

## **EXECUTIVE**

Minutes of a meeting of the Executive of the Bolsover District Council held in the Council Chamber, Sherwood Lodge, Bolsover, on Monday, 1<sup>st</sup> December 2008 at 1000 hours.

### **PRESENT:-**

Members:-

Councillor E. Watts – Chair

Councillors J.E. Bennett, K. Bowman, A.J. Hodkin, D. Kelly, D. McGregor, B.R. Murray-Carr, A.M. Syrett and A.F. Tomlinson.

Officers:-

S. Tomlinson (Director of Strategy), J. Brooks (Director of Resources), A. Turner (Legal and Standards Officer), F. Bacon (Head of Revenue Services (to Minute No. 514 only)), P. Campbell (Head of Housing (to Minute No. 517)), B. Truswell (Head of Shared Procurement (from Minute No. 520)), R. Owen (Senior Valuer (for Minute No. 518 only)) and A. Bluff (Democratic Services Officer).

The Chair reminded the meeting that agenda item 12 – ‘Working Neighbourhoods Fund – Suspension of Contract Standing Orders’ and agenda item 13 – ‘Access to Information and Charges for Property Search’ had been withdrawn from the agenda.

### **506. APOLOGIES**

There were no apologies for absence.

### **507. URGENT ITEMS OF BUSINESS**

The Chair advised the meeting of an urgent item of business to consider, ‘Sale from the proceeds of Bolsover Baths’ which would be discussed in exempt business after agenda item 14, ‘ Drainage Easement at Elmton Road, Creswell’.

### **508. DECLARATIONS OF INTEREST**

There were no declarations of interest made.

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### 509. MINUTES – 27<sup>TH</sup> OCTOBER 2008

Moved by Councillor E. Watts, seconded by Councillor A. F. Tomlinson

**RESOLVED** that the minutes of a meeting of the Executive held on 27<sup>th</sup> October 2008 be approved as a true record.

### 510. MINUTES – 10<sup>TH</sup> OCTOBER 2008

Moved by Councillor J.E. Bennett, seconded by Councillor A.J. Hodkin

**RESOLVED** that the minutes of a special meeting of the Executive held on 10<sup>th</sup> October 2008 be approved as a true record.

### 511. KEY DECISION NOTICES FROM THE JOINT BOARD HELD ON 13<sup>TH</sup> OCTOBER 2008

Councillor Watts presented the key decision notices from the Joint Board held on 13<sup>th</sup> October 2008.

Moved by Councillor E. Watts, seconded by Councillor A. F. Tomlinson

**RESOLVED** that the Key Decision Notices from the Joint Board held on the 13<sup>th</sup> October 2008 be accepted.

**Reason for decision:** To keep Members informed of key decisions made by the Leader as part of the Joint Board.

### 512. ARREARS – IRRECOVERABLE ITEMS OVER £1,000

The Head of Revenue Services presented the report to seek Members approval to write off outstanding debts, including costs amounting to £30,338.26 in respect of persons; unable to trace / bankrupt or companies in liquidation.

Members asked questions and discussion took place.

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

**RESOLVED** that the irrecoverable items including costs amounting to £30,338.26 be written off with the proviso that should any of the debts become collectable the amounts be re-debited.

(Head of Revenue Services)

**Reason for decision:** In order that outstanding debts can be written off where they are uncollectable.

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### 513. RENT ARREARS – VERBAL UPDATE

The Head of Housing circulated information on area based targets in respect of housing rent arrears to the end of October 2008.

Members asked questions and discussed the figures given in the report.

Moved by Councillor E. Watts, seconded by Councillor J. E. Bennett  
**RESOLVED** that the report be noted.

**Reason for decision: To keep Members updated on the present position of housing rent arrears.**

The Head of Revenue Services left the meeting at this point.

### 514. CHOICE BASED LETTINGS

The Head of Housing presented the report in respect of a new government initiative for allocating council housing known as 'Choice Based Lettings' (CBL). The government expected all local authorities to have introduced the scheme by 2010.

The Head of Housing explained that Bolsover had always allowed customers choice when properties became vacant but the government's guidance stated that this did not fit their definition and that in future vacant properties would have to be advertised.

