

EXECUTIVE

Minutes of a meeting of the Executive of Bolsover District Council held in Chamber Suites 1 & 2, The Arc, High Street, Clowne on Monday 8th April 2013 at 1000 hours.

PRESENT:-

Members:-

Councillor A.F. Tomlinson – In the Chair

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

Officers:-

W. Lumley (Chief Executive Officer), K. Hopkinson (Director of Development), B. Mason (Director of Corporate Resources), S. Tomlinson (Director of Neighbourhoods), S.E.A. Sternberg (Assistant Director of Governance and Monitoring Officer and Solicitor to the Council), M. Kane (Governance Manager), S. Bentley (Environmental Health Manager) (to minute no. 1104), P. Brown (Chief Executive's and Partnership Manager) (to minute no. 1102), S. Brunt (Street Scene Manager), (J. Clayton (Partnership Performance and Sustainability Officer) (to minute no. 1102), S. Chambers (Communications Officer) and R. Leadbeater (Democratic Services Officer).

Also in attendance in the public gallery was Councillor P. Cooper.

1095. APOLOGY

An apology for absence was received on behalf of Councillor E. Watts.

1096. URGENT ITEMS OF BUSINESS

There were no urgent items of business.

1097. DECLARATIONS OF INTEREST

There were no declarations of interest submitted.

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1098. MINUTES – 4TH MARCH 2013

An amendment to Councillor Tomlinson's Declaration of Interest was requested as this had been stated incorrectly as being in relation to minute number 963 rather than minute number 973.

Minute No.	Councillor	Level of Interest
963 .973.	A. F. Tomlinson	Non Significant Other Interest

Moved by Councillor D. McGregor, seconded by Councillor B.R. Murray-Carr **RESOLVED** that the minutes of a meeting of the Executive held on 4th March 2013 be approved as a true record subject to the stated amendment.

1099. RECORD OF DECISION NOTICES FROM THE MEETING OF THE JOINT BOARD HELD ON 11TH MARCH 2013.

Moved by Councillor D. McGregor, seconded by Councillor A.F. Tomlinson **RESOLVED** that the record of decisions from the meeting of the Joint Board held on 11th March 2013 be noted.

1100. SINGLE EQUALITY SCHEME 2011-2015 ANNUAL REVIEW 2013

The Portfolio Holder for Social Inclusion presented the report for Members to consider the second Annual Review of the Single Equality Scheme 2011-2015. The Improvement Plan, which detailed the expected and actual outcomes achieved was appended to the report for Members' information.

Members were advised that the Equality Impact Assessment form that was required to be completed in respect of all Council policies had been re-designed. The redesign had considered best practice from Bolsover and North East Derbyshire District Councils and would be used across both authorities.

In response to questions regarding the provisions in place for people with low levels of literacy or other problems to access the Council's services, the Assistant Director of Governance and Monitoring Officer and Solicitor to the Council advised that this was considered on a case by case basis and appropriate support provided as needed. Further questions were raised in respect of the current number of ethnic minorities resident in Bolsover and whether consideration had been given to any potential increases in migration in 2014. Members were advised that there were a comparatively low number of ethnic

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minority groups in the Bolsover area. Information had been collected and monitored in respect of the migrants from Eastern Europe in recent years and appropriate support arrangements put in place by the Council and its partner agencies. Any increases or changes to the ethnic population would be monitored and provided for in the same way. Updated statistical Information would be provided to Members as available.

Moved by Councillor A.M. Syrett, seconded by Councillor K. Bowman
RESOLVED that the second Annual Review of the Single Equality Scheme 2011-2015 be approved in compliance with the Council's statutory responsibilities, prior to information being made available to the public.

REASON FOR DECISION:

In accordance with the Executive function.

(Equalities Officer)

1101. SUSTAINABLE COMMUNITY STRATEGY REFRESH 2013

The Chief Executive's and Partnership Manager presented the report to inform Members of the refresh of the Sustainable Community Strategy document and to seek endorsement of the launch event to be held on 18th April 2013.

Members were advised that the Coalition Government had repealed the statutory duty upon local authorities to produce a Sustainable Community Strategy and no new formal methods of managing performance of priorities had been imposed upon the Local Authority. However, locally and through the work with Bolsover Partnership, the Sustainable Community Strategy had been recognised as a key driver in ensuring local priorities were discussed and agreed by local people. It had therefore been agreed to carry out a full refresh to reflect the most up to date views, with a consultation process being undertaken with partner organisations, agencies and sectors.

