

## EXECUTIVE

Minutes of a meeting of the Executive of Bolsover District Council held in Committee Room One, Sherwood Lodge, Bolsover, on Monday 4<sup>th</sup> April 2011 at 1000 hours.

### **PRESENT:-**

Members:-

Councillor E. Watts – Chair (to minute no. 992)

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

Officers:-

W. Lumley (Chief Executive Officer), S.E.A. Sternberg (Solicitor to the Council and Monitoring Officer), J. Brooks (Director of Resources), K. Hopkinson (Director of Development), S. Tomlinson (Director of Neighbourhoods), P. Campbell (Head of Housing) (to minute no. 993), S. Coleman (Economic Investment and Development Manager) (from minute no. 996 to minute no.1003), J. Fieldsend (Senior Principal Solicitor)(to minute no. 992 and from minute no. 1001), G. Galloway (Building and Contracts Manager) (from minute no. 1004), S. Gillott (Environmental Health Commercial Manager) (to minute no. 994), L. Khella (Consultant Programme Manager) (from minute no. 996 to minute no. 999), C. Millington (Scrutiny Officer) (to minute no. 882), R. Mooney (Project Co-ordinator (Regeneration)) (from minute no. 1004), D. Riley (Clerk of Works) (from minute no.1004.), and R. Leadbeater (Democratic Services Officer).

Also in attendance:-

Councillors R. Bowler, H. Gilmour and H. Ward.

### **987. APOLOGY**

An apology for absence was received from Councillor K. Bowman.

### **988. URGENT ITEMS OF BUSINESS**

There were no urgent items of business to consider.

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### 989. CHANGE IN THE ORDER OF BUSINESS

The Chair consented to a change in the order of business to bring forward agenda item 9, Rent Arrears Quarterly Report.

### 990. DECLARATIONS OF INTEREST

Minute No.	Member	Level of Interest
1004.	Councillor B. R. Murray-Carr	Personal and Prejudicial

### 991. MINUTES – 7<sup>TH</sup> MARCH 2011

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

**RESOLVED** that the minutes of a meeting of the Executive held on 7<sup>th</sup> March 2011 be approved as a true record.

#### Minute No. 881. Report of the Implementation of the Anti-Social Behaviour Delivery Improvement Plan Scrutiny Review

The Portfolio Holder for Community Safety confirmed agreement of the recommendations outlined in the report considered at the meeting on 7<sup>th</sup> March 2011.

#### Minute No. 891. Confirmation of Agreement with CISWO over use of Site Proceeds in Bolsover. Exempt Paragraph 3

The Senior Principal Solicitor advised Members that the proposal for CISWO to provide a social worker for the Bolsover area would require both the funds relating to the permanent endowment and the interest accrued. The Chief Executive Officer had the power to accept this under his approved delegated powers.

### 992. RENT ARREARS QUARTERLY REPORT

The Head of Housing presented the report to update Members on the current level of rent arrears and wider issues affecting the Housing Department.

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The percentage rate had fallen to 2.8% of debt in the current financial year. Further information was provided on court action taken during January and February, housing needs and waiting lists and repairs.

The Head of Housing responded to questions raised by Members.

- Former tenant arrears (FTA) had reduced since the appointment of the FTA administrator. This had slowed down recently due to a change to the level of staffing over which Members raised concerns. This was currently under consideration by managers.
- Members were pleased to note that tenants in financial difficulty were being referred to the Credit Union for advice.
- Concerns were raised over the number of boiler breakdowns in December. The Head of Housing confirmed that the manufacturer's advice of fitting wider outlet pipes had been followed and future checks would be undertaken during annual services carried out by gas engineers.
- Housing Services hoped to advise all applicants on the housing waiting list of the level of points awarded to them under the new system by week ending 15<sup>th</sup> April 2011.
- The Head of Housing provided an explanation of the repairs jobs completed out of time.
- Measures had been put in place to address problems with mobile network coverage affecting mobile working.
- The Head of Housing agreed to provide Members with a report on the total rent arrears debt.