The report was discussed at length and Members asked questions regarding revenue and staffing implications.

Councillor Bowman stated that as the Authority had no choice but to carry out Choice Based Lettings he would reluctantly support the five recommendations in the report providing that Members were kept up to date on any future additions and revenue implications and also had full input into the scheme.

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

**RESOLVED** that 1) the shift to a Choice Based Lettings (CBL), system to allocate housing stock within Bolsover by 2010, subject to the necessary budget being in place is supported,

2) to work with the other authorities within the sub-region (NEDDC, CBC and Bassetlaw) to develop the CBL IT system for the region be approved,

3) the Head of Housing works with the PPMG4 group to develop an appropriate CBL allocations scheme within Bolsover and this be reported to a future meeting of the Executive,

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4) the draft sub-regional CBL scheme be provisionally approved and delegated authority be granted to the Head of Housing, in consultation with the Portfolio Holder for Housing, to agree minor amendments to the scheme,

5) provisionally approve that from April 2010 the Authority commit 10% of housing stock to be allocated through a sub regional CBL system, provided that the other partners make the same commitment.

**Reason for decision:**      **A change in government guidance has meant that the Authority needs to review and improve its approach to Choice Based Lettings. There is an opportunity to participate in a sub-regional scheme that will share development cost and provide access to external funding.**

(Head of Housing)

### 515. HRA GARAGE SITES

The Head of Housing presented the report in respect of a review which had been carried out by Housing staff on the Authority's garage sites. The review had taken into account the condition and use of each garage site and some had been identified for disposal – these were included in an appendix to the report.

Members considered the sites listed on the appendix and raised various questions.

Lengthy discussion took place.

Councillor Bowman noted that recommendations two and three should include "in consultation with the Portfolio Holder for Regeneration".

Moved by Councillor K. Bowman, seconded by Councillor A. F. Tomlinson

**RESOLVED** that 1) Executive agree to the disposal of the garage sites that have been identified,

2) in consultation with the Portfolio Holder for Regeneration, the Head of Regeneration be given delegated powers to dispose of these sites for any sum that meets or exceeds the valuation of the Senior Valuer,

3) if, in the opinion of the Senior Valuer, the Authority will gain a better return by delaying the sale of land, the Head of Regeneration, in consultation with the Portfolio Holder for Regeneration, be given power to exclude any site from the disposal schedule,

4) the Senior Valuer report back to the Executive with details and value of the land disposed of, the method of disposal and what aims the disposal is meeting,

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5) the capital receipt be earmarked for use on planned capital projects for affordable housing and/or regeneration.

**Reason for Decision:** In order to ensure a capital receipt for the Council from the sale of land that is surplus to the Council's requirements and causing maintenance and anti social behaviour problems.

(Head of Housing / Senior Valuer)

### 516. GOVERNMENT CONNECT CODE OF PRACTICE

The Director of Resources presented the report in respect of the Government Connect Code of Practice. This was a recognised, accredited and trusted secure government network entitled GCSx, for all Local Authorities in England and Wales and enabled secure data sharing up to restricted level across government.

The ICT Department had been working towards achieving the code of connection, which must be complied with by 31<sup>st</sup> March 2009, before the Authority could join the GCSx. Elected Members would need training due to the implications on them and this would take place in the New Year (2009).

Moved by Councillor A. J. Hodkin, seconded by Councillor J. E. Bennett  
**RESOLVED** that the Director of Resources be authorised to sign the Code of Practice on behalf of the Authority.

**Reason for Decision:** In order to improve the security of communications with Government and work as efficiently with Government & local government as possible.

(Director of Resources)

The Head of Housing left the meeting at this point.

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

Moved by Councillor A.F. Tomlinson, seconded by Councillor E. Watts  
**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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### 518. DRAINAGE EASEMENT AT ELMTON ROAD, CRESWELL EXEMPT – PARAGRAPH 3

The Director of Strategy presented the report in respect of a request to connect into a Council owned sewer which was in the garden of a Creswell tenant. The sewer in turn connected to the public sewer system.

Further to a question raised by Councillor McGregor it was confirmed by the Director of Strategy that the tenant had been advised of the application.

