

EXECUTIVE

Minutes of a meeting of the Executive of the Bolsover District Council held in the Council Chamber, Sherwood Lodge, Bolsover, on Monday, 16th February 2009 at 1000 hours.

PRESENT:-

Members:-

Councillor E. Watts – Chair

Councillors J.E. Bennett, K. Bowman, A.J. Hodkin, D. McGregor, B.R. Murray-Carr (from Minute No.717) and A.F. Tomlinson.

Officers:-

W. Lumley (Chief Executive Officer), J. Brooks (Director of Resources), A. Turner (Legal and Standards Officer), P. Campbell (Head of Housing), D. Eccles (Head of Regeneration), L. Hickin (Leisure Operations Manager), C. Hirst (Arts Development Officer), L. Ball (Senior I.T Projects Officer), I. Usher (GIS Officer), K. Drury (Customer Service and Access Officer), F. Bacon (Head of Revenue Services), B. Truswell (Head of Procurement) and A. Bluff (Democratic Services Officer).

Also in attendance at the meeting was T. Glover, Chief Executive, Junction Arts.

712. APOLOGIES

Apologies for absence were received on behalf of Councillors A.M. Syrett and D. Kelly.

713. URGENT ITEMS OF BUSINESS

There were no urgent items of business to consider.

714. DECLARATIONS OF INTEREST

The following declarations of interest were made.

Minute No.	Member	Level of Interest
727	J.E. Bennett	Personal and prejudicial

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715. CHANGE TO ORDER OF BUSINESS

The Chair consented to a change in the order of business. Agenda item 9, Junction Arts Annual Report 2008/09 would be discussed after agenda item 4, Minutes of a meeting held on 26th January 2009.

716. MINUTES – 26TH JANUARY 2009

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

RESOLVED that the minutes of a meeting of the Executive held on 26th January 2009 be approved as a true record.

717. JUNCTION ARTS ANNUAL REPORT 2008/09

Further to Council's approval of annual core funding for Junction Arts, the second stage payment was now due for the current financial year.

The Arts Development Officer presented the report.

Tina Glover, Chief Executive of Junction Arts, presented the activity report for Junction Arts for the period April 2008 to December 2008, which included a slide presentation.

Members raised questions in relation to targets, community involvement and projects undertaken.

Lengthy discussion took place.

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

RESOLVED that the second stage payment to Junction Arts be released.

(Head of Leisure Operations)

Reason for decision: To release the second stage payment to Junction Arts.

718. 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 due to the affects of the credit crunch, the courts were now acting more favourably towards tenants who were in housing rent arrears.

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Councillor Tomlinson raised concerns regarding the level of rent arrears for South Normanton which was much higher than other areas in the District. The Head of Housing advised that additional resources were being put into South Normanton to see if this would alleviate the problem - Members would be kept informed of progress.

Further to a question raised by Councillor Bowman, the Legal and Standards Officer confirmed that whilst tenants were obliged to pay rent, the courts had wide discretion in deciding whether or not to grant possession orders.

Further to points raised by Councillor McGregor, the Head of Revenue Services advised Members that it was not right to assume that people on benefits would not be in arrears with their rent. In some cases, rent rebate was only given on part rent. With regard to private landlord tenancies and the local housing allowance, the Council had to pay the tenant the allowance to pay to the landlord, unless the landlord could show that the tenant was more than eight weeks rent in arrears. He added that this did not affect the Housing Revenue Account. The Head of Revenue Services would liaise with the Head of Housing on rent rebate cases, in areas, to see if there was any disproportionate claiming of benefit and would put this into context for Members.

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

(Head of Housing / Head of Revenue Services)

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

719. JOINT BOARD KEY DECISION NOTICES

The Deputy Leader presented the key decision notices from the Joint Board held on 20th January 2009.

Moved by Councillor A. F. Tomlinson, seconded by Councillor D. McGregor
RESOLVED that the key decision notices from the Joint Board held on 20th January 2009 be accepted.

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

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720. COMPLIMENTS, COMMENTS, COMPLAINTS AND FREEDOM OF INFORMATION REQUESTS

The Customer Service and Access Officer presented the report in respect of the number of compliments, comments, complaints and Freedom of Information requests for the period 31st October 2008 to 31st December 2008.

Members raised questions and discussion took place.

Moved by Councillor J.E. Bennett, seconded by Councillor K. Bowman
RESOLVED that the report be received.

Reason for decision: To keep Members informed of volumes and trends regarding compliments, comments, complaints and Freedom of Information requests.

The Customer Service and Access Officer left the meeting.

721. GEOGRAPHICAL INFORMATION STRATEGY (GIS)

The Senior I.T Projects Officer presented the report.

The objective of the Geographical Information Strategy was to maximise the value of geographic information for the Authority.

The GIS Officer gave a demonstration of the potential of the Geographical Information system. He added that departments would only have access to information on the system relevant to their section.

Members asked questions and discussion took place.

