

EXECUTIVE

Minutes of a meeting of the Executive of the Bolsover District Council held in the Council Chamber, Sherwood Lodge, Bolsover, on Monday, 26th January 2009 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 and A.M. Syrett.

Officers:-

W. Lumley (Chief Executive Officer), J. Brooks (Director of Resources), S. Tomlinson (Director of Strategy), A. Turner (Legal and Standards Officer), P. Campbell (Head of Housing), A. Lowery (Street Services Manager), D. Eccles (Head of Regeneration (for Minute No's. 628 and 629 only)), L. Hickin (Leisure Operations Manager (for Minute No. 631 and 632 only)), L. Ball (Senior IT Projects Officer (for Minute No. 625 only)), R. Owen (Senior Valuer (for Minute No. 639 only)), J. Ritchie (Head of Community Services (for Minute No. 624 only)) and A. Bluff (Democratic Services Officer).

Also in attendance were Scrutiny Members, Councillors R.J. Bowler, S. Wallis, H.J. Gilmour, J.E. Smith and M. Dooley (for Minute No. 623 only).

618. APOLOGY

An apology for absence was received on behalf of Councillor A.F. Tomlinson.

619. URGENT ITEMS OF BUSINESS

There were no urgent items of business to consider.

620. DECLARATIONS OF INTEREST

The following declarations of interest were made.

Minute No.	Member	Level of Interest
632	J.E. Bennett	Personal and prejudicial
632	D. McGregor	Personal and prejudicial

EXECUTIVE

621. MINUTES – 1ST DECEMBER 2008

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

RESOLVED that the minutes of a meeting of the Executive held on 1st December 2008 be approved as a true record.

622. RECOMMENDED ITEM FROM SCRUTINY COMMITTEE 10TH DECEMBER 2008 – HOUSING ALLOCATION POLICY

Councillor Dooley, Chair of PPMG 4, presented the report in respect of a review undertaken by PPMG4 regarding the Housing Allocations Policy, which also included the Housing Association process and the Councils involvement in that process. The review was attached to the report.

Councillor Dooley stated that PPMG4 had been disappointed to be told in October 2008 that the Council would move to a Choice Based Lettings system and that the review was unnecessary.

Councillor Dooley thanked the Head of Housing, the Portfolio Holder for Housing Management and the Scrutiny Officer for their help with the review.

Members asked questions and lengthy discussion took place.

Councillor Watts requested that a list of reviews, currently being carried out, be drawn up and a meeting held with the Chairs of Scrutiny Groups to ensure that work was not being duplicated.

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

RESOLVED that the report be accepted.

(Chairs of Scrutiny Groups / Scrutiny Officer)

623. RECOMMENDED ITEM FROM SCRUTINY COMMITTEE 10TH DECEMBER 2008 – MEMBERS' LAPTOPS

Councillor Gilmour, Chair of PPMG 1, presented the report in respect of a review undertaken by PPMG 1 regarding Members' laptop package. The main issues raised in the review were operational problems and costing issues. The review was attached to the report.

Councillor Gilmour advised the meeting that IT had suggested a pilot scheme be carried out for a small group of Members and IT would deliver one to one training sessions for them.

She also drew the meetings attention to an error in recommendation one, relating to "..... and an 'Executive Member' take part in the IT pilot scheme". This should read "..... and Councillor P. Bowmer take part in the IT pilot scheme".

EXECUTIVE

Councillor Smith thanked the Senior IT Projects Officer, and her team, and the Director of Resources for their help with the review.

Discussion took place and Members raised further concerns with regard to the costing issues.

Councillor Watts suggested that an Executive Member be included in the pilot scheme and Councillor Hodkin volunteered to take part. It was also suggested that the pilot scheme run for a fixed time only, not for it to be an indefinite period.

Moved by Councillor A. J. Hodkin, seconded by Councillor D. Kelly

RESOLVED that 1) subject to the inclusion of Councillor P Bowmer; Councillors H.J. Gilmour, R. Turner, V.P. Mills, B. Huddless, J.J.P. Phelan and J.E. Smith take part in the IT Pilot Scheme,

2) the findings of the review and the concerns raised by the Scrutiny Review be noted and a way forward be sought,

3) Councillor A. J. Hodkin to take part in the pilot scheme as the Executive Member.

(Councillors P.M. Bowmer; Councillors H.J. Gilmour, R. Turner, V.P. Mills, B. Huddless, J.J.P. Phelan and J.E. Smith and A. J. Hodkin / Head of Democratic Services)

Councillors R. Bowler, M. Dooley, H. Gilmour and J.E. Smith left the meeting.

