

EXECUTIVE

Minutes of a meeting of the Executive of the Bolsover District Council held in the Council Chamber, The Arc, Clowne, on Monday, 5th March 2018 at 1000 hours.

PRESENT:-

Members:-

Councillor A.M. Syrett in the Chair

Councillors M.J. Dooley, S.W. Fritchley and B.R. Murray-Carr.

Officers:-

D. Swaine (Chief Executive Officer), L. Hickin (Strategic Director – People), K. Hanson (Strategic Director – Place), S.E.A. Sternberg (Head of Corporate Governance), D. Clarke (Head of Finance & Resources), G. Galloway (Head of Property & Commercial Services), R. Routledge (Interim Planning Policy Manager) (to Minute Number 0665) and A. Bluff (Governance Officer).

0657. APOLOGIES

Apologies for absence were received on behalf of Councillors J. Ritchie and B. Watson.

0658. URGENT ITEMS OF BUSINESS

There were no urgent items of business to consider.

0659. DECLARATIONS OF INTEREST

There were no declarations of interest made.

0660. MINUTES – 19TH FEBRUARY 2018

A correction to the Minutes of the Executive held on 19th February 2018 was noted; the Assistant Director – Governance, Solicitor to the Council and Monitoring Officer, the Assistant Director – Finance and Revenues & Benefits and the Assistant Director – Property and Estates, left the meeting prior to Minute Number 0618 and not during Minute Number 0617 as stated.

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Moved by Councillor B.R. Murray-Carr and seconded by Councillor M.J. Dooley
RESOLVED that subject to the above correction, the Minutes of an Executive meeting held on 19th February 2018, be approved as a true record.

0661. ITEMS RECOMMENDED BY SCRUTINY COMMITTEES

There were no items recommended by Scrutiny Committees.

0662. POLICY AND BUDGET FRAMEWORK ITEMS

There were no Policy and Budget Framework Items to consider.

0663. NON KEY DECISION CORPORATE PLAN TARGETS PERFORMANCE UPDATE – OCTOBER TO DECEMBER 2017 (QUARTER 3 2017/18)

Executive considered a report which provided breakdown details of Quarter 3 (October to December 2017) performance outturn for the Corporate Plan 2015 - 2019 targets.

The report also sought Executive's approval to withdraw target T14: *Achieve the Member Development Charter by December 2018*. This had previously been agreed at the quarterly Budget & Performance meeting on 29th January 2018.

Out of the 61 targets;

- 43 (70%) were on track,
- 13 (22%) had been achieved (1 in this quarter and 12 previously),
- 3 (5%) had been withdrawn (2 previously)
- 2 (3%) were overdue.

In relation to the 2 targets which were overdue, **G06: Undertake statutory public consultation on the Local Plan (Strategic Policies and Site Allocations) in line with the adopted Local Development Scheme timetable by July 2017** and **G07: Submit Local Plan (Strategic Policies and Site Allocations) for examination by the Planning Inspectorate by November 2017**; a report on the Local Plan, including a revised timetable, was taken to Planning Committee on 8th February 2018. The Lead Officer would request extensions for these targets at Quarter 4.

A verbal update on the Local Plan by the Interim Planning Policy Manager would also be considered later in this meeting at agenda item 7 (C).

With regard to withdrawing target T14, the Member Development Working Group had decided that it no longer wished to pursue the Member Development Charter as the cost of achieving it was £999 plus VAT and reaccreditation would need to take place within a minimum of 3 years at a cost of £500 plus VAT. The criteria for the Charter had recently changed so all work previously carried out would need to be reviewed to

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ensure it met the new criteria and further work may be necessary if extra criteria had been introduced. Members felt that the money could be put to better use elsewhere within the Council.

A Member referred to Corporate Plan Target C06: *Prevent homelessness for more than 50% of people who are facing homelessness each year*; he raised concern that the Authority's Homelessness Policy only helped those people who met the Authority's strict homelessness criteria. The Chief Executive Officer replied that a pragmatic approach was required in all cases of homelessness. The Policy required a degree of flexibility for those cases where people fell between the strict guidance and those on the marginal line and this would be looked at by the Strategic Director – Place and the Head of Housing. The Member requested that the partner agencies, particularly the police, also be involved.

