

Date: 29th September 2017

The Arc
High Street
Clowne
Derbyshire
S43 4JY

Dear Sir or Madam,

You are hereby summoned to attend a meeting of the Executive of Bolsover District Council to be held in the Council Chamber, The Arc, High Street, Clowne on **Monday 9th October 2017 at 1000 hours.**

Register of Members' Interests - Members are reminded that a Member must within 28 days of becoming aware of any changes to their Disclosable Pecuniary Interests provide written notification to the Authority's Monitoring Officer.

You will find the contents of the agenda itemised on pages 2 and 3.


Yours faithfully



Assistant Director – Governance & Solicitor to the Council & Monitoring Officer
To: Chairman & Members of the Executive

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EXECUTIVE AGENDA

**Monday 9th October 2017 at 1000 hours in the
Council Chamber, The Arc, Clowne**

| Item No. | PART 1 – OPEN ITEMS | Page No.(s) |
|---------------------|---|------------------------|
| 1 | Apologies for absence | |
| 2 | Urgent Items of Business To note any urgent items of business which the Chairman has consented to being considered under the provisions of Section 100(B) 4(b) of the Local Government Act 1972. | |
| 3 | Declarations of Interest Members should declare the existence and nature of any Disclosable Pecuniary Interest and Non Statutory Interest as defined by the Members' Code of Conduct in respect of: a) any business on the agenda b) any urgent additional items to be considered c) any matters arising out of those items and if appropriate, withdraw from the meeting at the relevant time. | |
| 4 | Minutes To approve the Minutes of a meeting of the Executive held on 11 th September 2017. | 4 to 14 |
| 5 | Items recommended by Scrutiny Committees None | |
| 6 | Policy and Budget Framework Items None | |
| 7 | Non Key Decisions | |
| | (A) New Bolsover – Local Letting Scheme <u>Recommendation on Page 16</u> | 15 to 22 |
| | (B) Land Compulsory Purchase Order – Rood Lane, Clowne <u>Recommendation on Pages 28 and 29</u> | 23 to 30 |
| | (C) B@Home Update <u>Recommendation on Page 36</u> | 31 to 45 |

- | | |
|----------------------------------|-----------|
| (D) Bolsover Regeneration Scheme | To Follow |
|----------------------------------|-----------|

Recommendation on Page *

8 Key Decisions

- | | |
|--|----------|
| (A) Provision for Asbestos Removal Service for Bolsover District Council Housing Repairs Section | 46 to 48 |
|--|----------|

Recommendation on Page 47

9 Exclusion Of Public

To move:-

That the public be excluded from the meeting during the discussion of the following items of business to avoid the disclosure to them of exempt information as defined in Part 1 of Schedule 12A to the Local Government Act 1972, (as amended by the Local Government (Access to Information) (Variation) Order 2006). *[The category of exempt information is stated above each item].*

Part 2 – Exempt Items

10 Non Key Decisions

Exempt – Paragraphs 3 and 5

- | | |
|---|----------|
| (A) Frederick Gent Community Sport and Leisure Management Partnership | 49 to 52 |
|---|----------|

Recommendations on Page 51

Exempt – Paragraphs 1, 3 and 4

- | | |
|--|----------|
| (B) Strategic Alliance – Senior Management Team Review - Proposals | 53 to 56 |
|--|----------|

Recommendations on Page 55

11 Key Decisions

Exempt – Paragraphs 1, 3 and 4

- | | |
|--------------------------------|----------|
| (A) Medium Term Financial Plan | 57 to 60 |
|--------------------------------|----------|

Recommendations on Page 59

EXECUTIVE

Minutes of a meeting of the Executive of the Bolsover District Council held in the Council Chamber, The Arc, Clowne on Monday 11th September 2017 at 1000 hours.

PRESENT:-

Members:-

Councillor A.M. Syrett in the Chair

Councillors M.J. Dooley, S.W. Fritchley, B.R. Murray-Carr, K. Reid, M.J. Ritchie and B. Watson.

Officers:-

D. Swaine (Chief Executive Officer), L. Hickin (Executive Director – Transformation), S. Sternberg (Assistant Director – Governance, Solicitor to the Council and Monitoring Officer), D. Clarke (Assistant Director – Finance and Revenues & Benefits), (P. Campbell (Assistant Director – Community Safety and Head of Housing (BDC)), S. Brunt (Assistant Director – Streetscene) (until Minute No. 0212), K. Drury (Information Engagement & Performance Manager) (until Minute No. 0208), J. Lapins (Billing & Recovery Manager) (until Minute No. 0217), A. Bedford (Customer Standards and Complaints Officer) (until Minute No 0209), P. Brown (Chief Executive's and Partnership Manager) (from Minute No. 0218, L. Khella (Consultant Programme Manager) (Minute No. 0218) and A. Brownsword (Senior Governance Officer)

0202. APOLOGIES

There were no apologies for absence.

0203. URGENT ITEMS OF BUSINESS

There were no urgent items of business.

0204. DECLARATIONS OF INTEREST

There were no Declarations of Interest.

0205. MINUTES – 17TH JULY 2017

Moved by Councillor M.J. Ritchie and seconded by Councillor M. Dooley

RESOLVED that the minutes of a meeting of the Executive held on 17th July 2017 be approved as a true and correct record.

EXECUTIVE

0206. ITEMS RECOMMENDED BY SCRUTINY COMMITTEE

There were no items recommended by Scrutiny Committees.

0207. POLICY AND BUDGET FRAMEWORK ITEMS

There were no Budget and Policy Framework items.

0208. NON KEY DECISION CORPORATE PLAN TARGETS PERFORMANCE UPDATE – APRIL TO JUNE 2017 (Q1 – 2017/18)

Executive considered a report which informed Members of the fourth quarter outturns as at 31st March 2017, in relation to the Corporate Plan 2015-2019 performance targets. Out of the 60 targets, 47 (78.5%) were on track, 11 (18.5%) had been previously achieved, 2 (3%) had been withdrawn.

H 08 – With Partners organise 3 community cohesion events each year to bring communities together in identified areas

14 events had been delivered in the Corporate Plan period and a new target of 'To deliver the Building Resilience Programme by September 2019' was proposed.

Members asked questions which were answered by Officers.

Moved by Councillor K. Reid and seconded by Councillor M.J. Ritchie

RESOLVED that (1) progress against the Corporate Plan 2015-2019 targets to be noted.

(2) target H08 be shown as 'achieved' and a new target of 'To deliver the Building Resilience Programme by September 2019' be adopted in its place.

REASON FOR DECISION: This is an information report to keep Members informed of progress against the corporate plan targets noting achievements and any areas of concern.

OTHER OPTIONS CONSIDERED: Not applicable to this report as providing an overview of performance against agreed targets.

(Information Engagement & Performance Manager)

The Information Engagement & Performance Manager left the meeting.

EXECUTIVE

0209. **NON KEY DECISION** **ANNUAL LETTER FROM THE LOCAL GOVERNMENT AND SOCIAL** **CARE OMBUDSMAN**

Executive considered a report in relation to the Government and Social Care Ombudsman's Annual Letter (LG&SCO) 2016/17.

The LG&SCO Letter contained an annual summary of statistics on the complaints made about the Authority for the financial year ending 31st March 2017 and was appended to the report.

Key points from the Letter were;

- The LG&SCO received 7 enquiries and complaints during 2016/17, only 2 of which were subject to detailed investigations.
- The LG&SCO decided 9 complaints, 2 were referred back to the Council, 4 were closed after initial enquiries and the remaining 3 were upheld (one of which was from the previous year).

For benchmarking purposes, statistics for neighbouring authorities were also included in the report.

The Council had not received any complaints via the Housing Ombudsman for the same period.

Moved by Councillor K. Reid and seconded by Councillor S.W. Fritchley

RESOLVED that the Executive receive the report and the Annual Letter from the Local Government & Social Care Ombudsman 2016/17.

REASON FOR DECISION: The report is to keep Elected Members informed of volumes and trends regarding LG&SCO/ HO complaints.

OTHER OPTIONS CONSIDERED: Not applicable as the report is keep Elected Members informed rather than to aid decision making.

The Customer Standards and Complaints Officer left the meeting.

EXECUTIVE

0210. **NON KEY DECISION** **ARREARS – IRRECOVERABLE ITEMS OVER £2500**

Executive considered a report which sought approval to write off irrecoverable items, including costs, amounting to £48,853.23 in relation to outstanding business rates where the debtor was bankrupt / in liquidation with no real prospect of recovery.

A discussion took place regarding the processes in place to ensure that debt did not mount up before action was taken and the issue of management companies taking on pub tenancies. The Chief Executive Officer noted that this was an area that the Council was looking in to.

Moved by Councillor A.M. Syrett and seconded by Councillor K. Reid

RESOLVED that approval be given to write off the irrecoverable items including costs amounting to £48,853.23 with the proviso that should any of the debts become collectable the amounts be re-debited.

REASON FOR DECISION: The process of writing off debts which are not collectable allows resources to be directed at those elements of outstanding debt where there is greater chance of recovery, while it improves the accuracy of the Council's financial statements in that they no longer detail debt which is effectively irrecoverable.

OTHER OPTIONS CONSIDERED: The only option is not to write off the amounts concerned which for reasons outlined within the report is not considered to be an appropriate course of action.

(Billing & Recovery Manager)

0211. **NON KEY DECISION** **GUEST ROOMS IN SHELTERED HOUSING**

The Assistant Director of Community Safety and Head of Housing (BDC) submitted a report seeking to formalise current working practices in sheltered housing regarding the use of guest rooms.

The cost of providing the guest rooms was covered within the residents Special Services Charge, however residents could ask for a donation to the Residents Fund which was run by the tenants.

Members raised concerns regarding the monitoring of the Residents Fund and felt that Wardens should be properly trained and supervised for audit purposes.

