

## **EXECUTIVE**

Minutes of a meeting of the Executive of the Bolsover District Council held in the Council Chamber, Sherwood Lodge, Bolsover, on Monday, 15<sup>th</sup> June 2009 at 1000 hours.

### **PRESENT:-**

Members:-

Councillor E. Watts – Chair

Councillors J.E. Bennett, A.J. Hodkin, D. Kelly, A. Syrett and A.F. Tomlinson.

Officers:-

W. Lumley (Chief Executive Officer), S. Tomlinson (Director of Strategy), J. Brooks (Director of Resources), F. Bacon (Head of Revenue Services), D. Eccles (Head of Regeneration)(until Minute No. 74) , P. Campbell (Head of Housing), G. J. Clarke (Head of Planning) (for Minute No. 69 only), R. Owen (Senior Valuer)(for Minute No. 72 only), D. Hill (Head of Finance)(for Minute No. 75 only), B. Truswell (Head of Shared Procurement)(for Minute No. 75 only), A. Turner (Legal and Standards Officer) and A. Bluff (Democratic Services Officer).

In attendance in the Public Gallery was Councillor B. R. Murray-Carr (until Minute No. 70 only), P. Brown (Chief Executive's and Partnership Manager)(for Minute No. 64 only) and with the consent of the Chief Executive Officer, J. Johnson (Consultant, Johnson Hope Associates)(until Minute No. 70 only) and S. Sternberg (Solicitor to the Council)(for Minute No. 75 only).

Also in attendance at the meeting were Councillor S. Wallis (until Minute No. 66 only), CVP Manager, L. Wallace (for Minute No. 64 only) and S. Amery (Consultant, Q2) (for Minute No. 75 only)

### **56. APOLOGIES**

Apologies for absence were received on behalf of Councillors D. McGregor and K. Bowman.

### **57. URGENT ITEMS OF BUSINESS**

There were no urgent items of business to consider.

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### 58. DECLARATION OF INTERESTS

The following declaration of interest was made;

Minute No.	Councillor	Level of Interest
66	Councillor D. Kelly	Personal

### 59. FUNCTIONS OF THE EXECUTIVE

Moved by Councillor E. Watts and seconded by Councillor A.F. Tomlinson.  
**RESOLVED** that the Functions of the Executive be agreed.

### 60. MINUTES – 15<sup>th</sup> APRIL 2009

Moved by Councillor D. Kelly, seconded by Councillor J.E. Bennett  
**RESOLVED** that the minutes of a special meeting held on 15<sup>th</sup> April 2009 be approved as a correct record.

### 61. MINUTES – 29<sup>th</sup> APRIL 2009

Moved by Councillor E. Watts, seconded by Councillor A.F. Tomlinson  
**RESOLVED** that the minutes of a special meeting held on 29<sup>th</sup> April 2009 be approved as a correct record.

### 62. MINUTES – 11<sup>th</sup> MAY 2009

Moved by Councillor E. Watts, seconded by Councillor A.F. Tomlinson  
**RESOLVED** that the minutes of a meeting held on 11<sup>th</sup> May 2009 be approved as a correct record.

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### 63. REPRESENTATIVES ON OUTSIDE BODIES 2009/10 – EXECUTIVE FUNCTIONS

Councillor Syrett advised the meeting that she had received a request from Social Services to sit on their committees. It was agreed that the details would be presented to the next meeting of the Executive.

Moved by Councillor A.F. Tomlinson and seconded by Councillor E. Watts.  
**RESOLVED** that the schedule be approved.

(Chief Executive Officer/Head of Democratic Services)

### 64. PRESENTATION ON COMMUNITY VOLUNTARY PARTNERS – EMPOWERING THE COMMUNITY AND VOLUNTARY SECTOR IN BOLSOVER DISTRICT SERVICE LEVEL AGREEMENT – ANNUAL REPORT 2008/09

Lorna Wallace, Manager of Community Voluntary Partners (CVP), presented CVP's first annual monitoring report of the Service Level Agreement with the Authority and its partners, which highlighted areas of development and achievements to date. Lorna also gave a slide presentation to the meeting.

Members asked questions and discussion took place.

Members thanked Lorna for the work that CVP had carried out to date.

Moved by Councillor A.M. Syrett, seconded by Councillor E. Watts  
**RESOLVED** that the release of the 2009/10 funding to Community Voluntary Partners, as per the Service Level Agreement, be approved.