Moved by Councillor D. McGregor, seconded by Councillor B.R. Murray-Carr
RESOLVED that the GIS Strategy be adopted.

(Senior I.T Projects Officer)

Reason for decision: In order to improve the use of geographic information systems throughout the Authority leading to potential efficiency savings.

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722. COMMENCEMENT OF SHIREBROOK REGENERATION – BYRON STREET DEVELOPMENT

The Head of Regeneration presented the report to seek Members approval for the sale of land at Byron Street, Shirebrook, to East Midlands Housing Association (EMHA) for affordable housing. The sale would be at an undervalue as allowed by the Secretary of State's General Disposal Consent 2003.

The scheme would deliver 3 x 1 bed and 5 x 2 bed social rented flatted units, owned and managed by EMHA, but with 75% nominations retained by the Authority in perpetuity.

The Byron Street project area contained poor quality housing and was affected by anti-social behaviour. All units, with the exception of units 9 and 11, within the project area were demolished in 2008. Council Minute number 1054/07 gave approval for demolition of units 9 and 11 if agreement for refurbishment could not be reached. Agreement has now been reached for external group repair work to occur at an anticipated cost of £25 - £35,000 with a contribution of 25% from the owner.

Members raised questions and discussion took place.

Moved by Councillor A. F. Tomlinson, seconded by Councillor B.R. Murray-Carr
RESOLVED that 1) group repair work to be undertaken on units 9 and 11 on the Byron Street site (anticipated cost £25 - £35,000 with 25% contribution from the owner) be approved,

Subject to planning permission being granted that;

2) land at Byron Street, as identified in this report, be transferred to the East Midlands Housing Association,

3) in order to help the Council to secure the promotion or improvement of the social well-being of the area, and in accordance with the Secretary of State's General Disposal Consent 2003, the land be disposed of at the undervalue of £41,250.00,

4) the disposal be conditional upon the Council receiving the right to make 75% of tenant nominations in perpetuity.

(Head of Regeneration)

Reason for decision: In order to further the regeneration objectives of Shirebrook and to provide affordable housing.

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723. ARREARS – IRRECOVERABLE ITEMS OVER £1000

The Head of Revenue Services presented the report to seek Members approval to write off outstanding debts, including costs amounting to £56,856.88 in respect of persons; unable to trace / bankrupt or companies in liquidation.

Moved by Councillor D. McGregor, seconded by Councillor B.R. Murray-Carr,
RESOLVED that the irrecoverable items including costs amounting to £56,856.88 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.

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

Moved by Councillor A.F. Tomlinson, seconded by Councillor D. McGregor
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.

725. ARREARS – IRRECOVERABLE ITEMS OVER £1000 EXEMPT – PARAGRAPH 3

The Head of Revenue Services presented the report to seek Members approval to write off irrecoverable items, including costs, amounting to £12,743.68 where it would not be cost effective to pursue or businesses had ceased to trade.

Moved by Councillor D. McGregor, seconded by Councillor B.R. Murray-Carr,
RESOLVED that the irrecoverable items, including costs, amounting to £12,743.68, 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 uncollectable.

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726. APPLICATION FOR CHARITABLE AND DISCRETIONARY RELIEF EXEMPT – PARAGRAPH 3

The Head of Revenue Services presented the report in respect of an application for discretionary rate relief for a business property in Clowne.

Moved by Councillor D. McGregor, seconded by Councillor A. F. Tomlinson
RESOLVED that discretionary rate relief be allowed to the applicant listed on schedule A at a level of 100%.

(Head of Revenue Services)

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.

Councillor Bennett left the meeting at this point.

727. LEASE OF LAND AT COTTON STREET, BOLSOVER EXEMPT – PARAGRAPH 3

The Legal and Standards Officer presented the report.

At Executive on 24th September 2007, Members approved a 150 year lease to developers of the former market place at Cotton Street, Bolsover, (minute number 362 refers).

The developer was now requesting that the lease term be increased from 150 years to 200 years.

Moved by Councillor A.F. Tomlinson, seconded by Councillor D. McGregor
RESOLVED that the lease term be increased from 150 years to 200 years.

(Solicitor to the Council)

Reason for decision: To enable a suitable response to the developer's solicitor and completion of the lease.

Councillor Bennett returned to the meeting.

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728. TENDER OPENING – SHIREBROOK SUSTAINABLE DEVELOPMENT MASTER PLAN EXEMPT – PARAGRAPH 3

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

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

(Head of Procurement)

Reason for Decision: In order to secure the lowest tender and best value for money in accordance with Standing Orders Contracts.

729. TENDER UPDATES EXEMPT – PARAGRAPH 3

The Head of Procurement gave a verbal update to the meeting regarding two tenders which had been opened at Executive on 1st December 2008, these being the 'South Normanton and Pinxton Masterplans' and 'Unoccupied Public House Feasibility Project'.

The meeting concluded at 1230 hours.