EXECUTIVE

Moved by Councillor M. Dooley and seconded by Councillor A.M. Syrett

RESOLVED the Council continue to make no charge for the use of guest rooms in Category 2 sheltered housing schemes.

REASON FOR DECISION: (1) That the guest rooms offer a valuable resource within sheltered housing schemes.

(2) That as the cost of providing the guest room is met by the special services charge there is no expectation of any additional income from the use of these rooms.

(3) That residents should be free to ask for a donation for the use of the rooms, with any income being retained towards the residents fund.

OTHER OPTIONS CONSIDERED: For the Council to levy a charge. Rejected as the cost is covered by the special services charge, and that the administration of any scheme would be an administrative burden.

(Assistant Director – Community Safety and Head of Housing (BDC))

0212. **KEY DECISION** **STREETSCENE SERVICE ARRANGEMENTS – ACCESS TO** **PRIVATE UNADOPTED RESIDENTIAL CARRIAGEWAYS**

The Assistant Director – Streetscene presented the report which sought to enter the Council into an 'indemnity agreement' with developers/management companies to facilitate access over roads in new housing developments which are not adopted by Derbyshire County Council (DCC).

A discussion took place regarding the responsibilities of the Council and DCC and potential future maintenance of un-adopted highways.

Moved by Councillor B.R. Murray-Carr and seconded by Councillor M.J. Ritchie

RESOLVED that the report be deferred pending further dialogue with Derbyshire County Council regarding adoption of highways and consequences of further difficulties.

REASON FOR DECISION: To seek other District Councils' views on the County Council's approach to the adoption of Highways.

OTHER OPTIONS CONSIDERED: To approve the recommendations at paragraph 6 of the report. Discounted due to uncertainties to be resolved.

(Chief Executive Officer/Assistant Director – Streetscene)

EXECUTIVE

The Assistant Director – Streetscene left the meeting.

0213. KEY DECISION
MEDIUM TERM FINANCIAL PLAN – BUDGET MONITORING
REPORT, QUARTER 1 – APRIL TO JUNE 2017

The Assistant Director – Finance and Revenues & Benefits presented a detailed report which provided an update on the financial position of the Council following the first quarter's budget monitoring exercise for the General Fund, the Housing Revenue Account (HRA), Capital Programme and Treasury Management activity, further details were included within the report.

The funding gap had been reduced from £170,000 to £103,000 and no major issues or concerns had been identified. The revised budget would be brought for approval in the new year. The Chief Executive Officer noted that the new report format gave Members more detail and was easier to read.

Moved by Councillor A.M. Syrett and seconded by Councillor S.W. Fritchley

RESOLVED that (1) Executive note the monitoring position of the General Fund at the end of the first quarter as detailed on Appendices 1 and 5 of the report (A net adverse variance of £0.148m against the profiled budget) and the key issues highlighted within the report

(2) Executive note the position on the Housing Revenue Account (HRA), the Capital Programme and Treasury Management at the end of the first quarter (Appendices 2, 3 and 4 of the report).

REASON FOR DECISION: The report summarises the financial position of the Council following the first quarter's budget monitoring exercise for the General Fund, the Housing Revenue Account, Capital Programme and Treasury management activity.

OTHER OPTIONS CONSIDERED: The Budget Monitoring report for 2017/18 is primarily a factual report which details progress against previously approved budgets. Accordingly there are no alternative options to consider.

(Assistant Director – Finance and Revenues & Benefits)

EXECUTIVE

0214. KEY DECISION HOUSING IT UPGRADE

The Executive considered a report of the Assistant Director Community Safety and Head of Housing (BDC) which sought to upgrade the current Housing Management System.

The current system supplied by Capita was outdated and an upgraded product was available which was able to supply more complex information and work well with other existing systems, this would provide a revenue saving on licence and software costs, with the set up costs being capitalised. An additional temporary member of staff would be required to assist with the build of the new system.

Moved by Councillor B. Watson and seconded by Councillor B.R. Murray-Carr
RESOLVED that (1) the Council upgrade the Housing Management system,

(2) the Assistant Director - Community Safety and Head of Housing be given the delegated power to further negotiate with Capita on the cost and to procure in consultation with the Deputy Leader,

(3) Executive agree to fund a temporary post to be introduced for a period of 18 months to assist the Innovation Officers in the implementation,

(4) Members be kept informed of the progress of the implementation.

REASON FOR DECISION: The current software needs to be upgraded, and the Housing Service will benefit from the additional functionality that the upgrade allows

OTHER OPTIONS CONSIDERED: (1) To retain the current – rejected as the software is not being actively developed.

(2) To introduce new software from a different supplier. Rejected as this process could only be after a full tender process which is both costly and time consuming.

(Assistant Director- Community Safety and Head of Housing BDC))

EXECUTIVE

0215. **KEY DECISION** **OUT OF HOURS EMERGENCY CALL OUT SERVICE FOR** **BOLSOVER DISTRICT COUNCIL HOUSING REPAIRS SECTION**

The Executive considered a report of the Assistant Director Community Safety and Head of Housing (BDC) which sought approval for J. Tomlinson Ltd to provide the out of hours emergency call out service for Bolsover District Councils Housing Repairs Section.

A tender exercise had been carried out and J. Tomlinson Ltd were the successful contractor based on an evaluation criteria of 60% price and 40% quality. The call out time had also been reduced from 4 hours to 2 hours.

Moved by Councillor M. Dooley and seconded by Councillor M.J. Ritchie

RESOLVED that (1) Members agree to award this contract to J Tomlinson Ltd for an initial 2 year period,

(2) the Assistant Director - Community Safety and Head of Housing be delegated power to extend this contract for a further period of two years. This is conditional on the satisfactory performance of the contractors, and the agreement of the portfolio holder for housing,

(3) progress on this contract be reported through the Housing Stock Group.

REASON FOR DECISION: J Tomlinson Ltd were the successful contractor based upon an evaluation criteria of 60% price and 40% quality

OTHER OPTIONS CONSIDERED: None, there is a requirement to provide a 24/7 service to deal with emergency situations.

(Assistant Director- Community Safety and Head of Housing BDC))

0216. **THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT** **1985**

Moved by Councillor M.J. Ritchie and seconded by Councillor M.J. Dooley

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 3 of Part 1 of Schedule 12A of the Act and it is not in the public interest for that to be revealed.

EXECUTIVE

**0217. NON KEY DECISION
ARREARS – IRRECOVERABLE ITEMS OVER 2500
EXEMPT – PARAGRAPH 3**

Executive considered a report which sought approval to write off irrecoverable items, including costs, amounting to £45,060.54 in relation to outstanding business rates where the debtor was bankrupt / in liquidation with no real prospect of recovery.

Moved by Councillor A.M. Syrett and seconded by Councillor M. Dooley

RESOLVED that approval be given to write off the irrecoverable items including costs amounting to £45,060.54 with the proviso that should any of the debts become collectable the amounts be re-debited.

REASON FOR DECISION: The process of writing off debts which are not collectable allows resources to be directed at those elements of outstanding debt where there is greater chance of recovery, while it improves the accuracy of the Council's financial statements in that they no longer detail debt which is effectively irrecoverable.

OTHER OPTIONS CONSIDERED: The only option is not to write off the amounts concerned which for reasons outlined within the report is not considered to be an appropriate course of action.

(Billing & Recovery Manager)

The Billing & Recovery Manager left the meeting.

The Chief Executive's and Partnership Manager and the Consultant Programme Manager entered the meeting.

**0218. KEY DECISION
FORMER TENANTS ARREARS
EXEMPT – PARAGRAPHS 1 AND 3**

The Assistant Director – Community Safety and Head of Housing (BDC) presented the report requesting permission to write off debt from former tenants where the individual debt exceeded £2,500.

Moved by Councillor M. Dooley and seconded by Councillor A.M. Syrett.

RESOLVED that (1) Members agree to the recommended write off of former tenants arrears as detailed in the schedule,

(2) in accordance with policy, these debts may be written back if further evidence becomes available. This can be done without the need of a formal decision or approval by Executive.

EXECUTIVE

REASON FOR DECISION: Given that action that has taken place to trace the individuals has been unsuccessful it is necessary to recommend that these arrears are written off. Should further action come to light these will be written back and actions to recover pursued.

OTHER OPTIONS CONSIDERED: In seeking to recover debt all options have been utilised.

(Assistant Director- Community Safety and Head of Housing BDC))

**0219. KEY DECISION
PURCHASE OF SECTION 106 PROPERTIES FROM KEEPMOAT
HOMES
EXEMPT – PARAGRAPHS 1 AND 2**

The Executive considered a report of the Assistant Director Community Safety and Head of Housing (BDC) which sought permission to purchase a mix of properties from Keepmoat Homes on a development to be built in Bolsover. The purchase of the properties would help discharge the Section 106 obligation for the developer and meet the need for larger Council properties in Bolsover.

Moved by Councillor M. Dooley and seconded by Councillor A.M. Syrett

RESOLVED that (1) the Council purchase 13 properties from Keepmoat on the Mooracre Lane Development subject to Council approval of the required borrowing,

(2) the Assistant Director - Community Safety & Head of Housing be given delegated powers to enter into contracts with Keepmoat for the purchase of the properties. This includes the location of the properties, and the timescale for delivery,

(3) Progress on the purchase will be reported to Executive.

REASON FOR DECISION: This proposal offers value for money, meets local housing need and increases the Councils housing stock. Therefore, the Council should proceed with this purchase at a cost of £1,390,000.

OTHER OPTIONS CONSIDERED: Alternative mixes of accommodation types were considered but this proposal best meets demand for housing.

