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Minutes of a meeting of the Executive of Bolsover District Council held in Committee Room One, Sherwood Lodge, Bolsover, on Monday 14th January 2013 at 1000 hours.

PRESENT:-

Members:-

Councillor E. Watts - Chair

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

Officers:-

W. Lumley (Chief Executive Officer), P. Hackett (Director of Health and Well Being), (to minute no. 774), K. Hopkinson (Director of Development) (to minute no. 776), B. Mason (Director of Corporate Resources), S. Tomlinson (Director of Neighbourhoods), S.E.A. Sternberg (Solicitor to the Council), L. Hickin (Assistant Director of Leisure) (to minute no. 773), P. Campbell (Head of Housing), S. Clow (Housing Strategy and Enabling Manager) (from minute no. 774 to minute no. 776), S. Chambers (Communications Officer), C. Hirst (Arts Development Officer) (to minute no. 773), C. Millington (Scrutiny Officer) (to minute no. 775) and R. Leadbeater (Democratic Services Officer).

Also in attendance:

Councillors T. Connerton (to minute no. 774), P. Cooper (to minute no. 774), M. Dooley (to minute no. 774), H. Gilmour (to minute no. 775), E. Hall (to minute no. 774) and J. Smith (to minute no. 775).

Paul Steele, Junction Arts (to minute no. 773)

768. APOLOGIES

There were no apologies for absence.

769. URGENT ITEMS OF BUSINESS

There were no urgent items of business.

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770. DECLARATIONS OF INTEREST

There were no declarations of interest.

Councillor Syrett requested that it be noted she was a nominated representative at Junction Arts but had no voting rights or managerial responsibility. This was also stated in the Junction Arts report to Executive.

771. MINUTES – 10TH DECEMBER 2012

Moved by Councillor D. Kelly, seconded by Councillor B. R. Murray-Carr
RESOLVED that the minutes of a meeting of the Executive held on 10th
December 2012 be approved as a true record.

Minute No. 698 – Tender Evaluation Outcome – Depot Workforce Training

Further to questions from Members, the Director of Neighbourhoods agreed to seek clarity on when the Council was likely to return to market for a solution to the Depot Workforce Training.

(Director of Neighbourhoods)

772. JUNCTION ARTS COMMUNITY ARTS PROGRAMME – 2ND STAGE PAYMENTS 2012/13 AND 2013/14 PROPOSED PROGRAMME PLAN.

The Portfolio Holder for Social Inclusion introduced Paul Steele, Director at Junction Arts, who provided a presentation on the projects undertaken in 2012/13 to date and the proposed plan for 2013/14.

Members were advised that 2012/13 had been a very successful year so far with an increase in the number of projects delivered in the Bolsover area.

Some of the main achievements and successes were:

Limestone Journeys - Year 2 of Limestone Journeys had delivered 11 different projects covering a range of art forms including:

- Beneath the Surface: Award-winning filmmaker Ian Nesbit was commissioned to make a documentary film focusing on the ex-mining community surrounding the former Creswell Colliery and the Creswell Colliery Band.
- The Listening: the 'Whitwell Community Folk Choir' was set up which included 20 participants with ages ranging from 11 to 70. The Derbyshire

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based BBC Young Folk Musician of the Year runner up (2011) was commissioned to work with the choir to write a new song which was performed at the Festival of the Outdoors at Hardwick Hall on the 28th October.

- Triple Echo: Artist Graeme Mitcheson was commissioned to produce a sculpture at Hardwick Hall using a rare block of Magnesian Limestone (Mansfield White) from a now closed local quarry. The sculpture was unveiled at the Festival of the Outdoors on October 28th.

The meeting was advised that Junction Arts sat on the Arts Derbyshire Project and had been invited onto the planning group for the International Arts Festival in Rotterdam 2014. Junction Arts was also one of six core consortium members bidding in the Creative People and Places Fund. It was added that the role of Junction Arts was pivotal as an Arts Council National Portfolio Organisation and if the bid was successful, the consortium would receive over £2 million over 3 years.

