

## EXECUTIVE

Minutes of a meeting of the Executive of Bolsover District Council held in Committee Room One, Sherwood Lodge, Bolsover, on Monday 1<sup>st</sup> November 2010 at 1000 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), K. Hopkinson (Director of Development), S. Tomlinson (Director of Neighbourhoods), A. Wylie (Principal Solicitor), D. Eccles (Head of Regeneration), S. Coleman (Economic Development and Investment Manager) (to minute no. 492), (N. Etches (Projects Officer (Policy and Research)) (to minute no. 492), G. Galloway (Building and Contracts Manager), J. Foley (Head of Customer Service and Performance (from minute no. 492 to minute no. 494), K. Drury (Customer Service and Access Officer) (to minute no. 491) and R. Leadbeater (Democratic Services Officer).

### 483. APOLOGIES

An apology for absence was received on behalf of Councillor D. Kelly.

### 484. URGENT ITEMS OF BUSINESS

There were no urgent items of business to consider.

### 485. DECLARATIONS OF INTEREST

Min No.	Member	Personal or Prejudicial
490	Councillor E. Watts	Personal
501	Councillor E. Watts	Personal and Prejudicial

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### 486. MINUTES – 4<sup>TH</sup> OCTOBER 2010

Moved by Councillor A.F. Tomlinson, seconded by Councillor B.R. Murray-Carr  
**RESOLVED** that the minutes of a meeting of the Executive held on 4<sup>th</sup> October 2010 be approved as a true record.

### 487. LOCAL INVESTMENT PLAN (LIP)

The Head of Regeneration presented the report to request Members' approval of the final version of the Local Investment Plan (LIP). Members had been briefed at various stages of the drafting of the Local Investment Plan which set out the investment required for the Housing Market Area (HMA) to deliver the agreed vision and economic purpose for the North Derbyshire, Bassetlaw, Chesterfield and Bolsover areas over the next three years.

The final version of Local Investment Plan had been agreed by all 4 authorities at a meeting of the Executive Sounding Board on 14<sup>th</sup> October 2010 and would be signed off by the HCA on 1<sup>st</sup> November 2010. Members were advised that it had been agreed by the Chair of Council that due to the urgency of the item, this would be exempt from the Council's call in procedure.

Area priorities were set out in the report which for Bolsover included increased provision of affordable housing and regeneration of the Shirebrook area. Over the next three years, Shirebrook Town Centre had been identified to receive £6.9 million of investment, subject to completion of the Tesco site sale and in Shirebrook South, regeneration of the coalfields. Public realm works had been identified to enhance the South Normanton and Pinxton areas and funding had been requested for a remediation strategy for the former Coalite site in Bolsover.

The proposed schemes for an increase in the provision of affordable housing were included in the LIP. Due to the economic downturn a number of sites had been put on hold, however 212 plots had been identified for commencement in 2011/12 subject to grant funding being made available. Schemes for improvements to the quality of existing housing stock were also included.

Members raised questions with regard to the impact on each Authority's individual share of funding for the improvement of housing stock. It was added that not all of the partner authorities were as advanced in their progress towards the achievement of the Decent Homes Standard. The Head of Regeneration advised that this issue had already been identified by the Housing and Enabling Manager. The HCA had recommended that funding for improvements to existing housing stock be included in the LIP as current progress should have no detrimental effect to the level of funding received.

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Moved by Councillor A. F. Tomlinson, seconded by Councillor J.E. Bennett  
**RESOLVED** that (1) the final version of the Local Investment Plan be approved and Members note the next steps in relation to the development of the Local Investment Agreements;

(2) 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.

**Reason for Decision: To approve the Local Investment Plan for onward submission to the Homes and Communities Agency.**

(Head of Regeneration)

### **488. RECORD OF DECISION NOTICES FROM THE JOINT BOARD MEETING HELD ON 14<sup>TH</sup> SEPTEMBER 2010**

Moved by Councillor D. McGregor, seconded by Councillor S. Tomlinson  
**RESOLVED** that the record of decision notices from the joint board meeting held on 14<sup>th</sup> September 2010 be noted.

### **489. RECOMMENDED ITEM FROM SUSTAINABLE COMMUNITIES SCRUTINY COMMITTEE – ENERGY MANAGEMENT POLICY**

The Director of Neighbourhoods presented the report to seek Members' approval of the Energy Management Policy. Members were advised that this was a brief policy which had been put together by the Building and Contracts Manager to outline the Council's approach to managing energy and identifying renewable energy opportunities.