(Assistant Director- Community Safety and Head of Housing BDC))

EXECUTIVE

0220. KEY DECISION BOLSOVER BUSINESS GROWTH FUND EXEMPT – PARAGRAPH 3

The Chief Executive's and Partnership Manager presented the report which updated Members on the progress of the Bolsover Business Growth Fund (BGF) scheme following its launch in 2016 and sought approval to enhance the scheme in respect of eligibility criteria. It was also proposed to carry forward uncommitted funds at the end of the current financial year into 2018/19.

Moved by Councillor A.M. Syrett and seconded by Councillor M. Dooley

RESOLVED that (1) Executive note the progress made with the Bolsover Business Growth Fund to date,

(2) Executive agree to the relaxation of BGF criteria to enable businesses from across the district to apply for funding, where they can demonstrate economic and/or jobs growth,

(3) Executive agree to carrying forward any uncommitted monies into 2018/19 to ensure the aspirations of the BGF are fully achieved.

REASON FOR DECISION: The BGF was designed by the Council to contribute to the Council's Growth Strategy. It has been highlighted that relaxing the eligibility criteria initially agreed by Executive to cover the whole of the district, including LEADER areas, will widen access to businesses that otherwise would not benefit from BGF and would either not be eligible for LEADER, or would not apply due to the burdensome application process that is currently in place. It should be noted that LEADER funding is still available for businesses in the LEADER eligible areas, and would be suitable for projects requiring funding in excess of £10,000.

OTHER OPTIONS CONSIDERED: Continue to administer the fund as previously agreed – this would continue to support business growth, but making it only available to non-LEADER areas is restrictive and counterproductive in some instances to the Council's Growth agenda.

(Chief Executive's and Partnership Manager)

The meeting concluded at 1133 hours.

Bolsover District Council

Executive

9th October 2017

| |
|-------------------------------------|
| New Bolsover – Local Letting Scheme |
|-------------------------------------|

Report of the Deputy Leader and Portfolio Holder – People and Places

This report is open

Purpose of the Report

- To seek approval for a local letting scheme to be introduced for New Bolsover.

1 Report Details

- 1.1 The New Bolsover Model Village is within the Bolsover conservation area which restricts certain types of development; however the Council is upgrading, carrying out essential repairs and modernising all 196 council owned properties that help make-up the Model village. The Heritage Lottery Fund is funding improvements to private residents.
- 1.2 The project has seen an innovative community development programme to encourage local people and participants alike to feel proud of their local area and appreciate its rich history.
- 1.3 Due to the anticipated high level of lets within a short time frame (as property refurbishments become completed) a Local Lettings Scheme ensures a balanced, sustainable community.
- 1.4 The proposed Local Lettings Scheme is enclosed as an appendix to this report.
- 1.5 As far as possible, the scheme is designed to:
 - meet housing need within the district by making best use of properties in order to create balanced, sustainable communities
 - ensure that homes are allocated in a clear, fair and transparent manner
 - make sure the Council is complying with housing and related legislation

2 Conclusions and Reasons for Recommendation

- 2.1 It is recommended that members agree the enclosed scheme.

3 Consultation and Equality Impact

- 3.1 Local members have been consulted and are supportive of this scheme. Customer Services and Transformation Scrutiny have been consulted and are supportive of this scheme. The residents group, 'Friends of New Bolsover' have been consulted and are supportive of this scheme.

4 Alternative Options and Reasons for Rejection

- 4.1 Not to introduce a scheme, rejected as the purpose of the scheme is to rebalance the existing imbalance of residents.

5 Implications

5.1 Finance and Risk Implications

- 5.1.1 Costs if very minor and can be contained within existing budgets.

5.2 Legal Implications including Data Protection

- 5.2.1 Section 166A(6)(b) of the Housing Act 1996 enables housing authorities to allocate particular accommodation to people of a particular description outside the Council's standard allocations procedure, provided that overall the authority is able to demonstrate compliance with the requirements of S.166A(3) *'to give overall priority for an allocation to people in the reasonable preference categories'*
- 5.2.2 Additional information may be sought from applicants to assess their housing applications. Relevant forms contain a 'fair obtaining notice' and information will be used only for the purpose of making allocations.

5.3 Human Resources Implications

- 5.3.1 None directly

6 Recommendations

- 6.1 That members agree to the introduction of the enclosed local letting scheme, for all new allocations at Bolsover.
- 6.2 The scheme will be monitored on an ongoing basis to ensure that it remains appropriate to the scheme and continues to support the sustainability objectives. The scheme will be reviewed after 3 years or earlier if it is not meeting its objectives and is no longer viable.

7 Decision Information

| | |
|--|-------------------|
| Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: <i>BDC: Revenue - £75,000 <input type="checkbox"/></i> <i>Capital - £150,000 <input type="checkbox"/></i> <i>NEDDC: Revenue - £100,000 <input type="checkbox"/></i> <i>Capital - £250,000 <input type="checkbox"/></i> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i> | No |
| Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In) | Yes |
| District Wards Affected | Bolsover |
| Links to Corporate Plan priorities or Policy Framework | Allocation Scheme |

8 Document Information

| Appendix No | Title |
|--|---|
| 1, | Proposed Local Letting Scheme for New Bolsover. |
| Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers) | |
| <div style="height: 40px;"></div> | |
| Report Author | Contact Number |
| Peter Campbell | Ext 3038 |

New Bolsover – Local Letting Scheme

1. Introduction

The New Bolsover Model Village is within the Bolsover conservation area which restricts certain types of development; however the Council is upgrading, carrying out essential repairs and modernising all 196 council owned properties that help make-up the Model village. The Heritage Lottery Fund is funding improvements to private residents.

The project has seen an innovative community development programme to encourage local people and participants alike to feel proud of their local area and appreciate its rich history.

Due to the anticipated high level of lets within a short time frame (as property refurbishments become completed) a Local Lettings Scheme ensures a balanced, sustainable community.

Section 166A(6)(b) of the Housing Act 1996 enables housing authorities to allocate particular accommodation to people of a particular description outside the Council's standard allocations procedure, provided that overall the authority is able to demonstrate compliance with the requirements of S.166A(3) *'to give overall priority for an allocation to people in the reasonable preference categories'*.

This is the statutory basis for 'local lettings schemes', which may be used to achieve a wide variety of housing management and policy objectives.

The Council's Allocations Policy ensures that people in most need are placed in the reasonable preference categories and are able to access council accommodation; therefore this scheme will be used in conjunction with the Council's Allocations Policy.

This Local Lettings Scheme details the method of allocating the properties for rent to applicants initially through the Allocations Policy and then by direct match to create a thriving and sustainable community.

2. Scope

As far as possible, this scheme is designed to:

- meet housing need within the district by making best use of properties in order to create balanced, sustainable communities
- ensure that homes are allocated in a clear, fair and transparent manner
- make sure the Council is complying with housing and related legislation

This scheme will work with the Council's Allocations policy, and amongst other legislation, have due regard in particular to the;

- Housing Act 1985
- Housing Act 1996
- Localism Act 2011
- Homelessness (Suitability of Accommodation) (England) Order 2012
- Welfare Reforms
- Equalities Act
- Human Rights Act

3. Principles

The scheme will link to the Council's Corporate Plan aims by;

- Supporting Our Communities to be Healthier, Safer, Cleaner and Greener
- Providing Our Customers with Excellent Service

The scheme will also link to the Council's Corporate Plan priorities by;

- Ensuring a high standard of environmental maintenance and cleanliness
- Developing attractive neighbourhoods
- Promoting equality and diversity
- Supporting vulnerable and disadvantaged people
- Providing good quality council housing where people choose to live
- Increasing customer confidence and satisfaction with our services
- Contributing to improving health and well-being

4. Statement

In addition to the normal allocations procedure applicants to New Bolsover will require an additional interview with a member of housing staff prior to any offer of accommodation being made.

4.1 Scheme and Properties covered by the Local Lettings Scheme

This scheme will apply to all the 196 council own properties at New Bolsover, the majority of which are or will be 2 bed houses after the refurbishment.

The refurbishment requires relocating tenants and residents therefore this scheme will only apply to all new lets (i.e. to tenants who are not current Bolsover tenants at New Bolsover) and any subsequent lets thereafter for a total of three years; the three years commencing after the completion of works to the final property.

4.2 Advertising the Vacant Properties

New Bolsover vacant properties will be advertised through the Council's Choice Based Letting system in accordance with the usual Allocations Policy, with the following exceptions:

- Properties required for decanting to support the refurbishment scheme.
- Any properties that are designed/adapted to meet specific medical needs.
- Properties that are required to deal with an urgent case

Applicants will bid on the properties to express an interest as per the usual council procedure.

Applicants via the Choice Based Lettings system will undergo a first stage assessment of priority/eligibility/ based on the council's usual Allocations Policy and then will be required to undergo a second stage selection process based on the criteria set out in this Local Lettings Scheme.

4.3 Allocations Criteria

The second stage selection process gives the following priorities which will be used as far as is practicable to encourage a balanced community:

- Applicants who are currently in employment, training or any type of voluntary work (including voluntary work within the community) or are actively seeking employment or training
- Applicants who have a local connection to the area through a family member which includes; a son, daughter, brother, sister, mother or father who is over 18 and lives in the area and has done so for at least 3 years before the date the vacancy is advertised. However in exceptional circumstances the Council reserves its right to make a decision based on an individual assessment of a qualifying family member.
- Applicant who have a need to live in New Bolsover to provide/receive essential care in line with the usual Allocations Policy criteria
- Applicants who are not currently council tenants but who have been resident in in the area for the last 24 months as their only or principal home and the tenancy has been conducted in a satisfactory manner.

Allocations will be required to meet the eligibility criteria for the size of property to discourage under-occupation and overcrowding of the dwellings and make best use of housing stock, with the exception of up to 10% of properties which may be let to couples without children, however this will be subject to an affordability test due to the under occupation charge criteria.

