

EXECUTIVE

Minutes of a meeting of the Executive of the Bolsover District Council held in the Council Chamber, Sherwood Lodge, Bolsover, on Monday, 13th July 2009 at 1000 hours.

PRESENT:-

Members:-

Councillor E. Watts – Chair

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

Officers:-

W. Lumley (Chief Executive Officer), S. Tomlinson (Director of Strategy), J. Brooks (Director of Resources), J. Sherwood (Environmental Health Residential Manager)(until Minute No. 141), L. Hicken (Leisure Operations Manager)(until Minute No. 146), D. Eccles (Head of Regeneration)(from Minute No. 148), D. Troop (Housing Strategy and Enabling Manager)(from Minute No. 150), P. Campbell (Head of Housing), A. Turner (Legal and Standards Officer) and A. Bluff (Democratic Services Officer).

135. APOLOGY

An apology for absence was received on behalf of Councillors D. McGregor

136. URGENT ITEMS OF BUSINESS

There were no urgent items of business to consider.

137. DECLARATION OF INTERESTS

The following declarations of interest were made;

Minute No.	Councillor	Level of Interest
145	Councillor J.E. Bennett	Personal & Prejudicial
145	Councillor K. Bowman	Personal & Prejudicial

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138. CHANGE TO ORDER OF BUSINESS

The Chair consented to a change in order of business on the agenda.

Due to additional information of an exempt nature being raised on agenda item 11, 'Procurement of Developer Panel – Tarran Bungalows', this item would be dealt with under Exempt business.

139. MINUTES – 15th JUNE 2009

The Directory of Strategy advised the meeting that recommendation three of minute number 69, 'Charging for Pre Application Planning Advice', was unrelated to the first and second recommendations as approved at the meeting of 15th June 2009 and would need to be removed from the minutes.

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

RESOLVED that subject to the removal of recommendation three from minute number 69, 'Charging for Pre Application Planning Advice', the minutes of a meeting held on 15th June 2009 be approved as a correct record.

(Head of Democratic Services)

140. RECOMMENDED ITEM FROM SCRUTINY COMMITTEE HELD ON 8TH JUNE 2009 – GYPSIES, TRAVELLERS AND TRAVELLING SHOW PEOPLE POLICY

The Environmental Health Residential Manager presented the Gypsies, Travellers and Show People policy which had been developed through the Patch Management process.

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

RESOLVED that the Gypsies, Travellers and Show People policy be approved.

(Environmental Health Residential Manager)

Reason for Decision: In order to approve the Gypsies, Travellers and Show People Policy.

The Environmental Health Residential Manager left the meeting at this point.

141. ADULT SOCIAL SERVICES PARTNERSHIP BOARD MEETING

As Portfolio Holder for Social Inclusion, Councillor Syrett had been invited to sit on the Adult Social Services' Partnership Board meetings.

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Councillor Bennett confirmed that she would like to substitute for Councillor Syrett if she was unable to attend any of the meetings.

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

RESOLVED that 1) Councillor Syrett attend the Adult Social Services Partnership Board meetings,

2) Councillor Bennett to substitute for Councillor Syrett if she was unable to attend any of the meetings.

(Chief Executive Officer / Head of Democratic Services)

Reason for Decision: To ensure appropriate representation at meetings.

142. KEY DECISION NOTICES FROM THE JOINT BOARD HELD ON 26TH MAY 2009

Councillor Tomlinson had attended the Joint Board meeting held on the 26th May 2009 on behalf of Councillor Watts who was unable to attend.

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

RESOLVED that the Key Decision Notices from the Joint Board held on 26th May 2009 be noted.

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

143. RENT ARREARS – VERBAL UPDATE

The Head of Housing circulated information on area based targets in respect of housing rent arrears and also former tenants rent arrears.

He informed Members that the Authority was now feeling the impact of the credit crunch as the courts were being more lenient with tenants in severe rent arrears.

Members asked questions and lengthy discussion took place.

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

RESOLVED that the report be noted.

(Head of Housing)

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

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144. CUSTOMER SERVICE AND ACCESS STRATEGY 2009-2011

The Customer Service and Access Officer presented the report which included the Customer Service and Access Strategy 2009-2011 and Implementation Plan 2009-2011.