Moved by Councillor D. McGregor, seconded by Councillor B. R. Murray-Carr  
**RESOLVED** that the Energy Management Policy be approved.

**Reason for Decision: To establish a policy to manage the Council's approach to the impacts of climate change.**

(Building and Contracts Manager)

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Councillor E. Watts declared a personal interest in the following item.

### **490. COMPLIMENTS, COMMENTS, COMPLAINTS AND FREEDOM OF INFORMATION REQUESTS**

The Portfolio Holder for Customer Services introduced the report to update Members on the compliments, comments, complaints and freedom of information requests received for the period 1<sup>st</sup> July 2010 to 30<sup>th</sup> September 2010. Members were advised that almost 7,500 service requests had been dealt with by the Contact Centres. A target of 98% had been set to respond to stage 2 complaints and 100% had been achieved within the period.

The Customer Service and Access Officer provided further updates to the information contained in the report. All stage 2 complaints had been concluded within the standard time, all stage 3 complaints were closed, with 5 responded to within standard and 1 out of time

Moved by Councillor D. McGregor, seconded by Councillor B.R. Murray-Carr **RESOLVED** that the report be received.

**Reason for Decision: To keep Members informed of the volumes and trends regarding compliments, comments, complaints and freedom of information requests.**

The Customer Service and Access Officer left the meeting.

### **491. SHIREBROOK ENTERPRISE CENTRE**

The Portfolio Holder for Regeneration introduced the report and extended thanks to the Regeneration team for their excellent work and achievement in obtaining EDRF funding for the Shirebrook Enterprise Centre. This had been a two year project to develop proposals for the construction of a new build enterprise centre which would provide workshop and office accommodation.

Members were asked to note a 3<sup>rd</sup> recommendation which was tabled at the meeting. This requested Members' approval for delegated authority for the Chief Executive Officer to sign required documents which would prevent delays that may jeopardise receipt of the funding.

The Projects Officer (Policy and Research) presented the report and advised Members that a draft contract had now been received to enable terms and conditions to be checked and approved before the final contract was signed. The Chair extended his thanks and congratulations to the Regeneration team.

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Moved by Councillor A.F. Tomlinson, seconded by Councillor A. M Syrett  
**RESOLVED** that (1) the Council enters into a funding agreement with East Midlands Development Agency for the receipt of ERDF monies for Shirebrook Enterprise Centre;

(2) 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;

(3) the Chief Executive Officer be given delegated authority to sign the contract on behalf of the Council and to agree to the terms and conditions of the contract, following the recommendation for the approval from Legal.

**Reason for Decision: To enable financial investment supporting the growth of the local economy and local entrepreneurial culture to maximise sustainable employment opportunities.**

(Projects Officer (Policy and Research))

The Projects Officer (Policy and Research) and Economic Development and Investment Manager left the meeting.

The Head of Customer Service and Performance joined the meeting.

### **492. RENEWAL OF INSURANCE POLICIES 2010**

The Portfolio Holder for Resources introduced the report to inform Members of the outcome of the recent insurance renewal process carried out under the Director of Resources' delegated powers.

The outcome of the renewal process was summarised in the report. An overall saving of £17,860 (5%) had been achieved on the previous years' premiums.

Moved by Councillor A. J. Hodkin, seconded by Councillor E. Watts  
**RESOLVED** that the action of the Director of Resources under delegated powers be noted.

**Reason for Decision: The Council has assessed value for money, quality and service issues and selected the option financially beneficial to the Council.**

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### 493. CORPORATE PLAN TARGETS PERFORMANCE REPORT

The Head of Customer Service and Performance presented the report to advise Members on Corporate Plan Target performance for the 1<sup>st</sup> half of 2010/11. Senior Management Team had considered the report as had the 3 Scrutiny Committees and no exception reports had been received. However in respect to the Area Based reports, a Scrutiny Committee had requested that it be noted that Housing Services had shown excellent performance in respect of the Decent Homes Standard corporate plan target. The Head of Customer Service and Performance felt that this was worthy of noting by the Executive.

The Portfolio Holder for Customer Service raised concerns in respect of the delay in the opening of the new South Normanton Joint Service Centre (The Hub). It was added that this was the second time a delay in the opening time had occurred and concerns were also raised that the arrangements that had been put in place for the move would need to be cancelled and may result in additional costs to the Council.

