local Government Grant Settlement to provide resources to Local Authorities to tackle worklessness and low levels of skills and enterprise in their most deprived areas.

## EXECUTIVE

Bolsover District Council had been allocated just over £7million over the next three years to tackle worklessness and a commissioning framework had been established to allocate the funding in two ways.

- Focus on people already receiving benefits to encourage them back to work and;
- Tasking the Local Strategic Partnership to identify measures to address and prevent the need to be in receipt of benefits or become unemployed.

Targets for National Indicator 153 - (working age people claiming out of work benefits in the worst performing neighbourhoods) had been set by GOEM to tackle worklessness in areas where the benefit claim rate was over 25%. Six areas within the Bolsover District had been highlighted as priorities with an average claim rate of 28.7%. In terms of numbers, this target equated to a net reduction of 163 people claiming benefits and into work by 2011. The Chief Executive Officer added that the primary focus would be on preventing worklessness in the first instance. Members were asked to note that the figures had been formulated prior to the recent economic downturn.

The key priorities outlined in the report were:

- Reducing worklessness and increasing enterprise and skills
- Improving access to employment
- Increase the Employability Skills and confidence of local people through high quality volunteering
- Financial inclusion for all
- Improving employer engagement and employee retention and advancement
- Raising aspirations
- Improving job outcomes for people with learning disabilities/mental health issues
- Reducing health inequalities.

Members' attention was also drawn to the financial summary provided in the report. The Working Neighbourhoods Fund had approved £426,292 of funding to date.

The Chief Executive Officer added that the Authority's aim was to commission significant projects and it was important that the money was spent on addressing gaps in provision or enhancing those projects already delivering significant and successful work. It was added that the report requested Members' agreement to suspend contract standing orders for a number of these projects which would require significant investment and specialised contractors and which were not suitable for the tendering process for the reasons given in the report.

The Executive would be advised on progress on a quarterly basis and given greater detail on the progress of the Working Neighbourhoods Fund against the LAA targets.

In response to Members' questions, it was confirmed that cross cutting issues such as transport and child care provision would be given consideration.

## EXECUTIVE

Moved by Councillor A. F. Tomlinson, seconded by Councillor A. M. Syrett

**RESOLVED** that (1) the report be received,

(2) Contracts Standing Order 4.8.3 be suspended.

**Reason for decision: To ensure that WNF is targeted to best effect and where needed and to ensure that the tendering process does not unjustifiably distort the result.**

The Consultant and Chief Executive's and Partnership Manager left the meeting.

### 450. RENT ARREARS – VERBAL UPDATE

The Head of Housing tabled a report for Members' consideration in respect of rent arrears. The report indicated that the trend was for rent arrears to remain constant. It was added that this also echoed trends in other areas. The Head of Housing added that it was disappointing that rent arrears were not falling as significantly and quickly as would be preferred, however a number of tougher measures were in place to continue to reduce the arrears. The Head of Housing also detailed the number of cases for the various stages leading up to repossession.

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

**RESOLVED** that the verbal report be accepted.

The Head of Housing left the meeting.

### 451. COMPLIMENTS, COMMENTS, COMPLAINTS AND FREEDOM OF INFORMATION REQUESTS

The Customer Service and Access Officer presented the report to provide Members with information on the number of comments, compliments, complaints and Freedom of Information requests for the period 1<sup>st</sup> July 2008 to 30<sup>th</sup> September 2008.

A number of tables were included in the report providing information on stage one, stage two and stage three complaints, ombudsman complaints, Freedom of Information requests, performance and customer satisfaction. Members were advised that all outstanding cases had been closed with the majority being responded to within the specified standard. There had been a significant increase in Freedom of Information requests.

The overall performance rate on response to written complaints within standard was 90.5% which was a positive indication that the complaints procedure had now been embedded across the Authority.

## EXECUTIVE

A detailed breakdown of all compliments, complaints and freedom of information requests was appended to the agenda.