Members' attention was drawn to monitoring statistics included in the report which evidenced increased participation levels on the previous year. The Forward Plan for 2013/14 was also provided. The target for 2012/13 was to work in 70% of parishes.

The Director of Health and Well Being commented that Junction Arts had been very successful in terms of community engagement and had attracted significant external funding into the area that the Authority could not access. It was therefore important to work with partners who were able to bring in additional investment.

Members asked questions in relation to various local projects including those targeted to the elderly and whether priority areas of the District had been identified, to which Mr. Steele responded. In response to questions in respect of participation, Mr. Steele advised that the target was to provide at least one project for every parish over a 3 year period. Members were advised that Junction Arts' biggest core funder was the Arts Council. Junction Arts had achieved National Portfolio Status which guaranteed Arts Council funding for 3 years. This was dependent on financial support also being provided by the Local Authority.

Thanks were extended to Mr. Steele for the presentation and for the excellent work and successful outcomes achieved through the programme of events provided.

Moved by Councillor A. Syrett, seconded by Councillor K. Bowman

RESOLVED that (1) the 2nd stage payment for 2012/13 totalling £8,000 to Junction Arts be approved;

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(2) the proposed annual plan for 2013/14 be approved, subject to the Council approving on-going core-funding.

REASON FOR DECISION: **To release the 2nd stage payment to Junction Arts for 2012/13.**

(Assistant Director of Leisure)

The Assistant Director of Leisure, Arts Development Officer and Paul Steele (Junction Arts) left the meeting.

773. SAFE AND INCLUSIVE SCRUTINY COMMITTEE REVIEW OF COMMUNITY HOUSES

The Chair of Safe and Inclusive Scrutiny Committee presented the report outlining recommendations for consideration by Executive which had arisen from the review of Community Houses. The remit of the review was to consider the current demand for the Community Houses and the most effective way that Bolsover District Council could provide support and assistance to its more vulnerable communities across the District. The pressures on budgets and need to identify savings were also considered.

The findings of the report stated that the Community Houses had initially had significant success and had been popular and well used in the communities, helping to achieve a cohesive approach to tackling anti-social behaviour, providing information on access to health services and establishing a sense of community. A usage monitoring exercise undertaken since January 2012 had shown significant decline in the number of public contacts with the Community Houses and of these contacts, the majority were low value contacts such as requests for dog foul bags. It was also found that various external organisations made use of the facilities but did not make any financial contribution to their upkeep. Due to staffing issues, the 3 Community Houses had been covered by only 2 Project Workers since May 2012. 2012 and as a result, the decision to close the Community House at the Castle Estate had been taken.

The Director of Health and Well Being advised that there was no specific budget to run the Community Houses and this was currently being funded by facilities budgets. The performance information had shown an average of 1 contact per day. It was considered that the highest value the Project Workers currently provided was in Outreach provision, which could support a wider area than was currently the case with the Community Houses. The money saved from closing the Community Houses may enable the outreach services to be extended.

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The recommendations of the Safe and Inclusive Scrutiny Committee were considered by Members and the issues raised in the report debated at considerable length. Some local Members considered that the Community Houses were still of significant value to the residents of the area and should be retained.

It was moved by Councillor B.R. Murray-Carr, seconded by Councillor D. Kelly that

- 1) The Community House at the Castle Estate, Bolsover be returned to the landlord, with any necessary works required by the Authority to return it to its former condition, suitable for rental accommodation.
- 2) That the Community House at South Normanton be closed and returned to a suitable condition for rental as a council property, subject to any necessary planning permission.
- 3) That the North East Derbyshire Women's Aid Domestic Violence Worker be offered alternative accommodation.
- 4) That the Community House at New Houghton be closed and consideration be given to the future use of the building and/or land.
- 5) That the Director of Health and Well Being together with the Senior Environmental Health Officer (Residential) and the Project Workers develop a plan for the future of Neighbourhood Management to cover areas across the District which will deliver services to more of our communities.