(Chief Executive's and Partnership Manager)

**Reason for decision:** To provide an update on the relationship and involvement of the Authority in supporting the official Community Voluntary Sector for the District.

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### 65. RECOMMENDED ITEM FROM SCRUTINY COMMITTEE HELD ON 15<sup>TH</sup> APRIL 2009 – POLICY AND PERFORMANCE MANAGEMENT GROUP 2 – CORPORATE TELEPHONY PERFORMANCE

Councillor Wallis, Chair of PPMG2, presented the report.

A review of the Council's telephony performance had been carried out by PPMG2 to investigate the reasons for agreed targets not being achieved by some departments in the Authority. The review proposed recommendations on how improvements could be made.

The Chief Executive Officer confirmed that telephony figures were produced on a monthly basis.

Moved by Councillor E. Watts, seconded by Councillor A. F. Tomlinson  
**RESOLVED** that 1) the Review be approved,

2) PPMG2 continue to monitor the corporate telephony performance.

(PPMG2/Scrutiny & Policy Officer)

Councillor Kelly declared a level 1 personal interest in the following item.

### 66. RECOMMENDED ITEM FROM SCRUTINY COMMITTEE HELD ON 12<sup>TH</sup> MAY – RECHARGEABLE REPAIRS POLICY

The Head of Housing presented the report in respect of a new Rechargeable Repairs Policy which had been developed via the Patch Management process and had also been reviewed and accepted by PPMG2.

The Head of Housing circulated an amended policy to the one contained in the report which had an added paragraph under Responsive Repairs being; "if the tenant neither carries out the work to a standard that is acceptable to the Council, nor agrees to the Council carrying out the work than the Council will consider enforcement action against the tenant".

Members asked questions and lengthy discussion took place.

Members agreed that the above paragraph should be amended to; "if the tenant neither carries out the work to a standard that is acceptable to the Council, nor agrees to the Council carrying out the work than the Council will *take appropriate* action against the tenant".

Moved by Councillor E. Watts, seconded by Councillor A.F. Tomlinson  
**RESOLVED** that subject to the above amendment to the paragraph under Responsive Repairs, the policy be approved.

(Head of Housing)

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### 67. NORTH DERBYSHIRE AND BASSETLAW HOUSING MARKET AREA HOUSING STRATEGY – GOVERNANCE ARRANGEMENTS

The Head of Regeneration presented the report which provided Members with information on the development of the North Derbyshire and Bassetlaw Housing Market Area (HMA) Housing Strategy. The report also sought Members approval for the proposed governance arrangements and delivery mechanisms for that Strategy.

Members asked questions and discussion took place.

Moved by Councillor A.F. Tomlinson and seconded by Councillor D. Kelly  
**RESOLVED** that 1) the work already undertaken within the North Derbyshire and Bassetlaw HMA in order to deliver strategic housing objectives be noted,

2) the proposed governance structure for delivery of the Sub Regional Housing Strategy and to influence future investment in the East Midland authorities' area be approved,

3) a further report be brought to Executive Members on the Housing Strategy for the North Derbyshire and Bassetlaw HMA,

4) a further report be brought to Executive Members on the Terms of Reference for both the Executive Sounding Board and the HMA Partnership Group,

5) with respect to Appendix A, members receive future reports on:

- a) The delivery arm
- b) Links to the Derbyshire LAA Partnership.

(Head of Regeneration)

**Reason for decision:** In order to ensure the delivery of strategic housing across the District.

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### 68. 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 £2,888.03 in respect of persons unable to trace.

Members asked questions.

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

**RESOLVED** that the irrecoverable items including costs amounting to £2,888.03 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.

### 69. CHARGING FOR PRE-APPLICATION PLANNING ADVICE

The Head of Planning presented a detailed report in respect of a proposal to introduce a scheme of charges for pre application planning advice.

The report included various options of charging for Members consideration.

Members asked questions and lengthy discussed took place.

It was agreed that the option set out in Appendix A of the report was the preferred option of introducing charges for pre application planning advice with the deletion of references to 'charities or those with charitable objectives'.

It was further agreed that a review be carried out after twelve months of operation of the charges, taking account of any representations received, and that the information about charges on the Council's website indicate that such a review would be carried out and invites developers, agents or members of the public to submit their comments on the charging system for consideration by the Council in the Summer of 2010.

