

EXECUTIVE

Minutes of a meeting of the Executive of the Bolsover District Council held in the Council Chamber, Sherwood Lodge, Bolsover, on Monday, 10th August 2009 at 1000 hours.

PRESENT:-

Members:-

Councillor A. Tomlinson – In the Chair (for Minute No's. 217 to 221)

Councillors J.E. Bennett, K. Bowman, B.R. Murray-Carr, A. Syrett and E. Watts.

Officers:-

W. Lumley (Chief Executive Officer), S. Tomlinson (Director of Strategy), J. Brooks (Director of Resources), S.E.A. Sternberg (Solicitor to the Council), F. Bacon (Head of Revenue Services), K. Drury (Customer Service and Access Officer)(to Minute No. 225 only), D. Eccles (Head of Regeneration), N. Rodgers (Projects Officer (Policy and Research))(to Minute No. 232 only), P. Campbell (Head of Housing)(For Minute No. 222 only), B. Truswell (Head of Shared Procurement)(from Minute No. 233), and A. Bluff (Democratic Services Officer).

217. APOLOGIES

Apologies for absence were received on behalf of Councillors A.J. Hodkin, D. Kelly and D. McGregor.

218. URGENT ITEMS OF BUSINESS

There were no urgent items of business to consider.

219. DECLARATION OF INTERESTS

There were no declarations of interest made.

220. MINUTES – 13TH JULY 2009

Councillor Syrett referred to Minute Number 145 of the last meeting and asked if a response had been received from Old Bolsover Town Council. Councillor Tomlinson replied that he was not aware that a response had been received. The Chief Executive Officer said he would investigate and let Councillor Syrett know the outcome.

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Moved by Councillor B.R. Murray-Carr, seconded by A.M. Syrett

RESOLVED that the minutes of a meeting held on 13th July 2009 be approved as a correct record.

Councillor Watts entered the meeting.

221. RECOMMENDED ITEM FROM SCRUTINY COMMITTEE HELD ON 14TH JULY 2009 – MINUTE NUMBER 159 – RISK MANAGEMENT

The Director of Strategy presented the report which provided details of up to date progress with regard to Risk Management.

The report had been presented to Scrutiny Committee on 14th July 2009 and would be presented to a future Council meeting.

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

RESOLVED that climate change risks that can be improved by nil cost or negligible action be progressed.

(Director of Strategy)

Reason for decision: To provide Executive with Risk Management arrangements.

Councillor E. Watts – In the Chair

222. 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.

The Head of Housing reported that there had not been any significant change in the level of rent arrears since the update presented at the last meeting. Sixty three notices had been served on tenants in rent arrears since the beginning of the financial year and thirty cases had been to court which had resulted in suspended possession orders. There had been six evictions this year where tenants had not complied with conditions set by the court for repaying their rent arrears.

Rent owed by former tenants was at a current level of £500k. The Head of Housing added that a draft policy to deal with former tenants rent arrears would be presented to the next meeting.

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

RESOLVED that the report be received.

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

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223. ANNUAL REVIEW FROM THE LOCAL GOVERNMENT OMBUDSMAN

The Customer Service and Access Officer presented the report which provided key points from the Annual Review of the Local Government Ombudsman for the year ending 31st March 2009.

The full Annual Review was attached to the report along with a covering letter, a statistical breakdown of complaints and an explanatory note.

Councillor Tomlinson congratulated the Customer Service and Access Officer on performance of dealing with customer complaints.

Moved by Councillor J.E. Bennett, seconded by Councillor A.M. Syrett
RESOLVED that the report be noted.

Reason for decision: To keep Members informed of Ombudsman complaints.

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

The Customer Service and Access Officer presented the report which gave breakdown detail of the number of compliments, comments, complaints, freedom of information and personal data requests for the period 1st April 2009 to 30th June 2009.

Councillor Tomlinson queried if officers' salaries and expenses were exempt from release under freedom of information. The Director of Resources replied that certain aspects of some officers' salaries were included annually in the statement of accounts but in the future could be recorded in more detail and could also include officers' expenses and pension issues. He added that the Audit Commission had been looking at this quite closely.

Members asked questions and further discussion took place.

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

225. FINANCIAL MANAGEMENT PERFORMANCE – QUARTER 1 IN 2009/10

The Director of Resources presented the report which gave detailed performance of the various budgets for the first quarter of the financial year April to June 2009.

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Five appendices were attached to the report which gave further detailed breakdown of the budgets.

Members asked questions and discussion took place.

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

RESOLVED that 1) the first quarter performance on budgeted income and expenditure for the General Fund and Housing Revenue Account be noted,

2) the first quarter review of the main areas covered by the Budget Risk Assessment be noted.

3) the report on the Treasury Management activities and Prudential Indicators be received.

(Director of Resources)

Reason for decision: **The Executive can evidence robust consideration of the details associated with the financial performance of the Council.**

226. 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 £36,339.83 in respect of persons unable to trace/bankrupt or companies in liquidation.

Members asked questions.

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

RESOLVED that the irrecoverable items including costs amounting to £36,339.83 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.**

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

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

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

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Schedule 12A of the Act and it is not in the public interest for that to be revealed.

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

The Head of Revenue Services presented the report to seek Members approval to write off outstanding debts, including costs, amounting to £18,421.58 in respect of accounts where the ratepayer has ceased to trade or where the debt was not cost effective to pursue.

Members asked questions.

Moved by Councillor A.M. Syrett, seconded by Councillor J.E. Bennett

RESOLVED that the irrecoverable items including costs amounting to £18,421.58 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.