624. RECOMMENDED ITEM FROM SCRUTINY COMMITTEE 10TH DECEMBER 2008 – ALCOHOL AND YOUNG PEOPLE

Councillor Wallis presented the report in respect of a review undertaken by the Joint Scrutiny Groups, (Bolsover, Chesterfield Borough and North East Derbyshire District Councils), with regard to alcohol and young people. The review was attached to the report.

Councillor Murray-Carr raised concerns that the report had been presented to a recent Violence and Alcohol Licensing Group (VAL) meeting without any previous notification that the review had been undertaken and this undermined the partnership working.

The Head of Community Services added that he would like to attend a future Executive to present a report on what is happening here in Bolsover.

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

RESOLVED that the recommendations in the report be approved.

(Head of Democratic Services - Joint Scrutiny Group)

EXECUTIVE

625. RECOMMENDED ITEM FROM UNION EMPLOYEE CONSULTATION COMMITTEE 7TH JANUARY 2009 – REVIEW OF ICT SECURITY POLICY

The Senior IT Projects Officer presented the report. She informed the meeting that the review had been driven by the need to meet the code of connection for 'Government Connect'. Changes to the policy were highlighted in the report.

Moved by Councillor A. J. Hodkin, seconded by Councillor E. Watts
RESOLVED that the revised ICT Security Policy be approved.

(Senior IT Projects Officer)

626. PROPERTY SEARCHES INFORMATION POLICY

The Legal and Standards Officer presented the report in respect of the Property Searches Information Policy. A copy of the proposed Policy was attached to the report.

Moved by Councillor D. McGregor, seconded by Councillor A. J. Hodkin
RESOLVED that the Property Searches Information Policy be approved.

(Solicitor to the Council)

627. RENT ARREARS – VERBAL UPDATE

The Head of Housing circulated information on area based targets in respect of housing rent arrears. He advised the meeting that housing rent arrears had reduced by £300k in the previous two years.

Councillor McGregor stated that the Housing department should be congratulated on their performance in getting the rent arrears down.

Moved by Councillor K. Bowman, seconded by Councillor D. Kelly
RESOLVED that the report be noted.

(Head of Housing)

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

628. BOLSOVER DISTRICT COUNCIL REGENERATION STRATEGY INVESTMENT IN PEOPLE AND PLACE 2008 - 2020 AND ECONOMIC DEVELOPMENT STRATEGY FOR BOLSOVER, CHESTERFIELD AND NORTH EAST DERBYSHIRE (2008-2013)

The Head of Regeneration presented the report, which included a slide presentation.

EXECUTIVE

The draft strategy included detailed sections on the background history, a reflection on the sub regional, regional and national context, a shared vision and clear action planning and targets. It had also been recently amended to reflect the current economic downturn. A special half day event was being organised for the 5th March 2009 at the Assembly Rooms Bolsover specifically for the business sector.

Members asked questions and discussion took place.

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

RESOLVED that 1) both strategies be endorsed with the Head of Regeneration being given delegated authority to make any minor amendments,

2) both Regeneration Strategies be submitted to Scrutiny Committee as the Executive's proposals.

Reason for decision: Forms the basis and foundation for all Council Regeneration activities.

(Head of Regeneration / Head of Democratic Services- Scrutiny Committee)

629. EXTENSION OF DELEGATED POWERS FOR THE HEAD OF REGENERATION

The Head of Regeneration presented the report which proposed to extend his delegated powers to proceed, in consultation with Senior Management Team, the Leader, Deputy Leader and local Members, with the following land and property transactions;

- Land sales up to £10,000
- Easements, Wayleaves and Rights of Way
- Release or Variation of Restrictive Covenants
- Reserves for Auction Sales

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

RESOLVED that the Head of Regeneration be given additional delegated powers with regard to;

1) agreeing land and property sales up to £10,000 in value in consultation with Senior Management Team, (including the Leader and Deputy Leader), and Local Members,

2) granting easements, wayleaves and rights of way, in consultation with Senior Management Team, (including the Leader and Deputy Leader), and Local Members,

3) the release or variation of restrictive covenants (imposed to prevent development or a change of use without the Council's consent)

EXECUTIVE

in consultation with Senior Management Team, (including the Leader and Deputy Leader), and Local Members,

4) agreeing the reserve for land and property to be sold at auction in consultation with the Leader and Deputy Leader, (Portfolio Holder for Regeneration), and,

RECOMMENDED that 5) the Standards Committee be recommended to include these delegations within the Head of Regeneration's delegation in the Council's Constitution.