There was no majority of Members agreeable to supporting the recommendations as laid down.

An additional recommendation was moved by Councillor E. Watts, seconded by Councillor A. Syrett

that by the end of the current financial year (2012/13) Parish Councils, Members and voluntary organisations be approached with a view to seeking a commitment to take over the full running costs of the Community Houses, the outcome being that there would be no further cost to Bolsover District Council. In the event that this could not be achieved recommendations 1 – 5 of the Safe and Inclusive Scrutiny Review would stand.

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

RESOLVED that (1) the Community House at the Castle Estate, Bolsover be returned to the landlord, with any necessary works required by the

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Authority to return it to its former condition, suitable for rental accommodation.

(2) the Community House at South Normanton be closed and returned to a suitable condition for rental as a council property, subject to any necessary planning permission.

(3) the North East Derbyshire Women's Aid Domestic Violence Worker be offered alternative accommodation.

(4) the Community House at New Houghton be closed and consideration be given to the future use of the building and/or land.

(5) the Director of Health and Well Being together with the Senior Environmental Health Officer (Residential) and the Project Workers develop a plan for the future of Neighbourhood Management to cover areas across the District which will deliver services to more of our communities.

(6) that by the end of the current financial year (2012/13) Parish Councils, Members and voluntary organisations be approached with a view to seeking a commitment to take over the full running costs of the Community Houses, the outcome being that there would be no further cost to Bolsover District Council. In the event that this could not be achieved recommendations 1 – 5 of the Safe and Inclusive Scrutiny Review would stand.

REASON FOR DECISION: **To ensure that the review by the Safe and inclusive Scrutiny Committee is considered by the Executive.**

(Executive)

Councillors Connerton, Cooper, Dooley and Hall and the Director of Health and Well Being left the meeting.

The Housing Strategy and Enabling Manager joined the meeting during the following item.

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774. IMPROVEMENT SCRUTINY COMMITTEE REVIEW OF CHOICE BASED LETTINGS

The Chair of Improvement Scrutiny Committee presented the report to seek Executive's views on the Improvement Scrutiny Committee's Review of Choice Based Lettings.

The recommendations were outlined to Members and attention drawn to the background information contained in the report.

The Head of Housing commented that the recommendations were largely well presented but raised concerns in respect of the proposed changes to the Allocations Policy which may have an impact on the waiting list. Introduction of a rural lettings plan may also be difficult to implement. A survey would shortly be sent out to tenants in respect of how the Choice Based Lettings system had been received, the outcome of which would be reported back to Members.

Members asked questions in respect of a Local Lettings Plan and accessibility of the Choice Based Lettings system to all potential applicants. Members considered that public buildings should be used more widely to display lettings information. Further Questions were raised in respect of letting properties across different bandings to reduce the void times, to which the Head of Housing responded.

The recommendations of the Improvement Scrutiny Review were:

- 1) That a review of all applicants on the housing waiting list who are not currently bidding on properties (non-bidders) be undertaken to identify reasons why these people are not bidding and to consider those who would benefit from the autobid system.
- 2) That a project to understand and address the issues of properties at New Bolsover be carried out which should include consideration of any grant funding available to undertake improvements to the properties resulting in the area being more attractive to prospective tenants.
- 3) That the Allocations Policy be amended so that properties are offered to other applicants on the housing waiting list in other bands, rather than be re-advertised should there be no bidders from the relevant band. The priority should be to reduce void times and bring in rental income to the authority.
- 4) That performance monitoring of the Choice Based Lettings scheme be developed to include information on successful allocations, which is already available to tenants through the Bolsover Lettings System be supplied to Elected Members on a quarterly basis.