Properties may be refused to households with a history of anti-social behaviour or poor conduct of a previous tenancy. Where the applicant meets one of the following criteria they may not be offered a tenancy in the scheme for a at least a period of two years, if the applicant;

- is known to have been involved in anti social behaviour within the last 2 years,
- is unable to demonstrate an ability to sustain a tenancy for a minimum period of the last 12 months,
- has an unspent criminal conviction,
- has been convicted of, or has been held responsible for, criminal damage or arson within the last 12 months.
- has a drug, alcohol or other addiction including those in rehabilitation,
- has extensive support needs.

4.4 Compliance with the scheme

To limit the detrimental impact of long term vacant properties, in the event that insufficient bids are received from applicants meeting the criteria, the Council reserves the right to direct match properties in order to maintain a sustainable community.

The Allocations Policy then may be employed to a property that has been unsuccessfully let.

4.5 Selection of shortlisted applicants

Applicants will be initially assessed using the Allocations Policy and then the shortlisted applicant/s will be subject to a further selection procedure which will be:

- A personal interview by a Housing Officer to ascertain the applicant's current circumstances to determine eligibility for a property under the criteria of this Local Lettings Scheme.

Following the interview subsequent verification of circumstances may be required and may include, but is not exhaustive;

- A verification visit to their current accommodation to confirm personal and household circumstances and evaluate ability to act in a 'tenant like manner' in terms of upkeep of property and garden.
- Checks on current and former tenant rent accounts where applicable.
- Checks to confirm previous tenancy good conduct.
- Checks with the Probation Service and/or the Police.
- A risk assessment of vulnerability to evaluate feasibility of support plans to sustain the tenancy.
- Assessment against local connection criteria.
- Credit checks and affordability evaluation using household income and expenditure.
- Evaluation of risk in relation to uncontrolled debt.
- Medical needs assessment.

Once any subsequent verification has been completed successful applicants will be offered a tenancy in accordance with the usual Council's Policy. Unsuccessful applicants will be informed in writing.

Households may be required to agree to participate in progress visits as requested (reasonable notice will be given) with Council Officers to ensure ongoing sustainability of the tenancy who will then be able to provide further support/assistance if required.

4.6 Duration of the Local Lettings Scheme

The scheme will be put in place from the first lets and extend for three years after the completion of works to the final property.

4.7 Monitoring and Review

The scheme will be monitored on an ongoing basis to ensure that it remains appropriate to the scheme and continues to support the sustainability objectives. The scheme will be reviewed after 3 years or earlier if it is not meeting its objectives and is no longer viable.

4.8 Equal opportunities

The Local Lettings Scheme is required to comply with equality legislation and in particular, to ensure that there is no unlawful discrimination in the allocation of dwellings.

4.9 Refusal and appeal

The selection framework and checks employed may not be an automatic barrier to access housing, where an applicant has been unsuccessful in securing a property at New Bolsover through the Local Lettings Scheme, housing advice in terms of other alternative housing options and support will be given.

Applicants who are refused accommodation through the Local Lettings Scheme will be advised of the reason in writing. If an applicant is not satisfied that the Local Lettings Scheme has been administered correctly they must set out the reason in writing to request a review of the decision.

Any reviews, complaints or appeals will be handled in accordance with the usual district wide allocations policy and procedure.

4.10 Elected Members' Involvement in Allocation Decisions

The Allocation of Housing (Procedure) Regulations 1997 (SI 1997/483) prevent an elected Member from being part of a decision-making body at the time an allocation decision is made, when either:

- the accommodation concerned is situated in their division or electoral ward, or
- the person subject to the decision has their sole or main residence in their ward.

The regulations do not prevent an elected Member from representing their constituents in front of the decision making body.

5. Responsibility for Implementation

Bolsover District Council's housing department will be responsible for implementing this scheme.

Bolsover District Council

Executive

9th October 2017

Land Compulsory Purchase Order – Rood Lane, Clowne

**Report of the Leader and Portfolio Holder – Strategic Planning and
Regeneration**

This report is public

Purpose of the Report

To enable the council to secure the acquisition of all necessary land interests to deliver the regeneration of the Rood Lane site as shown on the map at appendix A ("the Site") and recommended to council the making of a compulsory purchase order (CPO) to enable development of the site unity.

1 Report Details

1.1 Background

In October 2016 Executive approved the disposal of Rood Lane, Clowne to enable the development of circa 50 new homes on the site. The disposal is subject to 'good/clean title' where the Council ensures there are no land restrictions which prohibit the development

Whilst managing the whole site for a many years, BDC do not have title to the entire site. The plan in appendix A shows an area coloured blue which is unregistered land in unknown ownership. As this area is likely to form the entrance to any proposed housing development, it is essential that BDC acquires this area before completion of the sale agreement.

1.2 The Proposed Scheme

In January 2017, Council agreed funding to support the development of housing on Rood Lane and acknowledged the complexity around incomplete title. The scheme is forecast to deliver the following:

Site area to be developed: 1.55ha (3.58 acres)

Site address: Rood Lane, Clowne, Derbyshire

Estimated number of units: 49

Housing Mix: Majority family homes, ranging from 2 to 4 bedrooms

Following the conclusion of the CPO process and the land assembly of the Rood Lane site, working with development partners, the Council will submit a planning application to the Local Planning Authority for the development of the site. The proposed Scheme is not considered to be a strategic site in Local Plan terms and is considered a ‘windfall’ development within settlement.

1.3 CPO Process

A CPO should only be made where there is a compelling case in the public interest. It is not always feasible or sensible to wait until the full details of a scheme have been worked up and planning permission has been obtained before proceeding to prepare a CPO. An acquiring authority will however have to demonstrate that there are no reasons why any required planning permission for the scheme should not be secured.

A compulsory purchase order will require confirmation by the Secretary of State to become effective.

Other factors the Council should have regard to the when considering making a CPO are:

1. That the purposes for which the order is made sufficiently justify interfering with the human rights of those with an interest in the land affected.
2. The degree to which other bodies (including the private sector) have agreed to make financial contributions or to underwrite the scheme.
3. Whether it is likely that the Scheme will be blocked by any physical or legal impediments to implementation.

In undertaking feasibility work on the Rood Lane development, Officers became aware of incomplete title on Rood Lane and sought to resolve the matter through both trying to identify the owner and an adverse possession claim to Land Registry, all of which have been unsuccessful. A significant part of the Site is already in the ownership of the Council but it is not been possible to secure the area of unregistered land. The Council considers that the failure to acquire all necessary land interests will prevent the development of the site, hence the need to pursue a CPO.

The land required for regeneration of the Site and proposed for CPO is identified as the blue area on the plan annexed.

Whilst care has been taken to ensure the plan represents the area of unregistered land to be subject of the CPO, the plan may be subject to amendment before any CPO. Therefore, for the avoidance of doubt, the land proposed to be subject to the CPO is the full extent of the unregistered land within the red line plan. The Council will continue to search for the landowner(s) of the unregistered land, with a view to acquiring as much of the land interest by agreement as possible. This may further reduce the extent of the land to be compulsorily acquired.

As set out within the report, development of the site is aligned to the key aims of the Corporate Plan 2015-2019 and within planning policy objective of the Council, all be it as a 'windfall' site. The development of the site will deliver social and economic benefits outlined later in the report.

When planning the development of the scheme the majority of the site was already in the freehold ownership of the Council albeit with a small area of unregistered land. The Council has sought over the last 6 months to identify the owner of the unregistered land through site notices (Displayed for 8 weeks) and notices on the Council's website and Clowne Contact Centre.

The Council considers that the inability of the Council to secure the unregistered land interests in the Site will have the effect of preventing the construction of the estimated 49 dwellings Site.

The Council accordingly considers that there is a compelling case in the public interest for the Council to exercise compulsory purchase powers as proposed in this report.

1.4 Key Aim: Unlocking our **Growth** Potential

Priority: Enabling Housing Growth - increasing the supply, quality and range of housing to meet the needs of the growing population and support economic growth

1. Key Aim: Transforming Our **Organisation**

Priority: Making the best use of our assets

The development of Rood Lane for new homes directly delivers on the two corporate aims above by the development of an underutilised land currently used for grazing into a good quality, housing development of family homes to meet the housing needs in the area.

Economic and Societal Benefits:

In 2010, DCLG published 'Valuing the benefits of Regeneration' which researched the benefits of different types of regeneration. This includes the calculation of benefit cost ratios (BCR) in the three areas of housing activity, namely; new build, Improvements to existing and demolition and rebuild. BCRs provide a ratio of the full costs of regeneration against the value of the full societal and economic benefits. BCRs were based on a systematic review of evaluation evidence of prior regeneration programmes.

The findings were that new build housing activity had a benefit cost ratios of 1:1.7 (that is for £1 of investment there are wider economic and societal benefits of £1.70)

In addition, findings from the HCA's Affordable Homes Programme (2011-2015) suggests that the BCR for new build schemes supported by the Affordable

Homes Programme is 1:3 (that is for £1 of investment there are wider economic and societal benefits of £3)

(Source: <https://www.yourhousinggroup.co.uk/media/1133/regeneration-revival-cih-summary.pdf>)

Based upon an estimated gross development cost of £8m for Rood Lane, the wider economic and societal benefits to the community are anticipated to be in the region of £13.6m to £24m. In addition to delivering high quality, family homes on currently underutilised public land, the site will see both a qualitative and quantitative improvement of housing in the district.

1.5 Strategic Housing Case

The North Derbyshire and Bassetlaw Strategic Housing Market Assessment (SHMA) 2013 calculated that the district needs an additional 230 homes per annum, representing 0.7% annual growth in the housing stock. This housing need is reflected within the council's Growth Strategy, which includes a key strategic priority to 'Enable Housing Growth: increasing the supply, quality and range of housing to meet the needs of a growing population and support economic growth.'