The Customer Service and Access Officer noted comments from Members with regard to response times to complaints and confirmed that a Structure Chart was being considered for inclusion in the publication scheme.

Further to a question, the Chief Executive Officer advised that the replacement bin policy was currently being reviewed by the Patch Management Group and would be presented to the relevant PPMG and Scrutiny Committee and then to the Executive in due course.

Moved by Councillor K. Bowman, seconded by Councillor E. Watts  
**RESOLVED** that the report be received.

The Customer Service and Access Officer left the meeting.

### 452. RENEWAL OF INSURANCE POLICIES

The Director of Resources presented the report to inform Members of the recent insurance renewal process carried out under delegated powers. The Council's insurance policies had been renewed on 1<sup>st</sup> October 2008.

Members' attention was particularly drawn to additional insurance costs for the Council's housing stock, Pleasley Vale Business Park and the need to reinstate the previous levels of contributions to the insurance reserves during the budget process.

Moved by Councillor A. F. Tomlinson, seconded by Councillor E. Watts  
**RESOLVED** that the action of the Director of Resources under delegated powers be noted.

**Reason for decision:** The Council has assessed value for money, quality and service issues together with the preferred risk transfer method and selected the option financially beneficial to the Council.

Councillor J.E. Bennett joined the meeting during the following minute.

### 453. EAST MIDLANDS LANDLORD ACCREDITATION SCHEME

The Environmental Health Technical Officer presented the report to recommend to Members that the Authority become a partner in the East Midlands Landlord Accreditation Scheme. The scheme had been introduced by Decent and Safe Homes East Midlands and was intended to encourage, acknowledge and actively promote good standards and management practice in the private rental sector. The

## EXECUTIVE

scheme would also help to regulate the physical condition of properties rented by private landlords.

Background information and the numerous benefits to landlords and tenants were detailed in the report.

Members asked questions and discussed the benefits of the scheme at considerable length.

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

**RESOLVED** that (1) the report be received,

(2) the take up of the scheme is reviewed in September 2009 and the Head of Environmental Health and Street Services in consultation with the Principal Environmental Health Officer (Residential), Chief Executive Officer, Solicitor to the Council and Leader of the Council decide whether to remain as partner in the scheme,

(3) the cost of the annual partnership fee is met from the Environmental Health Private Sector Housing Budget.

**RECOMMENDED** that (4) the Council becomes a partner in the East Midland Landlord Accreditation Scheme,

(5) the Head of Environmental Health and Street Services with the prior approval of the Data Protection Officer be given delegated authority to sign the required service level agreement and information sharing protocol,

(Head of Environmental Health & Street Services/Data Protection Officer)

**Reason for decision: To improve the quality of private sector housing and its management within the District.**

The Head of Procurement and Special Projects Officer (Leisure) joined the meeting during the following minute.

### 454. HALF YEARLY BUDGET

The Director of Resources presented the report to update members on the Council's actual income and expenditure up to 30<sup>th</sup> September 2008 and forecasts for the interim remainder of the year.

## EXECUTIVE

Members were asked to note the current financial position, variations and change in accounting practices, explanatory notes and supporting appendices.

Members were advised that Bolsover District Council was initially one of thirteen local authorities seeking support from the Government with regard to the investments in the Icelandic bank Landsbanki. In response to Members' questions the Director of Resources confirmed that the net investments were not expected to be at significant risk based on existing information but the interest was at risk and this had been communicated to the Government.

Moved by Councillor J. E. Bennett, seconded by Councillor E. Watts

**RESOLVED** that (1) the current position on the projected income and expenditure levels for the General Fund, Housing Revenue Account and Capital Programme be noted,

(2) the current position against the main areas identified in the Budget Risk Assessment be noted,

(3) the report on the Treasury Management Activities and Prudential Indicators be received.