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- 5) That a Community Rural Lettings Plan be considered and if appropriate, developed to assist those applicants who are already living in a Parish and want to be housed in a property in that same Parish within Bolsover District.
- 6) That the Allocations Policy be amended so that all references to 'bidding' or 'bids' are replaced with 'expression of interest'. Following advice from the Head of Housing, the Committee accepts that it would be better value for money to make any changes necessary when the current stock of documents is approaching re-printing to avoid considerable wasted expense and additional printing costs.
- 7) That the Allocations Policy be amended immediately to reflect the changes relating to 'size criteria' in the Welfare Reform Act 2012 which will come into force in April 2013.
- 8) That the Head of Housing develop a disclaimer for new tenants to declare that they are aware of the potential consequences to their benefit payments from April 2013 if they 'under occupy' a property.

Moved by Councillor K. Bowman, seconded by Councillor D. McGregor

RESOLVED that (1) a review of all applicants on the housing waiting list who are not currently bidding on properties (non-bidders) be undertaken to identify reasons why these people are not bidding and to consider those who would benefit from the autobid system.

(2) a project to understand and address the issues of properties at New Bolsover be carried out which should include consideration of any grant funding available to undertake improvements to the properties resulting in the area being more attractive to prospective tenants.

(3) the Allocations Policy be amended so that properties are offered to other applicants on the housing waiting list in other bands, rather than be re-advertised should there be no bidders from the relevant band. The priority should be to reduce void times and bring in rental income to the authority.

(4) performance monitoring of the Choice Based Lettings scheme be developed to include information on successful allocations, which is already available to tenants through the Bolsover Lettings System be supplied to Elected Members on a quarterly basis.

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(5) Community Rural Lettings Plan be considered and if appropriate, developed to assist those applicants who are already living in a Parish and want to be housed in a property in that same Parish within Bolsover District.

(6) the Allocations Policy be amended so that all references to 'bidding' or 'bids' are replaced with 'expression of interest' when the current stock of documents is approaching re-printing to avoid considerable wasted expense and additional printing costs.

(7) the Allocations Policy be amended immediately to reflect the changes relating to 'size criteria' in the Welfare Reform Act 2012 which will come into force in April 2013.

(8) that the Head of Housing develop a disclaimer for new tenants to declare that they are aware of the potential consequences to their benefit payments from April 2013 if they 'under occupy' a property.

REASON FOR DECISION: **To ensure that the review by the Improvement Scrutiny Committee is considered by the Executive**

(Executive)

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

775. TENANCY STRATEGY

The Housing Strategy and Enabling Manager presented the report to seek Members' approval of the Draft Tenancy Strategy. The Localism Act 2011 had introduced a duty on local housing authorities to produce and publish a Tenancy Strategy. This was intended to influence the way registered provider partners let their homes, by informing their policies and ensuring that affordable housing meets the needs of local communities. The Tenancy Strategy was required to be in place by 15th January 2013 and due to this limited timescale, the Chairman of the Council had consented to the item being exempt from the call in procedure.

The document had been consulted upon by relevant officers and Scrutiny Committees and an Equality Impact Assessment had been undertaken.

The Director of Development expressed thanks to the Housing Strategy and Enabling Manager, Head of Housing and other staff members involved in the

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development of the Strategy which had been successfully produced under significant time pressures.

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

RESOLVED (1) that the draft Tenancy Strategy be approved;

- (2) 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.

REASON FOR DECISION: The Localism Act 2011 introduced a new duty on local housing authorities to produce and publish a Tenancy Strategy for their area. The Act requires that a strategy must be adopted within a year of the relevant sections of the Act coming into force, making the statutory deadline for Tenancy Strategies Tuesday 15th January 2013. The development of the Tenancy Strategy is a target within Bolsover's corporate plan.

(Housing Strategy and Enabling Manager)

The Director of Development and Housing Strategy and Enabling Manager left the meeting.

776. MEDIUM TERM FINANCIAL PLAN UPDATE

The Director of Corporate Resources presented the report to update Members on the progress of the development of a revised Medium Term Financial Plan 2013 to 2016.