In addition to a need for the increase the number of houses in the district, rebalancing is the housing market is also a priority and an important part of housing growth. 84% of the District's housing has either two or three bedrooms, with fewer than average larger family homes, or small one beds. Unsurprisingly therefore, 78% of the District's stock falls within council tax bands A and B, with just 4% of the District's properties being in bands E and above. Diversifying the area's housing market to support economic growth ambitions, while meeting local housing need, is therefore an ongoing challenge.

The Rood Lane development is an opportunity for the Council to enable approximately 50 new homes with the benefit for the Council to directly influence the mix to support the diversification of the housing market in Clowne.

2 **Conclusions and Reasons for Recommendation**

- 2.1 In pursuit of the Council's Corporate Plan aims, the CPO of the unregistered land identified in appendix A will enable the development of circa 50 new, good quality family homes in addition to the wider benefits outlined in the report.

3 **Consultation and Equality Impact**

3.1 Human Rights Implications

As part of the consideration of a CPO it is necessary to consider the Human Rights implications

The Human Rights Act 1998 incorporated into domestic law the European Convention on Human Rights ("the Convention"). The Convention includes provisions in the form of articles, the aim of which is to protect the rights of the

individual. In resolving to make the CPO the Council should consider the rights of property owners under the Convention, notably under the following Articles:

- Article 1 - This protects the right of everyone to the peaceful enjoyment of possessions. No one can be deprived of possessions except in the public interest and subject to the relevant national and international laws.

In the case of each of these Articles under the Convention, the Council should be conscious of the need to strike a balance between the rights of the individual and the interests of the public. In the light of the public benefit which would arise from the regeneration of the Site, it is considered appropriate to make the CPO.

It is not considered that the CPO would constitute any unlawful interference with individual property rights. Further representations can be made in the context of any public inquiry which the Secretary of State decides to hold in connection with the CPO. Those directly affected will be entitled to compensation (in accordance with the statutory code) proportionate to the loss which they incur as a result of the acquisition of their interests.

4 Alternative Options and Reasons for Rejection

4.1 The alternative options to CPO are either:

Adverse possession – BDC have pursued an adverse possession claim with the Land Registry but unfortunately failed in the claim due to not being able to demonstrate exclusive use.

Acquire the land through negotiation – BDC have tried to identify the owner (if there is one) of the land in order to negotiate the acquisition of the land. Site notices have been displayed for 8 week and notices on both the Council's website and Clowne Contact Centre.

Do nothing – Do not pursue the CPO and prevent the development of the Rood Lane site.

5 Implications

5.1 Finance and Risk Implications

With no known land owner it is difficult to fully quantify the financial risk associated with the CPO. The Senior Valuer's opinion that the market value of the land for residential development, assuming no ransom value, is in the region of £78,000. If an agreement through negotiation is not achievable compensation (i.e. the land value) may be awarded by the Lands Tribunal. A claim for the value of the land may be made by the owner of the land up to 12 years following the vesting of the land in the Council

5.2 Legal Implications including Data Protection

Before making a CPO the authority must identify the appropriate statutory power. There are a couple of powers that may be used in this case:

1. Section 226 of the Town & Country Planning Act 1990:

The Council has the power in section 226 of the Town and Country Planning Act 1990 (as amended) to make a CPO for any land within the District if the Council thinks that the purchase of the land will facilitate the carrying out of development, redevelopment or improvement on or in relation to the land.

Pursuant to section 226, the Council may not exercise this power unless it thinks that the development, redevelopment or improvement is likely to contribute to the achievement of any one or more of the following objectives:

- (a) the promotion or improvement of the economic well-being of their area;
- (b) the promotion or improvement of the social well-being of their area;
- (c) the promotion or improvement of the environmental well-being of their area.

This power is intended to provide a positive tool to help acquiring authorities with planning powers to assemble land where this is necessary to implement proposals in their Local Plan or where strong planning justifications for the use of the power exist. It is expressed in wide terms and can therefore be used to assemble land for regeneration and other schemes where the range of activities or purposes proposed means that no other single specific compulsory purchase power would be appropriate.

2. Section 17 of the Housing Act 1985

This is specific power that enables a local authority to acquire land for the purpose of providing housing accommodation. This includes acquiring land which the Council intends to dispose of to another party who will use the land for the erection of houses. In order to benefit from this power an acquiring authority will need to demonstrate that the compulsory purchase will result in either a qualitative or quantitative improvement in housing in the district.

The Housing Act power is probably the most appropriate single specific power and therefore officers consider this power rather than the section 266 should be used to acquire the Rood Lane site

5.3 Human Resources Implications

None other than staff resource in making the CPO

6 Recommendations

That Executive

- 1) Recommends to Council, the making of Bolsover District Council (Land to the East of Rood Lane) Compulsory Purchase Order ("CPO") to acquire the land shown indicated by the hatched area on the annexed plan required to

deliver the proposed housing development on the Site pursuant to section 17 Housing Act 1985 because it considers that the acquisition will deliver an increase in new quality housing within the District:

2) Subject to Council approval, agrees to authorise the Chief Executive, in conjunction with the Leader and Executive Member for Planning and Regeneration, to take all necessary steps to commence the process for the making, confirmation and implementation of the CPO, including securing the appointment of suitable external advisors and preparing all necessary CPO documentation.

7 **Decision Information**

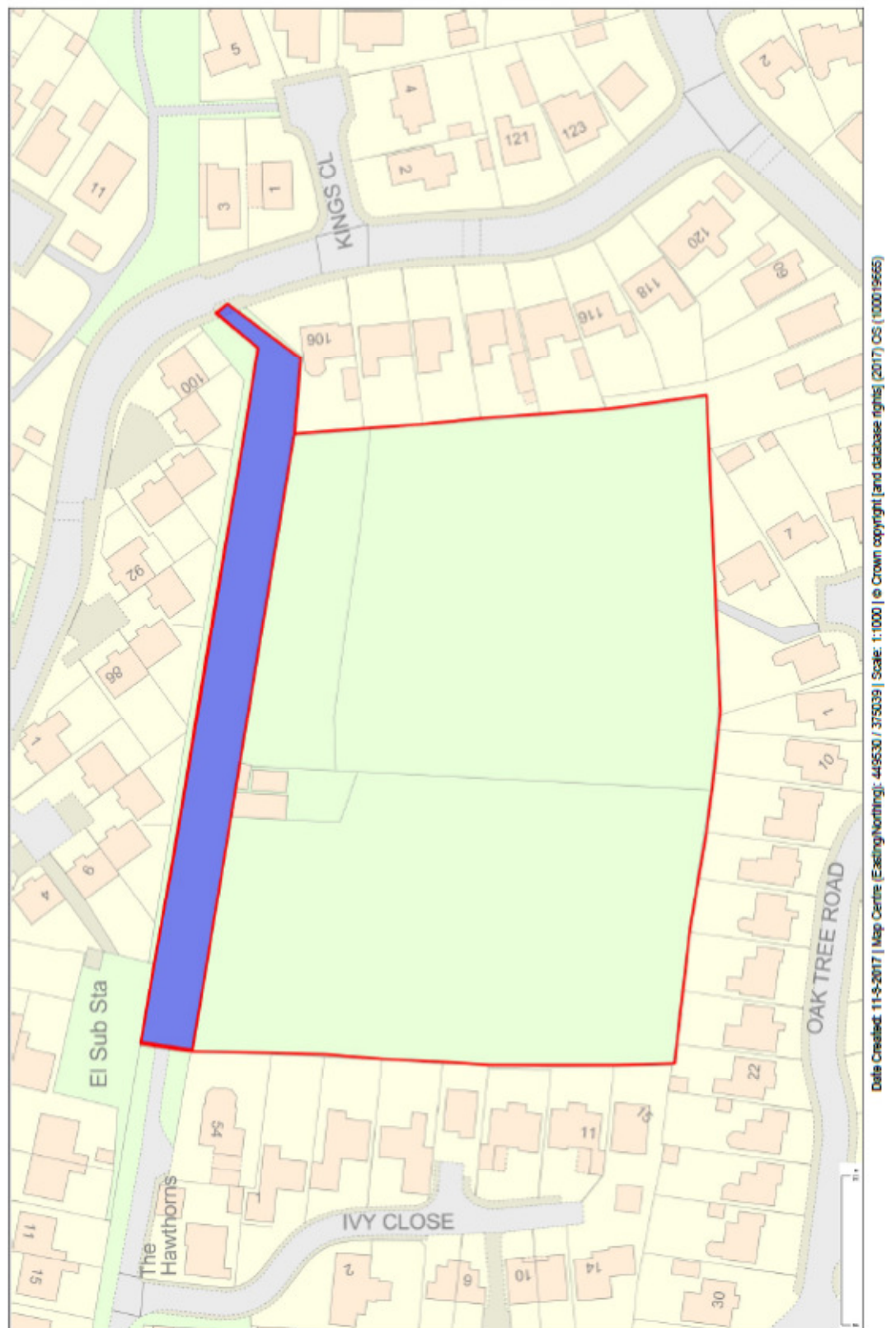
| | |
|--|--|
| Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: <i>BDC:</i> <i>Revenue - £75,000</i> <input type="checkbox"/> <i>Capital - £150,000</i> <input type="checkbox"/> <i>NEDDC:</i> <i>Revenue - £100,000</i> <input type="checkbox"/> <i>Capital - £250,000</i> <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i> | No |
| District Wards Affected | Clowne |
| Links to Corporate Plan priorities or Policy Framework | Enabling Housing Growth: increasing the supply, quality and range of housing to meet the needs of the growing population and support economic growth |

8 **Document Information**

| Appendix No | Title |
|--|----------------|
| Appendix A | Site Plan |
| Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers) | |
| | |
| Report Author | Contact Number |
| Commercial Property & Developments Manager | 2210 |

Appendix 1

Plan referred to in the Bolsover District Council (Land to the East of Rood Lane)
Compulsory Purchase Order



Bolsover District Council

Executive

9th October 2017

B@Home Update

Report of the Leader and Portfolio Holder – Strategic Planning and Regeneration

Purpose of the Report

- To provide a progress update on the southern batch of sites, agreed at the January 2017 Executive.
- To seek approval for further HCA AHP funding bids
- To provide a general update on the B@Home Programme
- To seek funding for further developments in Shirebrook, Clowne and Bolsover.