In 2007 it was decided to produce a Customer Service and Access Strategy over a two year period (2007-2009) and within that period undertake a Best Value Review of Customer Service and Access.

The Customer Service and Access Strategy 2007-2009 had now been reviewed and evaluated. The long term vision and workstreams were still valid and important and as such, to enable future strategies to dovetail with the Corporate Plan, this reviewed strategy would run up to March 2011 and concentrate on achieving further improvements under the respective workstreams.

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

RESOLVED that, in line with the corporate plan target, the Customer Service and Access Strategy 2009 – 2011 and the Implementation Plan 2009-2011 be approved.

(Customer Service and Access Officer)

Reason for Decision: To have an approved Customer Service and Access Strategy to cover the period July 2009 to March 2011.

Councillors Bowman and Bennett declared a level 2 interest in the following item and left the meeting.

145. OLD BOLSOVER TOWN COUNCIL PLAYGROUND ENHANCEMENT PROGRAMME

The Leisure Operations Manager presented the report.

Old Bolsover Town Council were looking to refurbish and upgrade their play equipment and play area stock and had identified two sites for improvement as part of the programme; these were Shuttlewood Recreation Ground and Hornscroft Park.

They were looking to invest further in the Shuttlewood Recreation Ground site by replacing the infant / junior play facilities – a project which in total would cost £40,000. To fund this project the Town Council had sought funding from the Landfill Communities Fund.

Some improvements were undertaken to the Hornscroft Park site in 2008 and the opportunity to invest further in the site would include a teenage focused recreation activity facility (multi use games area), a teen focused play/socialising area and general upgrading of the site – a project which in total would cost £150,560. To fund

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this project the Town Council again had sought funding from the Landfill Communities Fund.

Old Bolsover Town Council had approached the Authority to become a Third Party Contributor to the two projects. This contribution could be funded from section 106 monies held by the Authority for formal / informal recreation generated through planning gain which are to be used for the purpose of benefitting the people of Bolsover and the surrounding communities. The Old Bolsover Town Council 'Playground Enhancement' programme fits the criteria to access the monies held.

Councillor Murray-Carr raised concern that he had written to Old Bolsover Town Council in February this year with regard to the park at Sherwood Street, Carr Vale, which had been neglected for a number of years and suffered from antisocial behaviour. Old Bolsover Town Council had written back to Councillor Murray Carr advising him there was no intention by them to address the issues at Sherwood Street park. Councillor Murray-Carr noted that this was disappointing as Old Bolsover Town Council was a signed up member of the Bolsover District Council led '*Bolsover District Play Partnership*'.

Discussion took place and it was agreed that the Leader would write to Old Bolsover Town Council asking that they review their decision with regard to restoring the play area on Sherwood Street, by cutting the grass and tidying up the area.

Moved by Councillor A.M. Syrett, seconded by Councillor A. Hodkin

RESOLVED that 1) the use of the section 106 monies held for formal / informal recreation for the benefit of the people of Bolsover and the surrounding communities, to support the Old Bolsover Town Council 'Playground Enhancement' programme be approved,

2) the Leader write to Old Bolsover Town Council asking that they review their decision with regard to restoring the play area on Sherwood Street, Carr Vale, by cutting the grass and tidying up the area.

(Leisure Operations Manager / Leader)

Reason for decision: To consider support for this particular programme and others in the future from monies secured and held by this Authority through section 106 contributions to benefit the people of Bolsover and surrounding areas.

The Leisure Operations Manager left the meeting at this point.

146. CLIMATE CHANGE STRATEGY

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

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A draft Climate Change Strategy had been prepared which outlined the various issues and impacts of climate change and proposed how the Council would respond. A report from the Energy Savings Trust was also presented to Members assessing the Council's current situation in responding to various climate change issues.

A high level action plan was included and this would be delivered and supported by various work strands, some of which were co-ordinated via both officer and Member working Groups.

Members discussed the issues of climate change at length, including recycling, the travel to work scheme and car sharing.

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

RESOLVED that 1) the Climate Change Strategy and Energy Saving trust report be approved,

2) suitable training and awareness sessions be organised for both Members and officers on climate change issues,

3) the £22,500 Area Based Grant allocation for climate change be allocated to a reserve for Climate Change initiatives in 2009/10 to pump prime investment,

RECOMMENDED that 4) Council agree that £48,500 of the general reserve be allocated to the Climate Change initiatives reserve to further invest in sustainable energy projects to be prepared by the Climate Change Group, such projects to be approved by Executive, unless payback periods are within the current delegation to the Director of Strategy.

