

## EXECUTIVE

Minutes of a special meeting of the Executive of Bolsover District Council held in Committee Room One, Sherwood Lodge, Bolsover, on Tuesday 31<sup>st</sup> August 2010 at 0900 hours.

### PRESENT:-

Members:-

Councillor E. Watts - Chair

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

Officers:-

W. Lumley (Chief Executive Officer), J. Brooks (Director of Resources), S. Tomlinson (Director of Neighbourhoods), D. Eccles (Head of Regeneration), J. Fieldsend (Senior Principal Solicitor), D. Troop (Housing Strategy and Enabling Manager), G. Galloway (Building and Contracts Manager) and R. Leadbeater (Democratic Services Officer).

### 286. APOLOGIES

There were no apologies for absence.

### 287. DECLARATIONS OF INTERESTS

Minute No.	Member	Level of Interest
289.	Councillor B. R. Murray Carr	Personal

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

Moved by Councillor E. Watts, 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.

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### 289. PRACTICAL DELIVERY OF THE SHIREBROOK MASTER PLAN EXEMPT - PARAGRAPH 3

The Head of Regeneration presented the report to advise Members of the current position in respect of delivery of the Shirebrook Master Plan.

The report provided details of ongoing negotiations with Tesco and the siting of a proposed food store within the town centre. A wider partnership agreement with the Town Council was also proposed.

Further detail was provided in respect of consultations carried out on the redevelopment of the Market Close flatted scheme and subsequent re-housing opportunities.

The Head of Regeneration advised Members that consideration of the proposals was required with urgency and an additional recommendation was requested that the call-in procedure as outlined in 4.5.16 of the Council's constitution would not apply.

A draft letter to Tesco was tabled for Members' consideration.

Members asked questions to which the Head of Regeneration responded. Particular concerns were raised as to whether home loss payments would effect housing benefits which the Head of Regeneration agreed to look into.

The Chair requested that thanks to the Head of Regeneration, Building and Property Contracts Manager and Portfolio Holder for Regeneration be recorded for their hard work in respect of these negotiations.

Moved by Councillor A.F. Tomlinson, seconded by Councillor D. McGregor  
**RESOLVED that**

#### **Market Close**

1. The Market Close Flats/houses consultation process with reference to the town centre re-development proposals be approved;
2. The removal of the Right to Buy option for tenants of Market Close flats and houses pending receipt and feeding back of the consultation process be approved;
3. Once approval is given for demolition the affected residents who live in the properties to be demolished should be given additional priority for re-housing which will allow them to be re-housed in appropriate accommodation.

## **EXECUTIVE**

### **Partnership Agreement**

1. The Head of Regeneration and Deputy Leader be authorised to conclude negotiations on the partnership agreement with Shirebrook Town Council in consultation with the Solicitor to the Council and the Chief Executive Officer and Leader.
2. The Deputy Leader, Councillor Tomlinson is named member representative on the Partnership, along with the Head of Regeneration.

### **Development Agreement**

1. The Head of Regeneration is authorised to send a written response outlining the Council's final position in accordance with the letter attached at Appendix vii. Should the terms be accepted by Tesco, then to proceed to finalise the detailed Heads of Terms.
2. The Head of Regeneration is instructed to engage the services of the District Valuer or suitable property surveyors to prepare the report for submission (subject to further member approval) for the disposal of the identified land to the Secretary of State

### **Urgency**

1. It be noted that the Chairman of the Council has agreed that the call-in procedure as set out in 4.5.16 of the Council's Constitution shall not apply;
2. It be noted that the Executive consider that the above decision is an urgent one.

**REASON FOR DECISION: To ensure the practical delivery of the Shirebrook Master Plan commences.**

(Head of Regeneration/Head of Democratic Services)

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### 290. TARRAN BUNGALOWS REDEVELOPMENT EXEMPT – PARAGRAPH 3

The Portfolio Holder for Regeneration introduced the report which had been updated to reflect the current position.

The Head of Regeneration presented the report in further detail and tabled a map of the development site.

Members asked questions with regard to the arrangements for alternative accommodation for existing tenants to which the Head of Regeneration and Director of Resources responded.

Discussion took place in respect of the financial implications, in particular the Housing Revenue Account and remaining shortfall.

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

#### **RECOMMENDATIONS that;**

1. The consultation undertaken with Oxcroft tenants regarding decants, and that the process will continue over the coming weeks be noted;
2. Members support the total investment made (much of it by the HCA) in delivering £5.08 million for the delivery of Oxcroft and Long Lane, and of this total amount the commitment of the Council is in the region of 13%.
3. Members approve serving of the Demolition Notice at the appropriate juncture (once occupants are in their decant property) and pending the outcome of 1 above. This is for legal surety and reduces the Council Tax burden on the project.
4. Members delegate to the Chief Executive Officer the decision as to whether to make an application to the Secretary of State for the disposal of the Tarran bungalow sites at Oxcroft Lane, Bolsover under section 32 of the Housing Act 1985. The decision of the Chief Executive Officer is to be made in consultation with the Leader and Deputy Leader of the Authority and the Housing Management Portfolio Holder and must satisfy s123 Best Value requirements via confirmation from the District Valuer.
5. Members authorise the Chief Executive officer in consultation with the Leader, Deputy Leader, Director of Resources and Solicitor to the Council and Monitoring Officer to the Council to complete current negotiations with the partner bodies involved.

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6. Members approve reprofiling of capital expenditure relating to Homeloss (£70,500) and the capital element of Disturbance (£15,000) within the Capital programme and to explore a further capital contribution of £50,000 in the event that monies are not found from other sources.
7. Members authorise exploring other decanting options such as (buying in of suitable properties for later re-sale) subject to current project budgetary constraints being met.
8. It be noted that the Chairman of the Council has agreed that the call-in procedure as set out in 4.5.16 of the Council's Constitution shall not apply;
9. It be noted that the Executive consider that the above decision is an urgent one.

**REASON FOR DECISION: To further the Council's aims of providing affordable housing and providing high quality and energy efficient homes for some of its most vulnerable client group.**

(Head of Regeneration/Solicitor to the Council)

The meeting concluded at 1018 hours.