Members were requested to endorse the Sustainable Community Strategy Refresh process and acknowledge the launch event to be held on 18th April 2013 at 9.30am at The Arc, High Street, Clowne. The Chair advised Members that Councillor David Sparks, Leader of Dudley Metropolitan Borough Council, the Leader of the LGA Labour Group and Vice Chair of the LGA had agreed to be the keynote speaker to open the event. District Council Members and Officers were encouraged to attend.

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Moved by Councillor A. F. Tomlinson, seconded by Councillor B.R. Murray-Carr
RESOLVED that the report be noted and the launch event for the Sustainable
Community Strategy Refresh to be staged on 18th April 2013 be
endorsed.

REASON FOR DECISION: **To advise Members of the Sustainable
Community Strategy Refresh process and
seek endorsement of the launch event.**

(Chief Executive's and Partnership Manager)

The Chief Executive's and Partnership Manager and Partnership Performance
and Sustainability Officer left the meeting.

1102. LOCAL TAXATION – DEBT RECOVERY POLICY

The Director of Corporate Resources presented the report to seek Executive
approval of the Debt Recovery Policy. The policy would provide a formal
framework for the recovery of Council Tax and Non Domestic Rates and would
replace the current Debt Collection Procedure. The new policy had been drafted
in the light of the Local Government Association Best Practice guidance and in
consultation with the Council's partner organisations.

Moved by Councillor A.F. Tomlinson, seconded by Councillor D. McGregor
RESOLVED that the Debt Recovery Policy be approved and the Good Practice
Protocol for the collection of Council Tax Arrears be recognised
with a continuing commitment to partnership working with advice
agencies for the benefit of residents.

REASON FOR DECISION: **To adopt a Debt Recovery Policy.**

(Director of Corporate Resources)

1103. NEIGHBOURHOOD MANAGEMENT COMMUNITY HOUSES

The Environmental Health Manager presented the report to update Members on
the progress in identifying alternative funding arrangements for the three
Community Houses.

South Normanton

Members were advised that the premises were currently used by the Residents
Group, the Police and North Derbyshire Women's Aid. It had not been possible

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to identify a funding source to continue to provide the Community House facility however, alternative accommodation could be provided at The Hub. It would be necessary to undertake conversion work to bring the property back into residential use and seek the appropriate planning permissions. Once occupied, this would contribute to the New Homes Bonus received by the Authority. To allow the current users of the property time to vacate, it was proposed that the closure be concluded within the next two months considering that service provision would be relatively unaffected.

Castle Estate

Members were advised that the property was currently only used by the local Residents Association. Local Members had supported the group by approaching the Town Council, appropriate County Councillor and owner of the property (Villagate) to seek potential alternative funding. The Town Council had pledged £1,000 and the owners had agreed to 3 months free rental to allow the group time to seek alternative accommodation. The possibility of the Residents Association taking over the tenancy had been discussed as it was considered to be a valuable community facility, however due to the level of costs involved and the funding available this would not be an option. It was therefore proposed to close the Community House within the next month and complete conversion works in preparation for the handover to the owners. Once converted this property would also attract New Homes Bonus.

New Houghton

Members were advised that there was no longer an active Residents Group in the area and no community led events were delivered from the premises. Derbyshire County Council were the main users providing children's activities and adult education. Derbyshire County Council had been advised of the plans to close the Community House and were currently considering the possibility of taking over the premises. Initial indications were that this would be unlikely, however due to the demand for the services currently provided, options to relocate were being considered. The premises were currently used to store a sizeable amount of equipment and to enable this to be cleared it was proposed that this would be the last of the Community Houses to be closed, should this prove necessary.

The Environmental Health Manager added that should the Community Houses close, it was envisaged that a Neighbourhood Outreach Service would be developed, improving flexibility and increasing the number of vulnerable people the service could assist, particularly in relation to the impacts of Welfare Reforms and issues posed by the Public Health agenda. An exercise would be undertaken to help identify and understand the distribution of the need for various services and target groups, such as areas with high levels of deprivation or disability.

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Financial information and an Equality Impact Assessment had been provided for Members' consideration.