Councillor Watts left the meeting.

Councillor A.F. Tomlinson in the Chair

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

The Head of Housing left the meeting.

### **993. RECOMMENDED ITEM FROM SUSTAINABLE COMMUNITIES SCRUTINY COMMITTEE 3<sup>RD</sup> MARCH 2011 – PATCH MANAGEMENT POLICIES – REVISED NUISANCE VEHICLES POLICY.**

The Portfolio Holder for the Environment introduced the report which had been previously considered by Senior Management Team, Patch Management and Sustainable Scrutiny Committee.

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The Environmental Health Commercial Manager outlined the changes to the Policy for Members' consideration.

Moved by Councillor D. Kelly, seconded by Councillor D. McGregor  
**RESOLVED** that the revised Nuisance Vehicles Policy be approved.

**REASON FOR DECISION: To update the Council's Nuisance Vehicles Policy.**

(Environmental Health Commercial Manager)

The Environmental Health Commercial Manager left the meeting.

### **994. IMPLEMENTATION OF THE ANTI-SOCIAL BEHAVIOUR IMPROVEMENT PLAN – SAFE AND INCLUSIVE SCRUTINY COMMITTEE REVIEW**

The Portfolio Holder for Community Safety confirmed that no changes were required to the previously considered recommendations.

### **995. REPORT ON THE QUALITY OF THE CLEANLINESS OF THE ENVIRONMENT SUSTAINABLE SCRUTINY COMMITTEE REVIEW**

Councillor Ward, Chair of the Sustainable Scrutiny Committee, presented the report for the Executive's consideration.

Members considered the recommendations outlined in the report and asked questions to which Councillor Ward and the Scrutiny Officer responded.

- It was noted that some Parish Councils did not employ permanent staff.
- Arrangements and facilities for the disposal of bulky waste and flytipping were considered.
- The Director of Neighbourhoods advised that a number of the recommendations outlined in the Sustainable Scrutiny Committee's report had been identified through the grounds maintenance and street cleansing review. This would be provided to a future meeting of the Council for consideration.

Moved by Councillor D. Kelly, seconded by Councillor J.E. Bennett  
**RESOLVED** that 1) the Executive accept the recommendations outlined in the Sustainable Scrutiny Committee's report;

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2) the Sustainable Scrutiny Committee draw up an action plan to monitor implementation.

(Sustainable Scrutiny Committee)

### **REASON FOR DECISION: Consideration of reports from Scrutiny**

Councillor Ward left the meeting.

The Consultant Programme Manager and Economic Investment and Development Manager joined the meeting during the following item.

### **996. REDUCTION AND PREVENTION OF RENT ARREARS IMPROVEMENT SCRUTINY COMMITTEE REVIEW**

Councillor Gilmour, Chair of the Improvement Scrutiny Committee presented the report for Members' consideration. Thanks were extended to stakeholders and the Scrutiny Officer for their assistance in undertaking the review.

A draft report had been circulated to relevant officers and their comments incorporated into the final document.

Members considered the recommendations and raised questions.

- Concerns were raised in respect of rotating Tenancy Management Officers as this was considered to have a potential detrimental affect on building local knowledge and relationships.
- Links to the Court User Groups could be provided to Scrutiny via Community Safety.
- There was generally little support for a tenant incentive scheme.
- Members were generally unsupportive of new tenants being requested to pay four weeks' rent in advance, which may cause difficulties for some.
- More resources may need to be targeted to the south of the District where arrears levels were proportionately higher.

Moved by Councillor A.F. Tomlinson, seconded by Councillor B.R. Murray-Carr  
**RESOLVED** that 1) the Executive accept the recommendations outlined in the Improvement Scrutiny Committee's report;

2) the Improvement Scrutiny Committee draw up an action plan to monitor implementation.

(Improvement Scrutiny Committee)

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### **REASON FOR DECISION: Consideration of reports from Scrutiny.**

Councillors Bowler and Gilmour and the Scrutiny Officer left the meeting.