1 Report Details

- 1.1 As members of Executive will be aware, a programme of residential development (B@Home) is being brought forward by Housing Services and Property and Estates, supported by a Development Fund to cover the costs of feasibility work.
- 1.2 There have been two core strands to this project. Firstly, the project team have been working to identify suitable land assets (both HRA and General Fund) for residential development. Secondly, opportunities on land outside of the Council's ownership, which meet the strategic housing growth aims, are also being considered in terms of their strategic fit and ability to deliver best value.
- 1.3 To date, the following progress has been made:

HRA Development -

- 3 developments completed (Rogers Avenue, Blackwell Hotel, Fir Close)
- 2 developments under construction (Hilltop and Derwent Drive)
- 1 development with planning permission (Recreation close, Clowne)
- 6 sites awaiting planning decision (Ash Close, Elm Close, Lime Close, Beech Grove, Leamington Drive, St Michaels Drive)
- 3 sites in the feasibility stage (Highcliffe Avenue, The Paddock, Recreation Close (Additional to above), Clowne)

The above sites deliver a total of 93 new Council Houses at a total cost of approximately £12m. Of the £12, £1.5m grant funding support from the Homes & Communities Agency has been secured with further bids of approximately £550,550 are being prepared. Officers are currently working on identifying an additional pipeline of sites for development, which will be the subject of a future report to members.

Sites at South Normanton & Pinxton (Southern Batch)

- 1.4 In January 2017, Executive approved the development of a Southern Batch of development sites based upon housing needs in the area and land availability.
- 1.5 Following detailed feasibility work on each site above and consultation with housing and planning colleagues regarding design the above sites have the capacity to deliver the following:

| Site | No. of Units | House Type Mix | Site Status | Costs |
|---------------------------------|--------------|--------------------|-------------|-------------------|
| Ash Close, Pinxton | 6 | 2 x 4 bed houses | Planning | £409,734 |
| | | 2 x 2 bed houses | | £276,658 |
| | | 2 x 1 bed houses | | £245,140 |
| Elm Close, Pinxton | 5 | 5 x 2 bed houses | Planning | £691,645 |
| Lime Close, Pinxton | 3 | 3x 2 bed houses | Planning | £414,987 |
| Beech Grove, S.Normanton | 2 | 1 x 3B6P Bungalow | Planning | £194,361 |
| | | 1 X 2B3P Bungalow | | £106,811 |
| Leamington Drive, S.Normanton | 3 | 2 x 2B3P bungalows | Planning | £213,622 |
| | | 1 x 3B6P Bungalow | | £194,361 |
| St Micheals Drive, S.Normanton | 2 | 2x 2B3P bungalows | Planning | £213,622 |
| Total | 21 | | | £2,960,941 |
| Contingency (10%) | | | | £296,094 |
| QS Fees (0.54%) | | | | £15,989 |
| Principal Designer Fees (0.45%) | | | | £13,324 |
| Total Funding Required | | | | £3,286,348 |

The indicative site layout plans to support the above can be found in Appendix A – Site Plans. All of the above is subject planning approval.

1.6 Key observations:

- The costs are based on a total development cost per meter of £1751 which is an average cost on the previous B@Home sites.
- The house types include two fully adapted bungalows for two families with an immediate need, the delivery of which will be prioritised.
- The house types also include larger 4 bedroom properties which is a house type not currently provided for in our housing stock.
- All of the above homes will be built to meet the following standards; Lifetime Homes, Secure By Design, National Minimum Space Standard in addition to being energy efficient and designed to the principals of Built for Life 12.
- It should be noted that due to site constraints, particularly on Leamington Drive, that 21 units are proposed on these sites rather than 22 forecast in the January Executive report. This is still subject to planning approval.
- Based upon the HCA grant contributions to date on the B@Home Programme and following discussions with the HCA regarding the above, it is likely (subject to HCA approval) that the HCA grant in the region of £460,00 could be secured to support these developments.
- The total funding forecast above is within £3,363,000 budget allocated (by £76,652) due to more cost certainty based upon the known size of the units and that only 21 properties can be feasibly delivered, subject to planning on the sites identified.

B@Home Financial Update

- 1.7 To date, BDC have committed, through a number of reports, funds to deliver 90 new Council Houses over 12 sites with a budget of £11.8m. With the aid of HCA funding, BDC are forecast to deliver 93 homes for £11.3m. This represents an increase of 3 additional homes with a potential budget saving and therefore reduced borrowing of £0.5m. It is hoped further budget savings can be secured by further grant funding bids over the next couple of months. All of the above is demonstrated in the table below:

| Committee | Funding | Sites | No. of units | Actual No. units | Forecast cost | HCA Funding | BDC Forecast Cost |
|--------------------|-------------------|--|--------------|------------------|-------------------|-------------------|--------------------|
| April 15 - Council | 3,883,100 | Rogers Avenue, Blackwell Hotel, Fire Close, Derwent Drive, Recreation Close | 33 | 35 | 4,699,491 | 680000 | £4,019,491 |
| June 16 - Council | 4,600,000 | Hilltop | 35 | 37 | 4,857,861 | 877500 | £3,980,361 |
| Feb - Council | 3,363,000 | Ash Close, Elm Close, Lime Close, Beech Grove, Leamington Drive, St Michaels Drive | 22 | 21 | 3,286,348 | Not yet bid for | £3,286,348 |
| Total | 11,846,100 | | 90 | 93 | 12,843,700 | £1,557,500 | £11,286,200 |

NB: The direct delivery of 93 units will attract in the region of £372,000 New Homes Bonus, calculated at £1k per annum for 4 Yrs.

- 1.8 In addition to the financial update above, broader benefits of B@Home include:
- Social & Economic Outcomes
 - Awards (Project of The Year at the Building Communities Awards 2017, Considerate Construction and
- 1.9 In addition to existing financial commitments outlined above, this report seeks further funding to support the future delivery of the B@Home Programme. The further funding is proposed to deliver an additional 6 homes and maximise potential cost savings through clustering with existing development sites. The proposed funding is broken down as follows:

| Site | No. of Units | House Type Mix | Site Status | Costs |
|---------------------------------|--------------|-------------------------|-------------|-----------------|
| Highcliffe Avenue, Shirebrook | 1 | 1 x 4B7P Detached House | Feasibility | £204,867 |
| The Paddock, Bolsover | 4 | 4 x 2B3P Flat | Feasibility | £490,280 |
| Recreation Close, Clowne | 1 | 1 x 3B6P Bungalow | Feasibility | £194,361 |
| Total | | | | £889,508 |
| Contingency (10%) | | | | £88,951 |
| QS Fees (0.54%) | | | | £4,803 |
| Principal Designer Fees (0.45%) | | | | £4,003 |
| Total Funding Required | | | | £987,265 |

NB: Delivery of the above is subject to successfully obtaining planning permission.

Highcliffe Avenue – This site is adjacent to the Hilltop development site meaning that cost saving can be achieved in developing the site within the period that the contractor is on site at Hilltop. The saving are generated through sharing facilities, supervisors, etc.

The Paddock – Bolsover is an area of the District without any B@Home deliver to date and the homes on The Paddock are very popular and additional units will address an existing need in the locality.

Recreation Close, Clowne – You will note that two bungalows are already proposed on the former garage site on recreation road. As it is such a small development with no other proposed sites locally, the cost of the units would be disproportionate to the bigger developments. Adding an additional plot on land directly opposite the former garage site both increases the size of the development offsetting some of the costs for facilities and supervision over three homes, rather than two and addresses a need for a fully adaptable bungalow which is ideally located next to community facilities.

The above sites are currently in the feasibility stage with a Planning submission forecast before Christmas. The cost estimate of £987,000 is based upon average costs from existing B@Home sites. If Executive are minded to support the funding of the developments, the recommendation would be subject to a positive viability appraisal prior to entering any agreement. As with the other B@Home sites, HCA grant funding will be sought for these developments, estimated in the region of £132,000.

Indicative layouts for the sites can be found in Appendix B or the report.

2 Conclusions and Reasons for Recommendation

- 2.1 To deliver the councils corporate target of building a minimum of 100 new Council properties by March 2019, it is recommended that Executive utilise existing HRA commitments to the delivery the 93 units as outlined in paragraph 1.7 in addition to further HRA resource to deliver an additional 6 units as outlined in paragraph 1.9, funded through HRA headroom borrowing. This will take the total units funded to 99, which is strongly on course for delivering the corporate target through the B@Home programme alone.
- 2.2 In addition to the new homes, wider economic and social benefits are continued to be delivered through the B@Home Programme such as:
 - 1,473 Young people engaged in the programme
 - 63% local spend within 20 miles
 - 97% local spend within 40 miles
 - 2 Supply chain engagement events delivered, encouraging local spend and employment and skills opportunities
 - 4 employment opportunities created
- 2.3 In 2010, DCLG published 'Valuing the benefits of Regeneration' which researched the benefits of different types of regeneration. This includes the calculation of benefit cost ratios (BCR). BCRs provide a ratio of the full costs of regeneration against the value of the full societal and economic benefits. BCRs were based on a systematic review of evaluation evidence of prior regeneration programmes.