Reason for decision: **To enable property land and property transactions to be dealt with in a quicker and more efficient manner.**

(Solicitor to the Council / Head of Democratic Services - Standards Committee)

630. GEOGRAPICAL INFORMATION STRATEGY

Due to the number of items on the agenda it was agreed to defer the Geographical Information Strategy until the next meeting.

Moved by Councillor B.R. Murray-Carr, seconded by Councillor D. McGregor
RESOLVED that the Geographical Information Strategy be deferred until the next meeting of the Executive.

(Senior IT Projects Officer / Head of Democratic Services - Executive)

631. DISCRETIONARY SERVICES REVIEW REPORT FOR ARTS AND CULTURAL EVENTS, COMMUNITY DEVELOPMENT AND WELFARE SERVICES AND GRANT TO JUNCTION ARTS

The Leisure Operations Manager presented the report.

As part of the Authority's Best Value Discretionary Services Review undertaken recently, there were a number of services / items reviewed that form part of the Leisure Services portfolio of activity. These were;

- Arts and Cultural Events
- Community Development and Welfare Services
- Grants to Voluntary Organisations

EXECUTIVE

A breakdown of the information regarding the above areas was given to the review panel in order for them to undertake their review. This breakdown was contained in the report along with the findings / outcomes of the review panel.

Councillor Watts advised that as the report was a 'best value review' report, a further recommendation was needed that it be forwarded to Scrutiny Committee for their consideration also.

Moved by Councillor A. M. Syrett, seconded by Councillor B. R. Murray-Carr
RESOLVED that 1) the report be received,

2) the findings of the review panel be accepted,

3) a report for the disestablishment of the vacant event officer post be submitted to Council,

4) the report be forwarded to Scrutiny Committee.

Reason for decision: To report the results of the discretionary services review process and seek approval of the changes.

(Leisure Operations Manager / Head of Democratic Services - Scrutiny)

Councillors J.E. Bennett and D. McGregor left the meeting at this point.

632. SECTION 106 FUNDING REQUESTS FOR FORMAL LEISURE/SPORT PROVISION BY;

- 1) ELMTON WITH CRESWELL PARISH COUNCIL**
- 2) OLD BOLSOVER TOWN COUNCIL**

The Leisure Operations Manager presented the report in respect of a request for Section 106 funding monies from Elmton with Creswell Parish Council to support their 'Sports and Arts in the Community Programme', and Old Bolsover Town Council in support of their 'Playground Enhancement' programme.

Members asked questions and discussion took place.

Councillor Watts suggested a fourth recommendation was needed that if the monies were not there it would be subject to payments being received from the developers.

Moved by Councillor A. Syrett, seconded by Councillor K. Bowman
RESOLVED that 1) the report be received,

2) the use of the section 106 monies gained via the Skinner Street development to the value of £18,830 to support the 'Community Sports and Arts' programme be approved,

EXECUTIVE

3) the use of the section 106 monies gained via the Gleeson developments in the area to the value of £16,000 to support the Old Bolsover Town Council 'Playground Enhancement' programme be approved,

4) resolutions 1 to 3 above be subject to payments being received from the Developers.

Reason for decision: **To consider support for these particular programmes from monies secured and held by this Authority through Section 106 contributions.**

(Leisure Operations Manager)

Councillors J.E. Bennett and D. McGregor returned to the meeting at this point.

633. LUNCHTIME ADJOURNMENT

The time being 1230 hours, consideration was given as to whether the day's business could be concluded by 1400 hours.

Moved by Councillor E. Watts, seconded by Councillor K. Bowman
RESOLVED that the meeting continue.

Councillor McGregor left the meeting at this point.

634. FEES AND CHARGES 2009/10

The Director of Resources presented the report which included a slide presentation.

Members discussed the report and asked questions.

Moved by Councillor D. Kelly, seconded by Councillor B.R. Murray-Carr
RECOMMENDED that 1) the proposed fees and charges for 2009/10 be agreed, taking into account recommendation 4.

RECOMMENDED that 2) the other information relating to income is noted,

3) no charges be levied for domestic drain-rodding services or for car parking,

Further discussion took place regarding the bulky collection charges and it was agreed that the fourth recommendation be amended to "the charges outlined in

EXECUTIVE

paragraph 2.3.1 are introduced for the collection of bulky waste and no concessions”.