Members were advised that savings of £300,000 for 2013/14 and over £1 million for 2014/15 would be required to cover the projected budget shortfall. In view of recent Government announcements, the Director of Corporate Resources advised that reductions in public expenditure would continue until at least 2018.

Members were requested to note that some adjustment would be required to the figures stated in the report in respect of Community Houses.

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

RESOLVED that (1) the report in respect of the Council's budget 2013/14 and Medium Term Financial Plan projections in respect of 2014/15 and 2015/16 be noted.

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(2) the report be considered by both the Budget Scrutiny Committee at its meeting of 16th January and by the Council meeting on 23rd January 2013.

(3) it be noted that further reports will be brought back to Executive on the 6th February 2013, to Budget Scrutiny Committee on a date to be arranged and to Council on both the 13th February and the 1st March 2013.

REASON FOR DECISION: **To update Members on the work that is currently taking place in order to develop a revised Medium Term Financial Plan 2013 to 2016 and in particular a budget in respect of 2013/14.**

(Director of Corporate Resources)

777. ARREARS IRRECOVERABLE ITEMS

The Director of Corporate Resources presented the report to seek Executive approval to write off outstanding debts in respect of bankrupt or untraceable persons or companies in liquidation. These debts would be recovered if this subsequently became possible.

Members were advised that from 1st April 2013 the collection of NNDR would radically change with responsibility transferring from central government to local authorities.

The Chief Executive Officer advised that the new rates collection regime was expected to increase the income to the Authority significantly as a number of new large scale businesses were due to commence trading in the area. Under the new rules, local authorities could retain at least 25% of business rates collected.

Moved by Councillor D.McGregor, seconded by Councillor E. Watts
RESOLVED that approval is given to write off the irrecoverable items including costs amounting to £23,410.84 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.

(Director of Corporate Resources)

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778. 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 item 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.

779. ARREARS IRRECOVERABLE ITEMS EXEMPT – PARAGRAPH 3

The Director of Resources presented the report to seek Executive approval to write off outstanding debts in respect of debts that were uneconomical to collect.

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

RESOLVED that approval is given to write off the irrecoverable items including costs amounting to £1,642.53 with the proviso that should any of the debts become collectable the amounts be re-debited.

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

(Director of Corporate Resources)

780. VEHICLE TRACKING DEVICES – HOUSING FLEET EXEMPT – PARAGRAPH 3

The Director of Neighbourhoods presented the report to seek Executive approval to purchase vehicle tracking devices for housing fleet vehicles. Members were advised that the same tracking devices had been previously purchased for all street scene vehicles and the data provided by these had proven beneficial to the service. Further information in respect of the anticipated benefits was provided in the appendix to the report.

Members were provided with details of the cost of purchasing the trackers and annual licence fees which would be met from the Housing Revenue Account.

It was noted that the Driving at Work Policy would be reviewed to reflect the use of information provided by the trackers and that any other Data Protection issues relating to employees would also need to be dealt with.

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Moved by Councillor K. Bowman, seconded by Councillor D. McGregor
RESOLVED that vehicle trackers be purchased as outlined in the report.

REASON FOR DECISION: **To improve the efficiency of the Housing Fleet.**

(Director of Neighbourhoods/Head of Housing)

781. TENDER EVALUATION OUTCOME – LEGIONELLA MONITORING SERVICES EXEMPT – PARAGRAPH 3

Members were advised that 18 tenders for Legionella Monitoring Services had been received by the deadline and opened on 10th January 2013. Due to the high response rate and the complexity of the subsequent evaluation process required, it was requested that the item be deferred until the March meeting of the Executive.

Moved by Councillor E. Watts, seconded by Councillor A. Syrett
RESOLVED that the evaluation outcome of the tender for Legionella Monitoring Services be deferred to the March meeting of the Executive.

REASON FOR DECISION: **To enable sufficient opportunity for the Tender Evaluation process to be undertaken to ensure best value is achieved.**

(Head of Shared Procurement)

The meeting concluded at 1250 hours.