The Head of Customer Service and Performance advised that the news of the delay had been received at lunchtime on Friday 29<sup>th</sup> October. This had been due to problems identified by the developer which had resulted in the handover of the building not taking place as planned. This would cause significant difficulties as arrangements for the move had to be cancelled and rearranged. The Board Meeting due to take place on 1<sup>st</sup> November 2010 had been cancelled and a Building Management meeting had been called for 3<sup>rd</sup> November 2010. Members would be provided with updated information once known.

The Portfolio Holder for Regeneration stated that care should be taken not to apportion blame for the delays in the opening of the Joint Service Centre and that it was right that the Council should not move into a building where any liability existed. It was added that the building would be a significant asset once in operation. Members were advised that an e-mail had been received from Derbyshire County Council requesting details of any additional costs incurred by Bolsover as a result of the delay, which would be forwarded to the developers for reimbursement.

The Portfolio Holder for Customer Service requested that a report be provided to the Executive when more detail is known.

Moved by Councillor D. McGregor, seconded by Councillor E. Watts  
**RESOLVED** that a report on the reasons for the delay in the opening of the Joint Service Centre (Hub) be provided to Executive,

Moved by Councillor J. E. Bennett, seconded by Councillor D. McGregor  
**RESOLVED** that the report be received.

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### **Reason for Decision: To update Members on performance against Corporate Plan Targets.**

(Head of Customer Service and Performance)

The Head of Customer Service and Performance left the meeting.

#### **494. FINANCIAL MANAGEMENT PERFORMANCE – QUARTER 2 2010/11**

The Director of Resources presented the Financial Management Performance report for the 2<sup>nd</sup> quarter of 2010/11. The 3 Scrutiny Committees had been consulted on the content of the report and no comments had been received.

Members were provided with an update on revisions to the report since its presentation to Cabinet, including an explanation of the budget variances on the Housing Revenue Account; concerns raised in respect of the Disabled Facilities Grant budget from Capital Expenditure; year to date information on property sales and Parish Council investments.

Further questions were raised with regard to income to the Housing Revenue Account to which the Director of Resources responded.

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

**RESOLVED** that (1) the second quarter performance on budgeted income and expenditure for the General Fund, Housing Revenue Account and Capital Programme be noted;

(2) the second quarter review of the main areas covered by the Budget Risk Assessment be noted;

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

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

(Director of Resources)

#### **495. MEDIUM TERM FINANCIAL PLAN**

The Director of Resources presented the report to update Members on the latest position of the Medium Term Financial Plan. Members were advised that the 3

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Scrutiny Committees had considered the document and had not requested that any amendments be made.

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

**RESOLVED** that (1) the Executive consider and note the latest financial position reported in the Medium Term Financial Plan;

(2) the Executive approve the assumptions to be used to develop the Council's budgets, subject to further updates as details associated with the Governments' Spending Review become known;

**RECOMMENDED** (1) the Executive consider the Budget timetable and refer to the Council for approval.

**Reason for Decision: Financial planning supports the achievement of the Council's Objectives and provides transparency over the financial arrangements in place and the proposed changes.**

(Director of Resources/Head of Democratic Services)

### **496. ARREARS – IRRECOVERABLE ITEMS OVER £1,000**

The Portfolio Holder for Resources introduced the report to request Members' approval to write off outstanding debts in respect of bankrupt persons or companies in liquidation. Concerns were raised that it was necessary for the Council to write off large debts in such critical financial times, however it was noted that the debts would be collected in future if it became possible to do so.

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

**RESOLVED** that approval is given to write off the irrecoverable items including costs amounting to £19,977.85 with the proviso that should any of the debts become collectable the amounts be re-debited.

**Reason for Decision: In order that outstanding debts can be written off.**

(Head of Finance and Revenues)

### **497. MEMBERSHIP OF THE SHARED SERVICE JOINT COMMITTEE**

The Director of Resources presented the report to request that Members' appoint three representatives from the Executive to represent the Council at the shared Service Joint Committee

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Moved by Councillor K. Bowman, seconded by Councillor B.R. Murray-Carr  
**RESOLVED** that Councillors, Watts, Hodkin and McGregor be the Council's representatives on the Shared Service Joint Committee.

**Reason for Decision: This is a new arrangement that the Executive need to determine appropriate representation for.**

(Head of Democratic Services)

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

### **499. ARREARS – IRRECOVERABLE ITEMS OVER £1,000 EXEMPT – PARAGRAPH 3**

The Portfolio Holder for Resources introduced the report to request Members' approval to write off outstanding amounts where debtors had ceased to trade.

Moved by Councillor A. J. Hodkin, seconded by Councillor A. M. Syrett  
**RESOLVED** that approval be given to write of the irrecoverable items including costs amounting to £5,430.48 with the proviso that should any of the debts become collectable the amounts be re-debited.