RECOMMENDED that 5) the predicted savings from such projects be re-invested into further energy projects.

(Director of Strategy / Head of Democratic Services)

Reason for decision: To assist the Council in meeting its climate change targets and obligations and to generate ongoing savings.

147. BUDGET STRATEGY 2010/11 TO 2012/13

The Director of Resources presented the report.

A draft Budget Strategy was attached to the report and covered the period 2010/11 to 2012/13. The Strategy detailed the process to be adopted for compiling the Council's budgets during this period and highlighted key issues for consideration when adopting the budget and determining future Council Tax levels.

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The report would be considered by Scrutiny Committee on 14th July 2009 and their comments taken to Cabinet on 21st July 2009. A presentation would be given to Council on 12th August 2009.

The first quarterly report on performance and budget monitoring, (to include arrears, borrowing and investments), would be presented to Executive on 10th August 2009. Members asked questions.

The Director of Resources added that a report on efficiency savings for 2008/09 – 'backward look', would be presented to the next Executive meeting.

Members requested that they have the opportunity to look at all the suggestions put forward for efficiency savings and possible different ways of working that are presented to SMT.

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

RESOLVED that in accordance with the Budget and Policy Framework, the Council's Budget Strategy for 2010/11 to 2012/13 be forwarded to Scrutiny Committee for consideration and approval by Council.

(Director of Resources / Head of Democratic Services)

Reason for decision: To inform Members of the proposed three year Budget Strategy.

The Head of Regeneration entered the meeting at this point.

148. RIVERSIDE DEPOT – ADDITIONAL LAND LEASE AGREEMENT

The Head of Regeneration presented the report which included a plan of the Riverside Depot site.

Subject to planning consent, Members approval was sought to enter into a land lease agreement with Derbyshire County Council for the land on the eastern boundary of the Riverside Depot site to enable the Authority to provide an additional forty 'off road' parking spaces.

Three quotes had been received for the construction of the car park and with the intention of accepting the lowest quote, the costs would be met from within the approved capital budget for the project, along with the costs for the boundary fence work and professional fees.

Members asked questions.

Moved by Councillor A.F. Tomlinson, seconded by Councillor B.R. Murray-Carr

RESOLVED that subject to the grant of planning permission, the Council enter into a

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lease agreement with Derbyshire County Council for the land adjoining the eastern boundary of Riverside Depot, as shown on the attached plan.

(Head of Regeneration)

Reason for decision: To assist in the efficient delivery of services.

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

Moved by Councillor D. Kelly, 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.

150. PROCUREMENT OF DEVELOPER PANEL – TARRAN BUNGALOWS EXEMPT PARAGRAPH 3

The Head of Regeneration and the Housing Strategy & Enabling Manager jointly presented the report.

Member's approval was sought to revert to recommendation three of the original report presented to Council on 8th September 2008, with regard to the Tarran bungalows, Minute Number 316 refers.

In August 2008 the Housing Minister announced proposed rule changes that could allow stock retaining authorities to develop new council housing. A new recommendation was added into the Tarran paper requiring full investigation of the Council's ability to access Housing Corporation (HCA) grant to replace the unfit units.

The 17th April 2009 Budget included a statement by the Chancellor that grant funding was to be made available to local authorities wishing to build new affordable housing. Detailed guidance was not made available until May 2009 and this was now outlined in the report.

To clarify what was required for potential bid success, a meeting was held in London on the 15th May 2009, with the HCA National Head of Investment; attended by the Leader, Deputy Leader, Head of Shared Procurement and the Housing Strategy & Enabling Manager.

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151. 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 A.F. Tomlinson

RESOLVED that the meeting continue.

150. CONTINUED - PROCUREMENT OF DEVELOPER PANEL – TARRAN BUNGALOWS EXEMPT PARAGRAPH 3

Appendix C of the report detailed work undertaken by the Head of Finance to cost options available to the Authority.

Housing Needs and Housing Strategic Services had undertaken tenant liaison work to ensure that tenants were kept up to date with developments. Existing tenants had raised concerns at the length of time waiting for funding decisions to be resolved.

Members sought the views of the Head of Housing who advised Members that he supported the proposals in the report.