Members discussed the proposals at considerable length. Councillor Bowman raised concerns over the removal of the community facility from the Castle Estate and asked questions in respect of how and where the proposed outreach service would be delivered. The Environmental Health Manager responded that Outreach Workers may attend community events and meetings or make one to one home visits, however the detail was still to be consulted upon and agreed. Further concerns were raised that the full impact of the introduction of the Welfare Reforms was still unknown which may increase the pressures on the service.

Councillor Bowman requested that his vote be recorded as having voted against the recommendations.

Moved by Councillor B.R. Murray-Carr, seconded by Councillor D. Kelly
RESOLVED that (1) the report be received and progress on the development of the Neighbourhood Outreach Service be reported to Executive in June;

(2) the South Normanton Community House close within 2 months;

(3) the New Houghton Community House close within 3 months subject to alternative funding not being forthcoming;

(4) the Castle Estate Community House close within the next month. To undertake the necessary conversion works in preparation for handover within the 3 month period set by Villagate and to terminate the tenancy agreement;

(5) the costs of Planning Applications and necessary conversion works be funded via Transitional Funding.

(6) laptops for project workers be provided and funded via Transitional Funding.

REASON FOR DECISION: **To effectively plan for the closure of the Community Houses and to develop a future outreach service.**

(Director of Health and Well Being)

The Environmental Health Manager left the meeting.

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1104. COMMUNITY RIGHT TO BID

The Assistant Director of Governance and Monitoring Officer and Solicitor to the Council presented the report to advise Members of statutory obligations imposed by the Localism Act 2011 relating to Assets of Community Involvement.

The purpose of the Community Right to Bid was to seek to ensure that important assets remained in public use, which covered not only municipal buildings but also facilities such as shops and public houses. Assets could be placed on a list that the Authority was required to maintain, following nomination by a parish council or community group.

It was proposed that the Director of Development, in consultation with the Leader and Deputy Leader of the Council, be given delegated powers to determine whether the property proposed for inclusion on the list met the criteria set out in legislation.

Moved by Councillor A. M Syrett, seconded by Councillor B.R. Murray-Carr
RESOLVED that (1) the statutory obligations imposed by the Localism Act 2011 relating to Assets of Community Involvement be noted.

(2) delegated powers be granted to the Director of Development in consultation with the Leader and Deputy Leader of the Council, to make decisions on any matter the Council is required to make a decision on in relation to Part 3 Chapter 3 (Assets of Community Involvement) of the Localism Act.

REASON FOR DECISION: In order that the Council has procedures in place to comply with the provisions of the Localism Act 2011.

(Director of Development/Constitution)

1105. THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Moved by Councillor K. Bowman, 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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1106. NEW HOUGHTON TARRANS EXEMPT- PARAGRAPH 3

The Assistant Director of Governance and Monitoring Officer and Solicitor to the Council presented the report to seek Members' approval to suspend the Council's Contract Standing Orders and to approve a development agreement with Kier Partnership for the construction of properties in New Houghton. The redevelopment of the former Tarran Bungalow site would see the provision of 20 new Council owned bungalows and 15 additional Council houses in exchange for the title to the remaining site for a further 60 private dwellings to be built.

A plan of the proposed site was provided for Members' information.

Moved by Councillor K. Bowman, seconded by Councillor

RESOLVED that (1) the Council's Contract Standing Orders number 4.8.5(6) be suspended and the development agreement with Kier Partnership Homes Limited for the construction of 20 bungalows and 15 houses (11 two bed and 4 three bed) at New Houghton in exchange for land for the construction of 60 open market dwellings on the terms set out in the report including the retention of a ransom strip around the Appleby House land and adjoining land be approved;

(2) the Director of Development be authorised to negotiate the homeloss payment payable by the developer under the agreement;

(3) Members agree to approve any necessary ancillary agreements required by the Kier Partnership Homes Limited to deliver the development of the whole site including:

- (i) any necessary highway agreement;
- (ii) any necessary agreement with statutory undertakers
- (iii) any agreement in the opinion of the Assistant Director of Governance and Monitoring Officer and Solicitor to the Council that is required to deliver the development;

(4) the Chief Executive Officer be given delegated powers to incur expenditure incidental and ancillary to the development in consultation with the Housing Management Portfolio Holder, Director of Development and Deputy Leader of the Council.

REASON FOR DECISION: The redevelopment of a site currently in poor condition.