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

**RESOLVED** that 1) the charging scheme, as included at Appendix A in the report is approved, with the deletion of 'charities or those with charitable objectives', and introduced on a trial basis from the end of September 2009. This charging scheme to be introduced at a development control customer focus group meeting,

2) comments from customers be invited during the trial and considered in a review of the scheme in the summer of 2010,

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3) the scale of charges introduced in the scheme for pre-application advice (if linked to a proportion of the equivalent planning application fee) be amended automatically by the Head of Planning following the introduction by the government of any subsequent changes to the scale of charges for planning applications.

(Head of Planning)

**Reason for decision:**        **The decision introduces a charging scheme for a service currently provided at no cost by the Council. The scheme will transfer part of the cost of the service from the General Fund to those who benefit from the service and enable the service to be maintained.**

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

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

**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.

### 71. ARREARS – IRRECOVERABLE ITEMS OVER £1,000 EXEMPT - PARAGRAPH 3

The Head of Revenue Services presented the report to seek Members approval to write off outstanding debts, including costs, amounting to £12,801.10 where the ratepayer has died or where the debt is not cost effective to pursue.

Members asked questions.

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

**RESOLVED** that the irrecoverable items including costs amounting to £12,801.10 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.**

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### 72. LAND AT DUKE STREET, CLOWNE EXEMPT - PARAGRAPH 3

The Senior Valuer presented the report in respect of a piece of land owned by the Council at Duke Street, Clowne.

Groundwork Creswell currently use the piece of land for open storage and the siting of a porta type cabin and have now approached the Authority with a view to buying the piece of land. Terms have been agreed with Groundwork Creswell for the sale of the land at a figure of £15,000. In addition there would be a clawback clause entitling the Council to 50% of any increase in value of the land should it be sold at a later date for an alternative use - this would be in the form of a covenant attached to the land.

Moved by Councillor E. Watts, seconded by Councillor J.E. Bennett  
**RESOLVED** that the land be sold on the terms proposed by the Senior Valuer.

(Senior Valuer)

**Reason for decision:** In order to secure a capital receipt for the Council.

### 73. SHIREBROOK SUSTAINABLE DEVELOPMENT MASTERPLAN – SUPERMARKET SITE AND TOWN COUNCIL PARTNERSHIP EXEMPT - PARAGRAPH 3

The Head of Regeneration presented the report.

The Council approved the Sustainable Development Masterplan for Shirebrook in March 2008 and has since commissioned Broadway Malyan consultants, supported by Cushman & Wakefield and Scott Wilson, to produce development briefs to improve the efficiency of the planning and development process and improve the quality of development.

Three options to secure delivery of the various schemes identified under the adopted Masterplan were contained in the report.

Members asked questions and discussion took place.

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

**RESOLVED** that 1) options two or three of the Cushman and Wakefield Report be pursued as a basis for progressing the Masterplan implementation and bidding for funding be endorsed,

2) that the Council, through the Head of Regeneration, investigate, instigate and lead on the formation of a local partnership through a formal contractual agreement initially between the Town and District Councils, and then *emda*, and the Derby and Derbyshire Economic Partnership (DDEP)/Derbyshire County Council. The Chief Executive Officer to be given delegated authority to sign the appropriate



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document in consultation with the Leader, Deputy Leader and Solicitor to the Council,

3) the Head of Regeneration be instructed to procure specialist services for the development process, subject to satisfying procurement rules, financial standing orders, identification of funding and also subject to the approval and endorsement of the Town Council.

(Head of Regeneration)

**Reason for decision: To ensure the sustainable regeneration of Shirebrook Town Centre.**

The Head of Regeneration left the meeting at this point.

### **74. MOBILE WORKING EXEMPT - PARAGRAPHS 3 & 4**

Members had been previously informed that this item had been withdrawn from the agenda.

### **75. STORES EXEMPT - PARAGRAPHS 3 & 4**

The Head of Shared Procurement presented the report.

The report gave details of the scores arrived at from the evaluation process carried out on the tenders for the provision of the Stores function.

Sam Amery, consultant from Q2, gave further information to the meeting on the evaluation process and the scores arrived at by the independent evaluation undertaken by Q2.

Members asked questions and raised concerns that they had not been invited to the evaluation process as agreed at a previous meeting.

Further discussion took place and it was agreed that a decision on the item be deferred to enable Members to be further informed of the evaluation process undertaken.

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

**RESOLVED** that a decision on the item be deferred to enable Members to be further informed of the evaluation process undertaken.

**Reason for decision:**      **To enable Members to be further informed on the evaluation process undertaken.**

The meeting concluded at 1235 hours.