The findings were that new build housing activity had a benefit cost ratios of 1:1.7 (that is for £1 of investment there are wider economic and societal benefits of £1.70)

In addition, findings from the HCA's Affordable Homes Programme (2011-2015) suggests that the BCR for new build schemes supported by the Affordable Homes Programme is 1:3 (that is for £1 of investment there are wider economic and societal benefits of £3)

(Source: <https://www.yourhousinggroup.co.uk/media/1133/regeneration-revival-cih-summary.pdf>)

Based upon the £12m investment to date in the B@Home Programme, the wider value of economic and societal benefits to the community are anticipated to be in the region of £20m to £36m.

3 Consultation and Equality Impact

- 3.1 There are no equality implications arising directly from this report.
- 3.2 As with all decisions relation to the Council's assets, consultation has taken place with Asset Management Group and the proposed developments are supported.

4 Alternative Options and Reasons for Rejection

- 4.1 Executive could choose not to support the development of these sites and aim to deliver its corporate plan target utilising alternative sites. However, the chosen sites meet the recognised housing demand within the district and should these schemes not be progressed this demand will remain, in addition delays could impact on the delivery of the council's 100 homes target.

5 Implications

5 Finance and Risk Implications

- 5.1 An urgent need has been identified for adapted family accommodation in the south of the district. If this need is not met it could lead to reputational damage as well as financial penalties if it is decided we have not met our obligations.
- 5.2 It needs to be recognised that, as with all feasibility and viability work, there is the possibility that a constraint to the development on one or all of the sites is identified which cannot be addressed whilst maintaining the viability of the site. To mitigate this, some of the more limited feasibility work has been undertaken where possible to identify any potential constraints. While on the basis of work undertaken to date Officers are not aware of any major issues it does need to be recognised that such issues could be identified as a result of the further work which this report is recommending be progressed.
- 5.3 Members will note that the cost per unit for this batch may appear to be more that previous schemes, however, officers have been prudent and have used robust cost forecasts from previous schemes, in conjunction with feasibility works, taken account of property types and site restraints to forecast scheme costs, the costs are only ever forecasts and subject to change. To mitigate this risk a 10% contingency has been applied to the budget to allow for variations and abnormal costs.

- 5.4 As HRA properties, there is the risk that the property will be subject to a Right To Buy application. The cost floor ceiling, where the sale value can't exceed the cost invested in the property will be protect the Council's investment for 15 years for new homes subject to Right to Buy, bringing rules for councils into line with those for Housing Associations and protecting initial investment in the housing.
- 5.5 As the scheme is being funded by Prudential borrowing this will have an impact on the HRA headroom. The debt ceiling for Bolsover is £112,350,000. As at the 31.03.2017 the actual headroom was £23,787,644. The estimated headroom as at the 31.03.2021 is £15,500,531 based on approved budgets. If approved, this scheme will reduce this to £14,513,531. The HRA will need to make a contribution of approximately £32,900 per year over a 30 year period to repay the prudential borrowing

5.2 **Legal Implications including Data Protection**

Contract documentation will need to be drafted for each of the sites delivered.

5.3 **Human Resources Implications**

None

6 **Recommendations**

- 6.1 That Executive acknowledge the progress update on the B@Home Programme and support the utilisation of existing budgets to deliver in accordance with the table set out in paragraph 1.7.
- 6.2 That Executive support further HCA AHP funding bids for B@Home sites outlined in the report.
- 6.3 That Executive supports a report being presented to Council seeking the investment of £987k, funded through HRA headroom borrowing, to deliver new council housing in accordance with the table set out in paragraph 1.9.
- 6.4 Subject to funds being approved by Council, that Executive delegate powers to the Assistant Director Property & Estates to enter the construction contracts to support the above recommendations, subject to a positive financial appraisal following the conclusion of feasibility works.

7 **Decision Information**

| | |
|--|----|
| <p>Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds:</p> <p><i>BDC:</i> <i>Revenue - £75,000</i> <input type="checkbox"/> <i>Capital - £150,000</i> <input type="checkbox"/></p> <p><i>NEDDC:</i> <i>Revenue - £100,000</i> <input type="checkbox"/> <i>Capital - £250,000</i> <input type="checkbox"/></p> | No |
|--|----|

| | |
|---|--|
| <input checked="" type="checkbox"/> Please indicate which threshold applies | |
| District Wards Affected | All |
| Links to Corporate Plan priorities or Policy Framework | Corporate Plan - deliver a minimum of 100 new Council properties by March 2019 |

8 Document Information

| Appendix No | Title |
|--|--|
| A | Indicative Site Plans – Southern Batch |
| B | Indicative Site Plans – Additional Sites |
| Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers) | |
| | |
| Report Author | Contact Number |
| Matt Broughton – Commercial Property & Developments Manager | 2210 |

Report Reference –

Appendix A – Site Plans

Ash Close:



Elm Close:

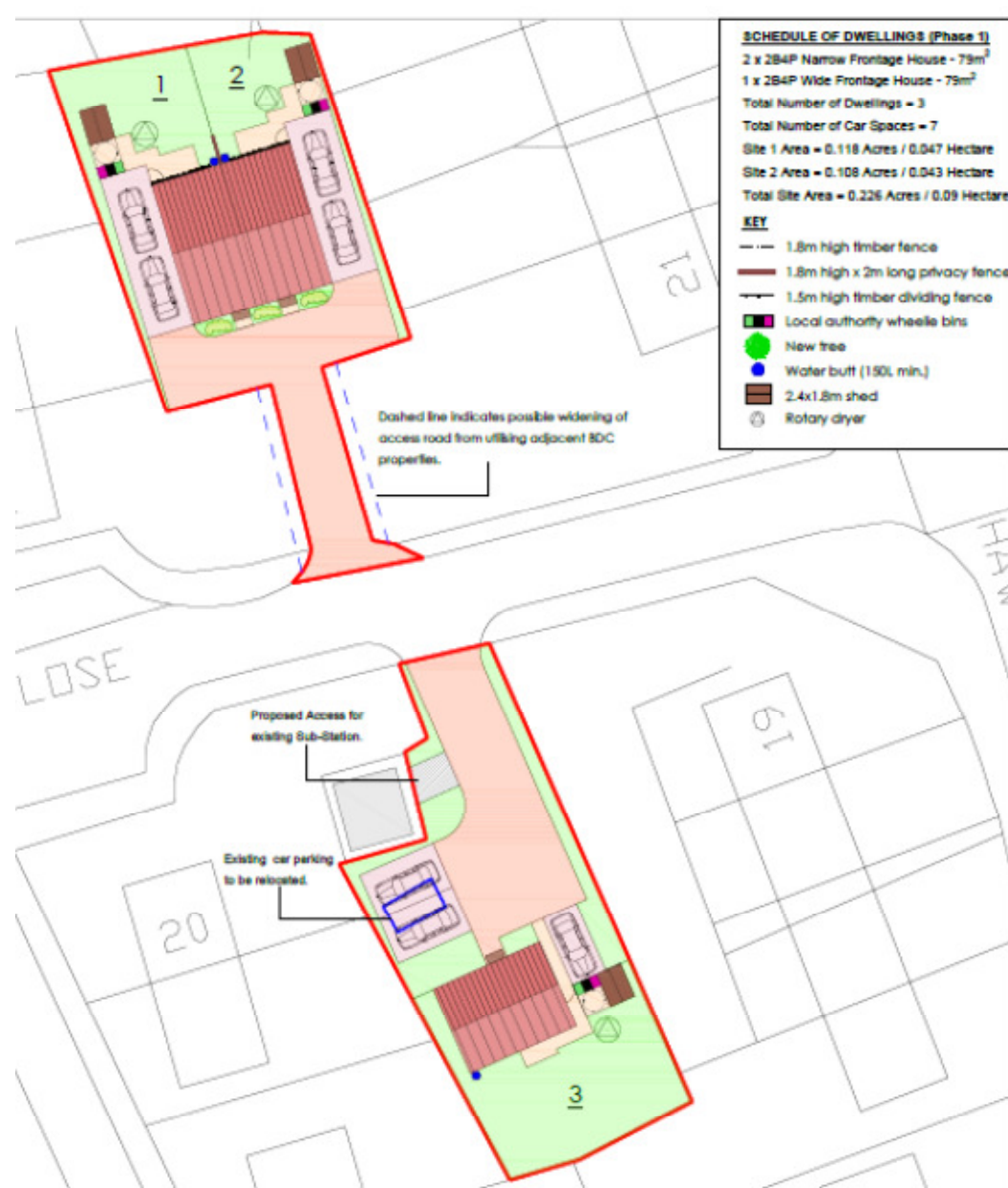


SCHEDULE OF DWELLING
5 x 284P Narrow Frontage House - 79m²
Total Number of Dwellings = 5
Total Number of Car Spaces = 16
Site Area = 0.36 Acres / 0.14 Hectare