(Assistant Director of Governance and Monitoring Officer and Solicitor to the Council/Director of Development)

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1107. TENDER EVALUATION OUTCOME – SUPPLY AND FIT OF UPVC DOORS EXEMPT – PARAGRAPH 3

The Director of Corporate Resources presented the report to seek Members' approval of the tender award for the supply and fit of UPVC doors.

A total of 7 tenders were received by the deadline which were evaluated on a 50% cost and quality basis. It was recommended that the contract be awarded to Nationwide Ltd for a period of three years, subject to annual renewal. A discussion took place.

Moved by Councillor K. Bowman, seconded by Councillor D. McGregor
RESOLVED that the appointment of Nationwide Ltd to undertake the replacement door contract be approved.

REASON FOR DECISION: To achieve Best Value for the Council.

(Head of Shared Procurement)

1108. GROUNDS MAINTENANCE AND STREET CLEANSING SERVICE DELIVERY ARRANGEMENTS EXEMPT – PARAGRAPHS 1, 3 & 4

The Portfolio Holder for Environment presented the report to request that Members note and approve the change in arrangements for undertaking grass cutting to tenant gardens and closed churchyards. It was proposed that this service would be reintegrated into the Council's Streetscene Services. Changes to the staffing establishment were also recommended to facilitate an increase in the number and efficiency of the services currently provided.

Moved by Councillor D. Kelly, seconded by Councillor B. R. Murray-Carr
RESOLVED that (1) notice received from Shaw Trust to terminate their agreement with the Council in the undertaking of grass cutting at tenant gardens and closed churchyards resulting in the agreement being terminated from 13th March 2013 be recognised;

(2) the undertaking of grass cutting at tenant gardens and closed churchyards being reintegrated within Streetscene Services in-house grounds maintenance arrangements be recognised;

(3) the increase in frequency of grass cutting at tenant gardens from 6 to 12 cuts per annum by way of the later establishment within a 4th mowing team be approved;

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(4) the re-allocation of the budget previously afforded to meet costs received from Shaw Trust, to that of meeting future costs of delivery the service by Streetscene Services as set out at 3.6 of the report be approved;

(5) the use of the Chief Executives delegated powers to employ 3No. Multi-Skilled Streetscene Operatives on a temporary basis to assist in meeting the seasonal demands of grass cutting at tenant gardens and closed churchyards be noted and a report be presented to a future meeting of the Council for the permanent establishment of necessary posts.

RECOMMENDED that (6) Council approve the re-designation of post SSC31 to full time employment and the redistribution of the salary budget of post SSC30 which will result in the disestablishment of post SSC30.

REASON FOR DECISION: **To terminate the contract with an external service provider (Shaw Trust) and to employ seasonal staff to facilitate and enhance its re-integration within in-house grounds maintenance service delivery arrangements. To vary street cleaning staff positions to support more flexible street cleaning staffing arrangements and enhance operational performance.**

(Streetscene Manager/Council)

1109. STATION ROAD, BOLSOVER, TRAFFIC ISLAND SPONSORSHIP EXEMPT PARAGRAPHS 1, 3 & 4

The Portfolio Holder for Environment presented the report to seek Members' approval to enter into a sponsorship agreement with Lloyds Heat and Design Limited for the traffic Island at Station Road (A632), Bolsover.

The Streetscene Manager advised that the roundabout was situated at the gateway to Bolsover and had been subject to reinstatement works carried out by Bolsover District Council and Derbyshire County Council. The sponsorship opportunity would provide for seasonal plantings to further enhance the aesthetics of the approach into Bolsover.

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Moved by Councillor D. Kelly, seconded by Councillor B.R. Murray-Carr

RESOLVED that (1) the Council enters in to a sponsorship agreement with Lloyds Heat and Design Ltd (Bolsover Business Park, 36 Intake Rd, Bolsover, Chesterfield, Derbyshire S44 6BB) at the Traffic Island, Station Road, Bolsover (A632) for the annual sum of £1,600 and paid in 4 equal (quarterly in advance) instalments.

(2) the Council enters in to a Cultivation Licence with Derbyshire County Council to undertake enhanced landscape improvements to the Traffic Island, Station Road, Bolsover (A632) which are over and above current maintenance arrangements afforded by way of its Highways Agency Agreement.

REASON FOR DECISION: **To enter in to agreements to facilitate sponsorship arrangements to enhance aesthetics of the District of Bolsover.**

(Street Scene Manager)

The meeting concluded at 1105 hours.