

## **EXECUTIVE**

Minutes of a meeting of the Executive of Bolsover District Council held in Committee Room One, Sherwood Lodge, Bolsover, on Monday 9<sup>th</sup> January 2012 at 1025 hours.

### **PRESENT:-**

Councillor E. Watts – Chair

### **Members:-**

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

Councillors M. Dooley, H. Gilmour and J. Smith (from Minute No.783 to Minute No. 784).

### **Officers:-**

W. Lumley (Chief Executive Officer), B. Mason (Director of Corporate Resources), S. Tomlinson (Director of Neighbourhoods), A. Turner (Legal and Standards and Deputy Monitoring Officer), P. Campbell (Head of Housing) (from Minute No. 783 to Minute No. 790), L. Hickin (Head of Leisure) (to Minute No. 783), S. Chambers (Communications Officer), C. Hirst (Arts Development Officer) (to Minute No. 783) and R. Leadbeater (Democratic Services Officer).

### **Visitor:-**

Mr. S. Bruce, Partnership Manager, Orchestras Live (to Minute No. 783).

### **778. APOLOGIES**

There were no apologies for absence received.

### **779. URGENT ITEMS OF BUSINESS**

The Chair had consented to Provisional General Fund Budgets – 2011/12 Estimated Outturn, 2012/13 Original Budget and Financial Plans 2013/14 and 2014/15, being considered as an urgent item of business.

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### 780. DECLARATION OF INTEREST

Minute No.	Member	Level of Interest
784.	Councillor K. Bowman	Personal

### 781. MINUTES – 12<sup>TH</sup> DECEMBER 2011

Moved by Councillor E. Watts, seconded by Councillor A. F. Tomlinson  
**RESOLVED** that the minutes of a meeting of the Executive held on 12<sup>th</sup>  
December be approved as a true record.

### 782. ORCHESTRAL DEVELOPMENT 3 YEAR STRATEGIC PLAN 2012-2015

The Arts Development Officer introduced Stuart Bruce, Partnership Manager for Orchestras Live who provided a presentation to Members on the delivery of the 3 year strategic plan for Orchestral Development. The new strategic plan would continue the work from Bolsover's Public Art Strategy, through a series of participation projects and performances which had been funded through Section 106 Planning Agreements.

Mr Bruce advised Members that the aim of the strategic plan was to enable the widest range of people to have experience of high quality live orchestral music and to bring these opportunities into rural communities. The 2008 to 2011 programme had featured 5 projects involving 1,500 people as participants or audience members. These had included a performance marking the opening of the new Heritage High School at Clowne involving local school children, members of the community, older persons in sheltered housing and the Hallé Orchestra, vocal projects with young people at schools in South Normanton and Creswell and coaching provided to teachers by specialist conductor David Lawrence. It was added that Bolsover District Council was currently the only rural authority to have a strategic focus on orchestral development and was seen nationally as a leading authority in this work. It was added this had been a highly successful partnership with Orchestras Live contributing £38,000 of support alongside the Bolsover District Council Public Arts funding.

A number of proposed projects for delivery as part of the 2012 to 2015 strategic plan were provided for Members' information. These included a an orchestral commission of music for Cello, Orchestra and African dance performed by sinfonia ViVA at South Normanton, Clowne Intergenerational Project II with the Hallé Orchestra and concerts in the Bolsover Festival and at venues across the District.

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The Chair extended thanks to Mr Bruce and congratulated Orchestras Live and the Arts Development Officer for the excellent programme of events provided. It was added that these had been very well attended and an enormous achievement for all those involved in both the performances and the production and staging. Members who had attended performances added that the project deserved the highest of praise and was one of the most successful projects undertaken so far.

Concerns were raised by some Members that the majority of events had taken place in the northern part of the District and it was considered that such opportunities should be more widely available to schools and communities around other parts of the District. Members were advised that as Section 106 Planning Agreements, which funded a significant part of the work, were required to be spent within the parish in which development had taken place, this would require a change of policy and/or wider discussion with local Members. This was acknowledged as an issue which warranted further debate in the appropriate forum.