**Reason for Decision: In order that outstanding debts can be written off.**

(Head of Finance and Revenues)

### **500. ASSET MANAGEMENT PLAN EXPENDITURE EXEMPT – PARAGRAPH 3**

The Portfolio Holder for Regeneration introduced the report to inform Members of the work undertaken up to year three of the Asset Management Expenditure Plan.

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A table of budgeted and actual expenditure was included in the report for Members' information.

Moved by Councillor A. F. Tomlinson, seconded by Councillor E. Watts.  
**RESOLVED** that the report be received.

**Reason for Decision: To ensure Members are informed of asset management spend on an annual basis.**

Councillor E. Watts declared a personal and prejudicial interest in the following item and left the meeting.

Councillor A. F. Tomlinson - in the Chair

### **501. FUTURE OF OXCROFT DEPOT AND ADJOINING LAND EXEMPT – PARAGRAPH 3**

The Portfolio Holder for Regeneration introduced the report which provided an update on progress following the decision made at a previous meeting of the Executive.

The Head of Regeneration drew Members' attention to the report which detailed fee proposals for marketing of the site and costs associated with clearance and planning permission. It was added that the current market conditions were not favourable for selling land for residential development and these conditions were not expected to significantly improve for the next 3 to 5 years.

A public meeting had been held on 16<sup>th</sup> September at which residents had expressed a view that the site should not be used for any purpose other than residential development. The contents of an e-mail received from a resident to Councillor K. Bowman expressing concerns over the perception that asbestos may be stored on the site were included in the report.

Details of a further meeting with City Scaffolding were also provided for Members' information.

Members were advised that the item had not been included on the Forward Plan but had been considered urgent to enable a response to be provided to City Scaffolding as soon as possible.

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

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**RESOLVED** that (1) not to proceed with the sale to City Scaffolding and request the Director of Development to present a report to the December meeting of the Executive with the alternative options for the site;

(2) that it be noted that in accordance with 4.2.15 (c) of the Council's constitution, this item was not included on the Forward Plan.

**Reason for Decision: To secure the best return for the Council from a property that is surplus to operational requirements.**

(Director of Development)

Councillor E. Watts rejoined the meeting.

Councillor E. Watts - in the Chair.

### **502. MEDEN VALLEY MAKING PLACES EXEMPT – PARAGRAPH 3**

The Portfolio Holder for Regeneration introduced the report and provided a brief summary.

The Head of Regeneration advised Members that Meden Valley Making Places (MVMP) would close in its current format in March 2011. The company was widely regarded in the regeneration sector as successfully delivering community based regeneration projects. Given the skills and expertise attained by the company, staff were working to develop a business case for a successor company. Members were advised that in order for MVMP to continue operating, the Homes and Communities Agency had requested that the Bolsover and Mansfield Councils underwrite the revenue costs for MVMP for 2 months at a maximum cost of £34,000 each. This would be recouped in the future.

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

**RESOLVED** that (1) Members agree to accept and approve option 1 as outlined in the report;

(2) if called upon, monies be made available from the Council's reserves to be replaced at a later date;

(3) the Chief Executive Officer be authorised to sign any legal documents in respect of option 1.

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**Reason for Decision: Bolsover is a founder Member of Meden Valley Making Places and in supporting the company will continue to benefit from its work in the District.**

(Head of Regeneration)

### **503. GROUP REPAIR SCHEME WHALEY THORNS EXEMPT – PARAGRAPH 3**

The Head of Regeneration presented the report to seek Members' approval to award the 2010/11 contract for Group Repair at Whaley Thorns to Groundwork Creswell.

The issues for consideration by Members were outlined in the report. It was added that awarding the contract to Groundwork Creswell would enable the Authority to continue to assist with the training programmes and allow local suppliers and business to continue to benefit.

Moved by Councillor A.F. Tomlinson, seconded by Councillor D. McGregor  
**RESOLVED** that (1) the Head of Regeneration be authorised to award to and negotiate the Group Repair contract with Groundwork Creswell for Whaley Thorns for 2010/11;

(2) accordingly, Contract Standing Orders 4.8.3, 4.8.4 and 4.8.5 be suspended to allow the Head of Regeneration to negotiate the above.

**Reason for Decision: Awarding the contract to Groundwork Creswell will allow the Authority to continue to work with one of our main partners in regeneration and deliver jobs and training opportunities.**

(Head of Regeneration/Solicitor to the Council)

The meeting concluded at 1116 hours.