### **997. FAMILY EMPLOYMENT INITIATIVE – TRANSITION FUNDING AND SUSPENSION OF CONTRACT STANDING ORDERS**

The Portfolio Holder for Regeneration introduced the report to advise Members that additional funding had been sourced for the continuation of the Family Employment Initiative and to seek approval for match funding and suspension of contract standing orders 4.8.3, 4.8.4, 4.8.5 and 4.8.6.

The Consultant Programme Manager advised that the Family Employment Initiative's funding streams would no longer be available after April 2011. An amount just over £125,000 had been secured from the Coalfield Regeneration Trust, however a similar amount would be required from the Transition Grant provided to Bolsover District Council to continue the project for a further year. This investment was expected to assist in returning over 100 long-term unemployed people back into the workforce.

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

**RESOLVED** that 1) the report be received;

2) the proposal for £125,000 transition grant funding to support the Family Employment Initiative for 12 months to cover a transitional period before the implementation of the Coalition government's Work Programme be approved;

3) Contract Standing Orders 4.8.3, 4.8.4, 4.8.5 and 4.8.6 be suspended for the reasons outlined in the report in relation to the Coalfields Regeneration Trust.

### **REASON FOR DECISION: In order to develop flourishing rural communities and improve the health of the district.**

(Consultant Programme Manager/Solicitor to the Council)

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### **998. WORKING NEIGHBOURHOODS FUND MONITORING REPORT – QUARTER 3**

The Consultant Programme Manager provided Executive with an update on the programmes supported by Working Neighbourhoods Funding to quarter 3 of 2011.

Members' attention was drawn to the full report which had been previously circulated.

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

**RESOLVED** that the report be received.

**REASON FOR DECISION: To ensure that WNF is targeted to best effect.**

### **999. RISK REGISTER REVIEW**

The Portfolio Holder for Resources presented the report to update Members on Risk Management.

Members' attention was drawn to the detailed risk register reproduced in the agenda. Since the last report, 13 new risks had been identified which were all being managed and 17 had been deleted which no longer constituted a risk to the Council.

The Director of Resources advised that Senior Management Team were currently considering risks associated with the Strategic Alliance.

Moved by Councillor A.J. Hodkin, seconded by Councillor D. Kelly

**RESOLVED** that the report be noted.

**REASON FOR DECISION: Ongoing monitoring of risk is good practice and the sharing of the review accords with good governance.**

### **1000. EQUALITY IMPACT ASSESSMENT OF CHANGES TO VOLUNTARY SECTOR GRANTS**

The Director of Resources presented the report which detailed an Equality Impact Assessments (EIA) undertaken by the Council following the proposed

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reduction of grants to voluntary organisations. These reductions were required to support the Council's budget following the Comprehensive Spending Review.

Members were advised that the Equalities Officer had been closely involved in the production of the Equality Impact Assessments and no adverse comments had been received from the consultation carried out which included the affected organisations.

Moved by Councillor A.F. Tomlinson, seconded by Councillor D. McGregor  
**RESOLVED** that the proposed reductions in grants be confirmed based on the completion of the EIA.

**REASON FOR DECISION: This is the approach reported to be undertaken in the budget reports.**

(Director of Resources)

The Senior Principal Solicitor joined the meeting during the following agenda item.

### **1001. IT BUDGET BIDS**

The Portfolio Holder for Resources presented the report to seek Members' approval of the IT budget bids recommended by the ICT Strategy Group

The Director of Resources advised that computer memory would be updated wherever possible unless replacement equipment was needed to support software. The PCI equipment would also help secure a lower level of charges for debit card payments.

Moved by Councillor A. Hodkin, seconded by Councillor D. McGregor  
**RESOLVED** that the ICT capital bids detailed in the report be approved and financed from the ICT and Office Equipment Reserve.