Questions were raised in respect of how the proposed programme for 2012 to 2015 would be advertised, particularly in relation to those events being staged for the Olympic Torch visit and Bolsover Festival, to which the Arts Development Officer and Head of Leisure responded.

Thanks were extended to Mr Bruce, Orchestras Live and the Arts Development Officer.

Following discussion, Members accepted the report's recommendations in principle, with Members' comments on the distribution of Section 106 monies being noted.

Moved by Councillor A. Syrett, seconded by Councillor E. Watts

**RESOLVED** that (1) the Orchestral Development Strategic Plan 2012-2015 be approved;

(2) the Public Art Contributions be used to support the Orchestral Development Strategy where required and appropriate.

**REASON FOR DECISION:**           **To approve the Orchestral Development Strategic Plan 2012-2015.**

(Head of Leisure)

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Councillors Dooley, Gilmour and Smith joined the meeting. Mr. S. Bruce, the Head of Leisure and the Arts Development Officer left the meeting.

The Head of Housing joined the meeting during the following item.

### **783. REPORT ON THE REVIEW OF LEGAL SERVICES – IMPROVEMENT SCRUTINY COMMITTEE**

Councillor Gilmour presented the report for Executive to consider the Improvement Scrutiny Committee's recommendations following its review of Legal Services. Members' attention was drawn to the summary report on the benchmarking exercise undertaken and the committee's conclusions and recommendations.

Concerns were raised in respect of Recommendation 3 of the report regarding promotion of the Council's legal services to Parish Councils. It was considered Parish Councils rarely utilised the Council's legal services as support from other organisations such as DALC was available to them.

Questions were raised in respect of Recommendation 2 of the report indicating that a reduction in fees charged by the County Council for searches was being sought by Land Charges to which Councillor Gilmour responded.

Particular concerns were raised with regard to the Improvement Scrutiny Committee's conclusion that there would be no benefit to the Authority in considering the option of outsourcing Legal Services. It was added that by failing to recognise this as a possibility the review had not been fully undertaken.

Councillors Gilmour and Smith responded to Members' comments.

Discussion took place on the legal requirements for an appointment to the role of Monitoring Officer in reference to Recommendation 1 of the report.

The Legal and Standards Officer provided information on the training undertaken and expertise within the current Legal Services Team and provided details of services that were occasionally required to be bought in.

The Chief Executive Officer added that a major exercise had been carried out in respect of outsourcing corporate services some time ago and this had been rejected by Members. This could be considered as a business case by the Strategic Alliance Management Team but should only be put forward if it was now considered beneficial to revisit the issue.

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

**RESOLVED** that (1) the recommendations of the Improvement Scrutiny Committee set out in the report on the Review of Legal Services be noted;

(2) the Executive's responses to the Improvement Scrutiny Report be noted in order that an action plan may be drawn up.

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

(Councillor H. Gilmour)

Councillors Dooley, Gilmour and Smith left the meeting

### **784. HOUSING DEPARTMENT – QUARTERLY PROGRESS REPORT**

Councillor Bowman reaffirmed a personal interest in the 'Supporting People' aspect of the Housing Department Quarterly Progress report.

Councillor Bowman, the Portfolio Holder for Housing Management introduced the report to update Members on the Housing Department's quarterly progress.

The Head of Housing provided updates on the progress on Mobile Working, Choice Based Lettings and Supporting People. An explanation was provided in respect of the 'Right First Time' system used at Bolsover in relation to repairs.

Members raised questions in respect of asbestos surveys and information provided to tenants to which the Head of Housing responded.

The Portfolio Holder for Housing Management advised that bids in respect of the reform to the Housing Revenue Account were required to be submitted by 26<sup>th</sup> March, with a report being provided to Council in February. The Director of Corporate Resources advised that the Authority was required to identify any loans that needed to be taken out by 26<sup>th</sup> March with formal approval being sought from Council to enter into borrowing agreements.

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

**RESOLVED** that the contents of the report be noted.

**REASON FOR DECISION:**           **To update Members on the Housing Department Performance.**

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### 785. FEES AND CHARGES 2012/13

The Director of Corporate Resources presented the report which set out the proposed increases in General Fund Fees and Charges for 2012/13. These would form the basis of the 2012/13 budget.