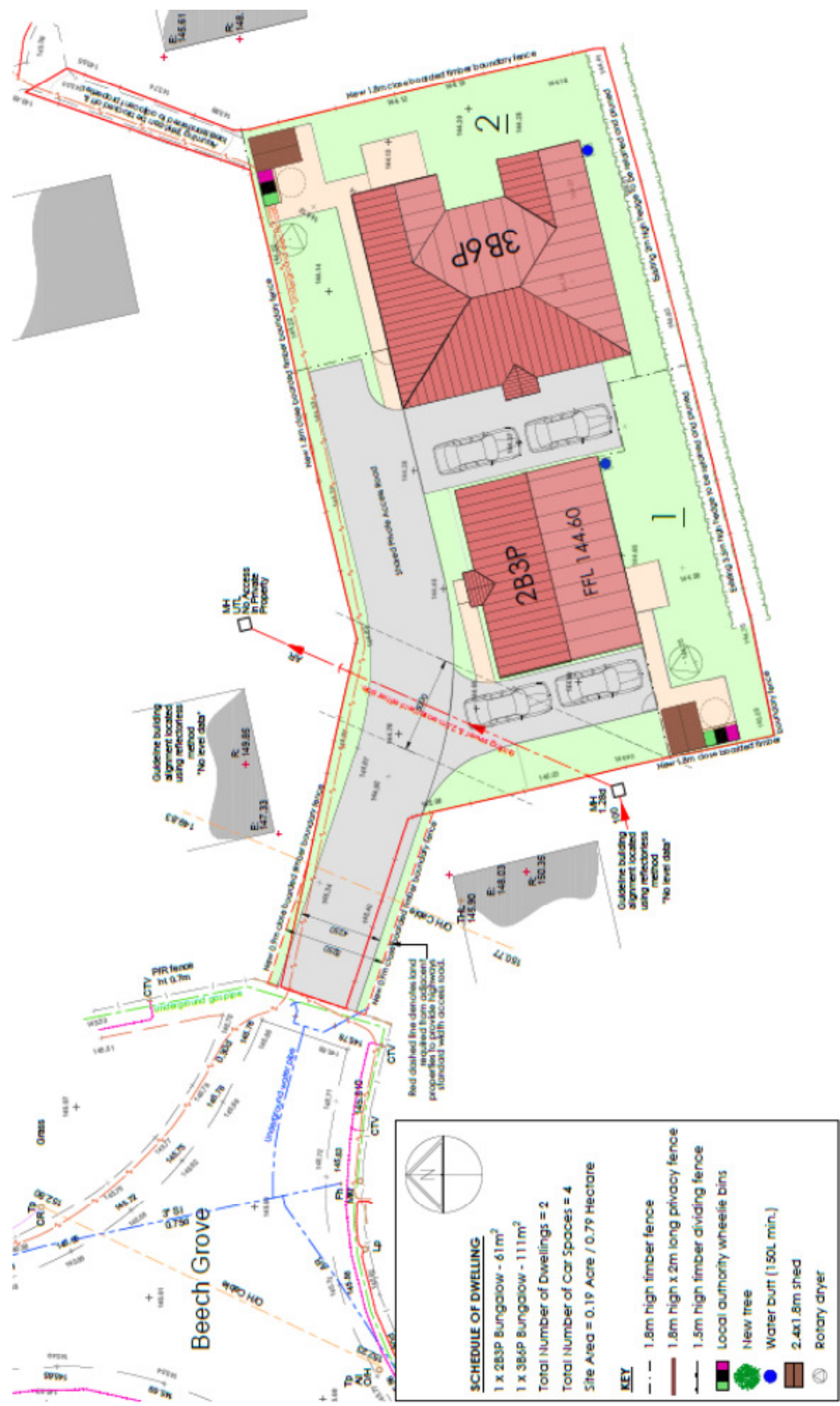
KEY

- 1.8m high timber fence
- 1.8m high x 2m long privacy fence
- 1.5m high timber dividing fence with 300mm trellis on top
- Local authority wheellie bins
- New tree
- Water butt (150L min.)
- 2.4x1.8m shed
- Rotary dryer
- Proposed Level

Lime Close:



Beech Grove:



Leamington Drive:

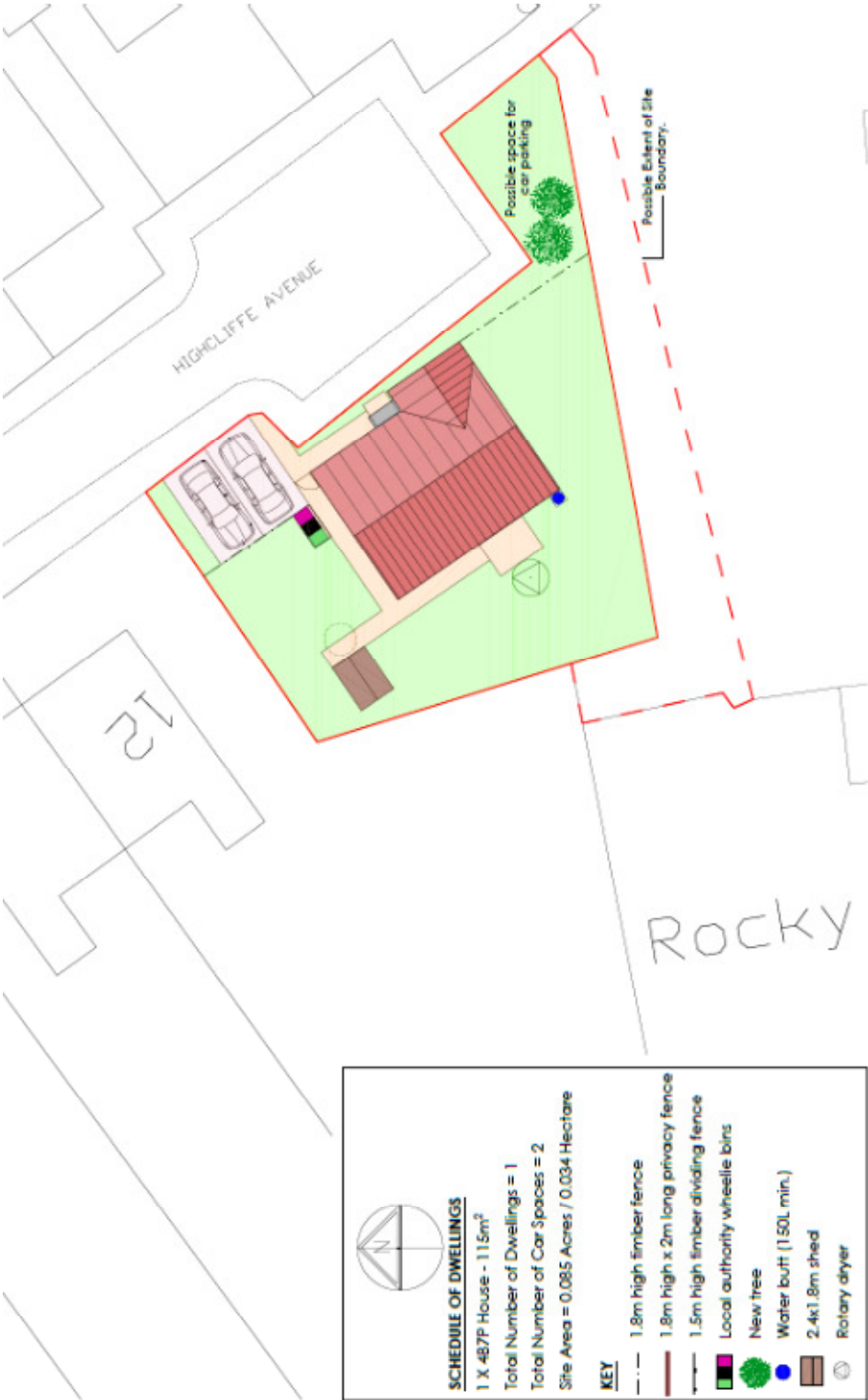


St. Michaels Drive:



Appendix B – Additional Site Plans

Highcliffe Avenue:



Recreation Close:



Bolsover District Council

Executive

9th October 2017

| |
|--|
| <p>Provision for Asbestos Removal Service for Bolsover District Council Housing Repairs Section</p> |
|--|

Report of the Deputy Leader and Portfolio Holder – People and Places

This report is open

Purpose of the Report

- To seek approval for Kaefer Ltd to provide an Asbestos Removal Service for Bolsover District Councils Housing Repairs Section. This is a specialist service and cannot be provided in house.

1 Report Details

- 1.1 The existing asbestos removal contract expires on the 1/10/2017. Efficiency East Midlands have a tendered framework for asbestos removal which meets the requirements of the council without the need for a separate tender exercise.
- 1.2 Efficiency East Midlands identified Kaefer Ltd, (our existing supplier) as the recommended Asbestos Removal Contractor through the framework as they are the most competitive on price and fulfilled the requirements of the Housing Repairs Section.
- 1.3 Kaefer have provided an excellent and responsive service for the 4 years of the existing contract.
- 1.4 The new contract will initially be for two years with an option to extend for a further two periods each of one year, subject to approval
- 1.5 Based on the current service, the indicative spend is around £30,000 per year, however this may vary. The cost is contained within existing HRA budgets.

2 Conclusions and Reasons for Recommendation

- 2.1 It is recommended that members agree to award this contract to Kaefer Ltd

3 Consultation and Equality Impact

3.1 Not directly

4 Alternative Options and Reasons for Rejection

4.1 None, there is a requirement to provide a service to deal with any Asbestos contaminations and subsequent removals

5 Implications

5.1 Finance and Risk Implications

5.1.1 The cost for this will be met within existing HRA budgets

5.2 Legal Implications including Data Protection

5.2.1 We meet legal obligations for procurement

5.3 Human Resources Implications

5.3.1 None directly

6 Recommendations

6.1 That members agree to award this contract to Kaefer Ltd for an initial 2 year period.

6.2 That the JAD Community Safety and Head of Housing is delegated power to extend this contract for a 2 further periods each of one year, but this is conditional on the satisfactory performance of the contractors, and the agreement of the portfolio holder for housing.

6.2 That progress on this contract is reported through the Housing Stock Group

7 Decision Information

| | |
|--|-----|
| Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: <i>BDC: Revenue - £75,000 <input checked="" type="checkbox"/></i> <i>Capital - £150,000 <input type="checkbox"/></i> <i>NEDDC: Revenue - £100,000 <input type="checkbox"/></i> <i>Capital - £250,000 <input type="checkbox"/></i> <input checked="" type="checkbox"/> Please indicate which threshold applies | Yes |
| Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In) | Yes |

| | |
|---|-----|
| District Wards Affected | All |
| Links to Corporate Plan priorities or Policy Framework | |

8 Document Information

| Appendix No | Title |
|--|----------------|
| | |
| Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers) | |
| | |
| Report Author | Contact Number |
| Mark Dungworth | 01246 593037 |

Report Reference –