

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.

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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 Out of the 60 targets, 47 (78.5%) were on track, 11 (18.5%) had been previously achieved, 2 (3%) had been withdrawn.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.

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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.

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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.

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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)

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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)

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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))

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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.

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**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.

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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))

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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.