**REASON FOR DECISION: In order to allocate funds from the ICT reserve.**

(Director of Resources)

### **1002. SHEFFIELD CITY REGION LOCAL ENTERPRISE PARTNERSHIP (LEP) MEMBERSHIP**

The Economic Development and Investment Manager presented the report to advise Members of governance arrangements for the Sheffield City Region



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Housing and Regeneration Board and to seek agreement for full Membership of the Sheffield City Region LEP. It was added that this complemented Bolsover District Council's aspirations for job creation, regeneration and inward investment.

Members' attention was drawn to the six priorities for collective action endorsed by the Board.

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

**RESOLVED** that 1) Members note the governance arrangements for the SCR including the SCR Board membership and Terms of Reference (Appendix A and B);

2) delegated power be given to the Leader to give Bolsover District Council's approval to the LEP Action Plans for the SCR for the period 2011-15, as appropriate;

3) the Standards Committee be recommended to include the delegation in the Members' Delegation Scheme in the Council's Constitution;

4) the Council agrees to full membership of the SCR LEP under the Terms of Reference (Appendix B), and delivery of the priorities set out in the Action Plans.

**REASON FOR DECISION: To enable business investment to support growth in the local economy and encourage an entrepreneurial culture to maximise sustainable employment opportunities.**

(Head of Regeneration/Solicitor to the Council/Head of Democratic Services)

The Economic Investment and Development Manager left the meeting.

### **1003. THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

Moved by Councillor D. McGregor, 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 item 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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The Building and Contracts Manager, Project Co-ordinator (Regeneration) and Clerk of Works joined the meeting during the following agenda item.

### **1004. SHIREBROOK MASTERPLAN TOWN CENTRE DEVELOPMENT EXEMPT – PARAGRAPH 3**

The Senior Principal Solicitor presented the report to seek Members' approval for the transfer of a parcel of land to Tesco Stores Ltd to facilitate development of a new store. The negotiated terms and conditions of the proposal were outlined in the report for Members' consideration.

Councillor Murray-Carr declared a personal and prejudicial interest and left the meeting.

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

**RESOLVED** that 1) the transfer of the land shown hatched on the plan to Tesco Stores Ltd on the terms and conditions negotiated by the Solicitor to the Council and Director of Development as approved by the Chief Executive Officer in consultation with the Leader and Deputy Leader be approved;

2) an application be made to the Secretary of State for Communities and Local Government under section 32 of the Housing Act 1985 for the disposal of the land shown hatched on the plan;

3) Members approve the disposal of that part of the Ashbourne Street Car park shown cross hatched on the plan on the terms and conditions negotiated by the Solicitor to the Council and Director of Development as approved by the Chief Executive Officer in consultation with the Leader and Deputy Leader;

4) the payment of home loss and disturbance payments to tenants who move out of the Market Close flats prior to a request be approved, payments to be made subject to the Council obtaining the Secretary of State's consent to the disposal;

5) the progress being made with the partnership agreement be noted;

6) Members delegate the power to the Chief Executive Officer in consultation with the Leader and Deputy Leader to enter into any

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agreement and/or incur expenditure incidental and ancillary to the development of the Masterplan site.

**REASON FOR DECISION: To enable the delivery of the Shirebrook Masterplan in the best interests of local residents**

(Head of Regeneration/Solicitor to the Council)

### **1005. TENDER – REPLACEMENT KITCHENS EXEMPT – PARAGRAPH 3**

The Building and Contracts Manager provided Members with background information in respect of the contract for replacement kitchens. Three tenders for the contract had been received before the deadline and were opened at the meeting.

Moved by Councillor A.F. Tomlinson, seconded by Councillor D. McGregor  
**RESOLVED** that (1) the Executive witness the opening of the tenders,

(2) the tenders be passed to the Evaluation Team for final evaluation,

(3) once evaluation has been completed, a Report for Information be submitted for Members,

(4) the evaluation meeting to take place on Monday 11<sup>th</sup> April 2011 at 1000 hours in the Building and Contracts Manager's office, Sherwood Lodge, Bolsover.

**REASON FOR DECISION: In order to secure the tender which gives the best value for money.**

(Head of Regeneration)

The meeting concluded at 1235 hours.