Members raised various concerns and it was agreed to adjourn the meeting for fifteen minutes whilst the Director of Strategy sought clarification on the issues raised.

The Director of Strategy reported that advice sought from the Engineering Section and Building Control was that the easement proposed was acceptable in terms of connecting into the public sewer.

The Senior Valuer attended the meeting to answer any further questions from Members regarding the application.

In response to a question raised by Councillor McGregor, the Senior Valuer confirmed that both parties would be responsible for maintenance of the sewer if a blockage occurred up to the point where the sewer was adopted.

Moved by Councillor D. McGregor, seconded by Councillor B. R. Murray-Carr  
**RESOLVED** that the easement be granted on the terms proposed by the Senior Valuer.

**Reason for Decision:** To assist in the development of a vacant site and secure a small receipt to the Council from the granting of the easement.

(Senior Valuer)

### 519. URGENT ITEM – PROCEEDS FROM THE SALE OF BOLSOVER BATHS EXEMPT - PARAGRAPH 3

The Legal and Standards Officer presented the report which gave details of a meeting that had taken place on the 21<sup>st</sup> November 2008 between Members and Officers of the Council and the CEO of CISWO. Attached to the report was an extract from CISWO's website describing work they carried out.

The next CISWO Board meeting was on 17<sup>th</sup> December 2008 and if Members had any proposals for schemes to be put forward they would need to be with CISWO on or before 10<sup>th</sup> December 2008

Lengthy discussion took place and Members raised concerns regarding the advice given by the CEO of CISWO and the short length of time available to put any proposals forward.

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Further to a question raised by Councillor Kelly, the Legal and Standards Officer clarified the recommendations in the report and added that at this stage Members were giving consideration as to whether to agree the proposal to have a CISWO employee working in the Bolsover area. Any proposal for the transfer of the monies would need to come back to Executive for a decision.

Members requested that their reluctance to agree the recommendations be noted.

Moved by Councillor D. McGregor, seconded by Councillor J. E. Bennett

**RESOLVED** that 1) a request be made to the Chief Executive of CISWO to put

a proposal to the CISWO Board of Trustees that in exchange for receiving the Bolsover baths charitable endowment the Board will agree that a CISWO employee be actively present within Bolsover district for an agreed period;

2) the Chief Executive Officer explores whether there are any current schemes that can be funded from the accrued income from the Bolsover Baths endowment,

3) it be noted that the Chairman of the Council had agreed that the call-in procedure as set out in 4.5.16 of the Council's Constitution shall not apply,

4) it be noted that the Executive consider that the above decision is an urgent one.

**Reason for Decision:** To ensure that the beneficiaries of the charity obtain the benefit of the charitable endowment.

(Members / Chief Executive Officer / Solicitor to the Council)

The Head of Procurement joined the meeting at this point.

### **520. TENDER OPENING – SOUTH NORMANTON AND PINXTON MASTERPLANS EXEMPT - PARAGRAPH 3**

Seven tenders for the above contract had been received before the deadline.

Moved by Councillor E. Watts, seconded by Councillor D. McGregor

**RESOLVED** that 1) the Executive witness the opening of the tenders,

2) the tenders be passed to the Evaluation Team for final evaluation,

3) a report for Members' information providing details of the tenders and evaluation process be submitted.

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**Reason for decision: In order to secure the tender which gives the best value for money.**

(Head of Shared Procurement / Head of Democratic Services)

### **521. TENDER OPENING – UNOCCUPIED PUBLIC HOUSE FEASIBILITY PROJECT EXEMPT – PARAGRAPH 3**

Five tenders for the above contract had been received before the deadline.

Moved by Councillor E. Watts, seconded by Councillor D. McGregor  
**RESOLVED** that 1) the Executive witness the opening of the tenders,

2) the tenders be passed to the Evaluation Team for final evaluation,

3) a report for Members' information providing details of the tenders and evaluation process be submitted.

**Reason for decision: In order to secure the tender which gives the best value for money.**

(Head of Shared Procurement / Head of Democratic Services)

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

The Head of Shared Procurement gave a verbal update to the meeting regarding progress on the tender for Security at Pleasley Vale Mills.

The meeting concluded at 1145 hours.