Questions were raised in respect of Land Charges to which the Director of Corporate Resources responded.

Moved by Councillor E. Watts, seconded by Councillor A. F. Tomlinson  
**RECOMMENDED** that (1) the proposed fees and charges for 2012/13 be agreed and recommended to Council;

**RESOLVED** that (1) the information relating to income be noted;

(2) the continuation of the policy that no charges be levied for domestic drain-rodding services or car parking be approved.

**REASON FOR DECISION:** To agree the proposed General Fund Fees and Charges for 2012/13 for recommendation to Council.

(Director of Corporate Resources)

### 786. ARREARS IRRECOVERABLE ITEMS OVER £1,000 (OPEN)

The Director of Corporate Resources presented the report to seek Members' approval to write off irrecoverable arrears.

Moved by Councillor E. Watts, seconded by Councillor A. F. Tomlinson  
**RESOLVED** that approval be given to write off irrecoverable items including costs amounting to £43,656.90 with the proviso that should any of the debts become collectable the amounts be re-debited.

**REASON FOR DECISION:** In order that the outstanding debts can be written off.

(Director of Corporate Resources)

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

Moved by Councillor D. McGregor, 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 it involves 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.

### 788. ARREARS IRRECOVERABLE ITEMS OVER £1,000 (EXEMPT) EXEMPT – PARAGRAPH 2

The Director of Corporate Resources presented the report to seek Members' approval to write off irrecoverable items.

Members raised questions with regard to utilities charges to which the Director of Corporate Resources responded.

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

**RESOLVED** that approval be given to write off irrecoverable items including costs amounting to £18,961.39 with the proviso that should any of the debts become collectable the amounts be re-debited.

**REASON FOR DECISION:**            **In order that the outstanding debts can be written off.**

(Director of Corporate Resources)

### 789. FORMER TENANT ARREARS – WRITE OFFS EXEMPT – PARAGRAPH 2

The Head of Housing tabled a report which sought Executive approval to write off historical former tenant arrears in Bolsover. Further reports would be brought forward for other areas. It was added that a new, more robust policy for debt recovery had now been adopted in addition to employing the services of specialist recovery and tracing services.

In response to questions, the Head of Housing confirmed that prospective tenants were subject to background checks for outstanding rent arrears before being offered Council accommodation.

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The Head of Housing was requested to provide further detail for subsequent reports including the number of successful collections and the outcome of each trace, to provide a fuller picture of the progress.

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

**RESOLVED** that approval be given to write off irrecoverable items including costs amounting to £98,555.56 with the proviso that should any of the debts become collectable the amounts be re-debited.

**REASON FOR DECISION:**            **In order that the outstanding debts can be written off.**

(Director of Corporate Resources/Head of Housing)

The Head of Housing left the meeting.

### **790. PROVISIONAL GENERAL FUND BUDGETS – 2011/12 ESTIMATED OUTTURN 2012/13 ORIGINAL BUDGET AND FINANCIAL PLANS 2013/14 AND 2014/15. EXEMPT – PARAGRAPH 3**

The Director of Corporate Resources presented the report to request that the Executive consider the provisional budget for 2011/12 estimated outturn and 2012/13 Original Budget. Members were advised that good progress had been made towards achieving the savings targets for the current year. A summary of the areas identified for future savings were provided in the report for Members' consideration.

Members' attention was drawn to section 11 of the report which set out proposals to restrict non-essential expenditure during the final quarter of the current financial year.

Discussion took place concerning the proposals for balancing next year's budget and on the arrangements for setting next years' Council Tax.

Members would consider the proposals in detail at the next Cabinet meeting.

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

**RESOLVED** that (1) the provisional budget report be considered in order to inform the final budget report to be considered by Executive on 6<sup>th</sup> February 2012, at which stage Executive will be required to make recommendations to Council;



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(2) the additional mechanisms for managing expenditure as set out within section 11 of the report be endorsed.

**REASON FOR DECISION:**      **To consider the provisional budget report .**

(Director of Corporate Resources)

The meeting concluded at 1242 hours.