**Reason for decision:** In accordance with best practice and sound financial management, Members' monitoring and consideration of changes to the budget are considered on a regular basis.

### 455. NATIONAL COAL MINING MUSEUM – MEMBERSHIP LIAISON COMMITTEE

Moved by Councillor A.F. Tomlinson , seconded by Councillor J. E. Bennett.

**RESOLVED** that Councillor E. Watts be the representative of Bolsover District Council on the National Coal Mining Museum Liaison Committee.

### 456. THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Moved by Councillor A. M. Syrett, seconded by Councillor J. E. Bennett

**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 is not in the public interest for that to be revealed.

## EXECUTIVE

Councillor B. R. Murray-Carr declared an interest at Level 1.

### **457. TRANSFER OF LAND TO THE REAR OF VALE DRIVE, SHIREBROOK FOR USE AS CHILDREN'S PLAY AREA EXEMPT – PARAGRAPH 3**

The Special Projects Officer (Leisure) presented the report in respect of transfer of land for use as a children's play area. The land was currently in private ownership and had been regenerated over the last two years with a programme of improvement work co-ordinated by Bolsover District Council.

The land had been maintained for a number of years by Bolsover District Council who had assumed ownership, however after conducting a number of searches this was established not to be the case. Following correspondence between the owners and Bolsover District Council an offer was made to give the land to the Authority subject to the payment of legal costs and the use of the land strictly for recreational purposes.

A management agreement for future maintenance of the land and children's play area was still to be agreed with Shirebrook Town Council.

Members asked questions.

Moved by Councillor A. F Tomlinson, seconded by Councillor A. M. Syrett

**RESOLVED** that (1) the Council accepts the offer of the gift of land on the terms as proposed by Graingers Residential Management on condition that resolution (2) below is first complied with.

(2) the Council enters into a management agreement for the land and the children's play area with Shirebrook Town Council.

**Reason for decision: To allow the acquisition of an area of land for the provision of a new children's play area and its future maintenance.**

The Senior Valuer joined the meeting.

### **458. WAYLEAVE AT THE GREEN, CLOWNE EXEMPT – PARAGRAPH 3**

The Senior Valuation Officer presented the report in respect of a wayleave request by British Telecom to enable cabling to be laid for connection of a telephone system to a retail outlet.

Moved by Councillor A. F. Tomlinson, seconded by Councillor A. Hodkin



## EXECUTIVE

**RESOLVED** that the wayleave be granted to British Telecom on the terms proposed by the Senior Valuation Officer.

(Senior Valuation Officer)

**Reason for decision: To assist in the regeneration of a town centre site and to secure a small receipt to the Council from the granting of the wayleave.**

### **459. LAND AT PARK LANE, PINXTON EXEMPT – PARAGRAPH 3**

The Senior Valuation Officer presented the report in respect of a parcel of land considered for sale for residential development.

Members were advised that the sale price originally agreed with the developers had now been retracted and a reduced offer made for the site. This was due to a reduction in the number of dwellings able to be accommodated on the land and the current market situation.

Having considered the implications and the Senior Valuer's recommendation, Members agreed to withdraw the land from sale until such a time as a more acceptable sale price could be achieved.

Moved by Councillor J. E. Bennett, seconded by Councillor B. R. Murray-Carr  
**RESOLVED** that the land be withdrawn from sale until a more acceptable price could be agreed, subject to consultation with the Chief Executive Officer, Leader and Deputy Leader.

(Senior Valuation Officer)

**Reason for decision: To achieve an acceptable sale price to generate a capital receipt for the Council.**

### **460. TENDER UPDATES EXEMPT – PARAGRAPH 3**

The Head of Procurement gave an update and further details on the successful tenders presented to the Executive in respect of cavity wall insulation, the New Houghton Regeneration project and roof tile vents.

Members were advised that the tenders had been considered on cost and quality to reach a decision on the best value option.

The meeting concluded at 1210 hours.