229. ARREARS – IRRECOVERABLE ITEMS EXEMPT PARAGRAPH 3

The Head of Revenue Services presented the report in respect of irrecoverable items relating to outstanding rent and other charges at Pleasley Vale Mills.

Innes England took over the management of the Mills in August 2005 and also took over responsibility for the billing and collection of rent and other charges. If debt was outstanding where there was no longer a tenancy/occupation, the responsibility for recovery of the debt was left with the Council.

Two schedules were attached to the report; the first identified amounts the Council were responsible for collecting and the second identified amounts Innes England were responsible for collecting. Attempts had been made over the years to recover the amounts owing but with limited success.

Members' approval was sought to write off of the irrecoverable items, including costs, amounting to £35,319.53 as itemised on the schedules.

Members asked questions.

Moved by Councillor A.M. Syrett, seconded by Councillor A.F. Tomlinson

RESOLVED that the irrecoverable items including costs amounting to £35,319.53 be written off with the proviso that should any of the debts become

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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.

230. DISCRETIONARY RATE RELIEF EXEMPT PARAGRAPH 3

The Head of Revenue Services presented the report in respect of an application from Snap Developments for discretionary rate relief.

In September 2008, the Council approved a scheme for determining Discretionary Rate Relief applications with delegated authority given to the Director of Resources who would determine awards. The proviso under the delegation scheme was that a group of four would consider each application in detail to advise the Director of Resources, but if they could not make a recommendation the Director could either make the decision or refer the matter to the Executive for consideration.

The Head of Revenue Services gave an explanation of why the panel were unable to advise what the award should be for each element for the application.

Members discussed the application.

Moved by Councillor A.M. Syrett, seconded by Councillor B.R. Murray-Carr
RESOLVED that the award of discretionary rate relief for SNAP Developments for 2009/10 be 80% and for the following two years.

(Head of Revenue Services)

Reason for decision: In order for the Council to determine an award for Discretionary Rate Relief under section 47 of the Local Government Finance Act 1988.

As this was the Head of Revenue Services last Executive meeting before he retired from the Authority on the 13th August 2009, Councillor Syrett stated that she wished to express her thanks to the Head of Revenue Services for all the help he had given her as the newest Member of the Executive.

Councillor Watts added that he would also like to thank the Head of Revenue Services on behalf of the Executive and wished him well for the future.

231. SHIREBROOK ENTERPRISE CENTRE EXEMPT PARAGRAPHS 4 AND 5

The Projects Officer (Policy and Research) presented the report in respect of the findings of a recently commissioned feasibility study into the development of an

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Enterprise Centre within the town of Shirebrook. The centre would make a significant positive contribution towards the local economy both in the short and long term.

Greenborough Management Limited had been appointed to evaluate the potential for an Enterprise Centre and to advise upon suitable locations. A number of locations were identified and assessed as part of the study and appraised against a lengthy list of criteria including: location; compliance with planning policy; accessibility; site infrastructure; as well as a number of other factors.

Three sites on Brook Park remained the priority location for the Enterprise Centre. The town centre, although considered, was unable to occupy a Centre of the proposed size.

Members asked questions and discussion took place.

Moved by Councillor A.F. Tomlinson, seconded by Councillor B.R. Murray-Carr
RESOLVED that 1) the development of an Enterprise Centre in Shirebrook be supported,

2) an update report on the progress of the project be presented to a future meeting.

(The Projects Officer (Policy and Research)/Head of Regeneration)

Reason for decision: In order to fulfil the objectives of the Council's Regeneration Strategy.

232. BEST VALUE OF THE STAFF RESTAURANT EXEMPT PARAGRAPH 3

The Head of Regeneration presented the detailed report in respect of a review undertaken of the restaurant service in order to make financial efficiencies.

Four options were presented for consideration by Members.

Discussion took place.

Moved by Councillor A.F. Tomlinson, seconded by Councillor B.R. Murray-Carr
RESOLVED that the restaurant service be closed by the end of the calendar year to achieve the substantial savings and efficiencies required and a minimum provision to be introduced in line with option four.

(Head of Regeneration)

Reason for decision: To achieve the necessary budgetary efficiencies, and in order to protect front line services.

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233. TENDER OPENING – SHIREBROOK GROUP REPAIRS EXEMPT PARAGRAPH 3

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

Moved by Councillor E. Watts, 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 Shared Procurement)

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

The date for final evaluation of the tenders would be confirmed to Members by the Head of Shared Procurement.

234. TENDER OPENING - CARR VALE GROUP REPAIRS EXEMPT PARAGRAPH 3

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

Moved by Councillor E. Watts, 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 Shared Procurement)

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

The date for final evaluation of the tenders would be confirmed to Members by the Head of Shared Procurement.

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235. TENDER OPENING – DEMOLITION OF 1, 3, 5 AND 7 STATION ROAD, SHIREBROOK EXEMPT PARAGRAPH 3

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

Moved by Councillor E. Watts, 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 Shared Procurement)

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

The date for final evaluation of the tenders would be confirmed to Members by the Head of Shared Procurement.

236. TENDER OPENING – PROVISION OF CLEANING SERVICES AT PLEASLEY VALE MILLS EXEMPT PARAGRAPH 3

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

Moved by Councillor E. Watts, 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 Shared Procurement)

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

The date for final evaluation of the tenders would be confirmed to Members by the Head of Shared Procurement.

The meeting concluded at 1220 hours.