Moved by Councillor A. Hodkin, seconded by Councillor B.R. Murray-Carr
RECOMMENDED that 4) the charges be introduced for the collection of bulky waste and no concessions as follows:

General Bulkies

1 - 3 items £10

4 - 6 items £15

7- 9 items £20

10 + items quote with minimum £30 charge

Waste Electrical & Electronic Equipment (WEEE)

1 item £10

2 items £15

3 items £20

4 items £25

5 items £30

Reason for decision: To set the level of Fees and Charges for 2009/10

(Director of Resources/Head of Democratic Services - Council)

635. BUDGET – GENERAL FUND BUDGETS 2008/09 ESTIMATED OUTTURN AND 2009/10

The Director of Resources presented the report which included a slide presentation.

Members discussed the report and asked questions.

The Leader advised the meeting that recommendation six should be amended to read, “based on any comments from Scrutiny being considered by Cabinet, the budget be presented to Council on 4th February 2009”.

Moved by Councillor J.E. Bennett, seconded by Councillor D. Kelly
RECOMMENDED that 1) the estimated outturn for 2008/9 of £11,212,360 be approved,

2) the proposed budget for 2009/10 of £11,384,061 be approved,

3) a Council Tax increase of 1.8% be approved,

4) the Director of Resources’ view that the level of reserves and working balances are adequate and that the estimates for 2009/10 are robust be accepted,

EXECUTIVE

5) the report be presented to Scrutiny on 28th January 2009 for their consideration and comment,

6) based on any comments from Scrutiny being considered by Cabinet, the budget be presented to Council on 4th February 2009.

Reason for decision: The budget for 2008/09 is revised at this time to align it with the expected outturn. This is good financial management.

The Council is required to approve a budget for 2009/10 on which the Council Tax can be based. This must be a balanced budget.

(Director of Resources / Head of Democratic Services - Council)

636. HOUSING REVENUE ACCOUNT BUDGET – 2008/09 ESTIMATED OUTTURN AND 2009/10

The Director of Resources presented the report which included a slide presentation.

Members discussed the report and asked questions.

After lengthy discussion it was necessary to make changes to the recommendations contained in the report.

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

RECOMMENDED that 1) the estimated outturn for 2008/09 is approved,

2) dwelling rents be increased by an average of 7.23% for 2009/10 in accordance with the Rent Restructuring guidelines,

3) proposed changes for heating charges be introduced,

4) no increased charges in respect of garages, garage plots, special services, buggy parking, lifeline and warden services subject to review over the next 12 months and recommended to Council,

5) the amount of Revenue Contribution to the Capital Programme be reduced in 2009/10 from £650,000 to £600,000 and that this amount be recovered in future years, subject to delegation to the Chief Executive Officer, in consultation with the Leader, Deputy Leader and Portfolio Holder,

6) the level of budget for the Housing Revenue Account for

EXECUTIVE

2009/10, be subject to delegation to the Chief Executive Officer, in consultation with the Leader, Deputy Leader and Portfolio Holder, subject to the changes in recommendation 4.

Reason for decision: **The budget for 2008/09 is revised at this time to align it with the expected outturn. This is good financial management.**

(Director of Resources / Head of Democratic Services - Council)

637. PROPOSED CAPITAL PROGRAMME 2009/10 TO 2011/12

The Director of Resources presented the report which including a slide presentation.

Members discussed the report and asked questions.

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

RECOMMENDED that 1) the proposed Capital Programme for 2009/10 to 2011/12 be agreed and recommended to Council,

2) any surplus Capital Receipts (above the level required for current commitments) be diverted to the projects in priority order as detailed in the report,

3) a further report be received regarding the proposed Housing Schemes to be financed by the Major Repairs Allowance (MRA),

4) any savings arising from Capital Contracts and Projects are earmarked for future projects.

Reason for decision: **It is prudent for the Council to at least annually assess the resourcing and commitments within the Capital Programme.**

The CIPFA code required the Council to consider and approve annually the Prudential Indicators.

(Director of Resources / Head of Democratic Services - Council)

638. THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

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

EXECUTIVE

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.

639. ELECTRICITY WAYLEAVES EXEMPT – PARAGRAPH 3

The Senior Valuer presented the report in respect of electricity wayleaves.

The agents for Central Networks had approached the Council for cable wayleaves in three locations across Council owned land. Three plans were attached to the report, which highlighted the locations.

Moved by Councillor E. Watts, seconded by Councillor B.R. Murray-Carr
RESOLVED that the wayleaves be granted to Central Networks on the terms proposed by the Senior Valuer.

Reason for decision: **To generate a small annual income for the Council
from the granting of the wayleaves.**

(Senior Valuer)

640. TENDER UPDATES EXEMPT – PARAGRAPH 3

It was agreed to defer Tender Updates to the next Executive meeting.

(Head of Procurement / Head of Democratic Services)

The meeting concluded at 1310 hours.