Councillor Bowman requested clarification with regard to recommendation four. The Head of Regeneration replied that for clarity, recommendation four should read, 'the approval of Officer communication to the Tarran residents of the decision to procure a suitable RSL partner to take forward the development, subject to any further funding announcements'.

Further to a question raised by Councillor Bennett discussion took place on how the communication would be delivered to the Tarran residents.

Further discussion took place.

Councillor Tomlinson raised that the relevant Portfolio Holders be involved in the selection process for a suitable RSL partner and that this be added as a further recommendation.

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

RESOLVED that 1) submission to the Local Authorities Bidding for Social Housing Grant (Appendix B) would require delivery of 216 social rented units, borrowing of £9.12 million minimum (Appendix C) and provision of land worth £3.95 million (Appendix D) at nil value is recognised by Members,

2) that officers have exhausted the requirement to exhaust Council ability to rebuild Tarran stock as Landlord through monies announced in the 2009 April budget under Minute 316 of 8th September 2008 Council is recognised by Members,

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3) reversion to recommendation 3 of Appendix A, commencing with immediate effect and not at autumn 2008 as stated. In recognition of the announcement of new monies, June 30th 2009, to extend that recommendation to cover developer contractors in addition to Registered Social Landlords be approved,

4) Officer communication to the Tarran residents of the decision to procure a suitable Registered Social Landlord partner, to take forward the development, subject to any further funding announcements' be approved,

5) the transfer of Council Land to deliver 108 units at an undervalue to the successful Tarran Redevelopment partner under the Local Government Act 1972 General Disposal Consent 2003 be approved,

6) retention of land not required for Tarran bungalow replacement on the basis that delivery of open market units will assist with delivery of balanced communities in low value areas such as New Houghton and Langwith Junction be approved,

7) the relevant Portfolio Holders be involved in the selection process for a suitable Registered Social Landlord partner.

(Head of Regeneration / Housing Strategy & Enabling Manager)

Reason for decision: To resolve the issue of the future of the Tarran bungalows.

152. GEORGE INN, WHITWELL EXEMPT PARAGRAPH 3

The Head of Regeneration presented the report.

At a meeting of the Executive held on 8th September 2008, Members approved the sale of the George Inn property at Whitwell by way of public auction.

The property had been marketed by agents on behalf of the Authority and an offer of £175,000 had been received.

Moved by Councillor A.F. Tomlinson, seconded by Councillor K. Bowman
RESOLVED that the Council sells the freehold of George Inn Whitwell on the terms proposed by the Senior Valuer.

(Senior Valuer)

Reason for decision: In order to secure a capital receipt for the Council from the sale of a property that is surplus to requirements.

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153. KITCHEN CROFT, BOLSOVER EXEMPT PARAGRAPH 3

The Head of Regeneration presented the report.

At a meeting of the Executive held on 4th February 2008, Members approved the sale of Kitchen Croft and the adjacent car park to Derbyshire Police. The Police had intended to sell the Limekiln Fields Road Police Station to enable them to finance the purchase of Kitchen Croft but due to the downturn in the property market only one offer had been made and this had fallen far short of the valuation.

Terms had now been agreed whereby the Police proceed with the purchase of the Kitchen Croft car park but take a 25 year lease of the building. The rental would be reviewable every five years and the Police would be responsible for all repairs to the building.

If the Police were able to negotiate a sale of the existing Police Station in the future, they had advised that they would wish to purchase the freehold in Kitchen Croft.

Moved by Councillor A.F. Tomlinson, seconded by Councillor B.R. Murray-Carr
RESOLVED that 1) the car park adjacent to Kitchen Croft be sold to Derbyshire Police on the terms now proposed,

RECOMMENDED that 2) Council earmark the capital receipt to construct replacement car parking facilities in the grounds to Sherwood Lodge,

RESOLVED that 3) the Council enters into a 25 year lease of Kitchen Croft with the Police on the terms proposed by the Senior Valuer,

4) delegated powers be given to the Head of Regeneration to negotiate a sale price with the Police should they wish to purchase Kitchen Croft during the term of the lease.

(Senior Valuer)

Reason for decision: In order to secure an income from a Council property and to facilitate the relocation of Bolsover Police Station to Bolsover town centre.

The meeting concluded at 1300 hours.