The Member referred to Corporate Plan Target C15: *Ensure a minimum of 50% of clients receiving parenting support each year express a positive outcome*; he raised concern that there were currently no active groups and requested that an action plan be devised on what was being done to look at new referrals and also the success rates in terms of parenting. The Strategic Director – Place agreed to devise an action plan.

The Member referred to Corporate Plan Target H04: *Tackle childhood obesity through the delivery of a child focused health intervention programme to all Key Stage 2 year groups by the end of each academic year*; he queried if the target was still relevant. The Chief Executive Officer replied that further information would be sought for Members in relation to the numbers regarding delivery of the target. The programme was DCC funded and was currently under threat due to the budget cuts being made at DCC. The Council's Corporate Plan would need amending if the programme did not continue.

With regard to Corporate Plan Target H16: *Replace each year 200 gas fired back boilers in our Council houses with more efficient 'A' rated combi boilers*; a Member raised that there had been a lot of complaints about boilers not working during the recent cold spell. Another Member added that a common problem was the condense pipe freezing up and the placement of these should be looked at when the boilers were installed.

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

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

(2) Target T14; Achieve the Member Development Charter by December 2018, be withdrawn.

(Information Engagement & Performance Manager)

REASON FOR DECISION: This was 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 the report as providing an overview of performance against agreed targets.

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0664. NON KEY DECISION ARREARS – IRRECOVERABLE ITEMS OVER £2500

Executive considered a report which sought approval to write off of irrecoverable items relating to business rates, council tax and former housing tenants where the individual debt exceeded £2,500 as itemised in the schedules attached to the report.

Members raised concern with regard to the high levels of some of the debts and the timescales involved which had allowed the debts to escalate.

The Chief Executive Officer acknowledged that Members required reassurance that all actions had been taken to recover the debts. The timescales involved related to the fact that the Council also wished to prevent homelessness cases. A presentation had been provided to a Scrutiny Committee regarding what actions were undertaken by the Council to trace debtors before the debts were presented to Executive for write off and this could be presented to a future Executive meeting.

The Leader added that she would also like to be reassured that customers had been signposted to the advisory groups that worked with voluntary bodies who helped people avoid losing their homes by supporting them with debt management.

Members requested that a brief summary of the actions taken by officers to trace the debtors be included in future reports for Members information.

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

RESOLVED that the irrecoverable items including costs amounting to £18,844.72 be written off, with the proviso that should any of the debts become collectable, the amounts be re-debited.

(Head of Finance & Resources)

REASON FOR DECISION: The report sought agreement to write off outstanding debts in respect of persons who had ceased to trade, were deceased or could not be traced. The process of writing off debts which were not collectable allowed resources to be directed at those elements of outstanding debt where there was greater chance of recovery, while it improved the accuracy of the Council's financial statements in that they no longer detailed debt which was effectively irrecoverable.

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

0665. NON KEY DECISION LOCAL PLAN UPDATE

The Interim Planning Policy Manager provided a verbal Local Plan update to the meeting on the Local Plan.

Members would recall that Planning officers attended Executive on 19th February 2018 where it was confirmed that the intervention submission had been made and confirmation of receipt had been received from the Ministry of Housing, Communities and Local

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Government. A new Local Development Scheme had been drawn up and agreed for consultation purposes by the Local Plan Steering Group and Planning Committee and relevant information had been submitted to the Sustainability Appraisal Consultants. A Barrister had been appointed and initial discussions had been held in relation to both sustainability appraisal, green belt and duty to cooperate issues. Members may recall that these were all issues that the Planning Inspectorate had raised with the Council regarding work on the Local Plan that the Council should be doing.

The Interim Planning Policy Manager confirmed that the Ministry of Housing, Communities and Local Government had recently requested the Council's views on the publication of the Council's submissions be made public. With the exception of the Council's confidential discussions with the Planning Inspectorate and the Council's Sustainability Appraisal Consultants, which the Council requested to be redacted, the Council had agreed to this. Unfortunately, there had been no update in respect of the views of the Council's submission and the Council's standing in terms of intervention.

The Local Development Scheme was consulted on for two weeks during the period 9th February and 23rd February 2018 and only one representation was received. This was essentially the promotion of a site that the Council had previously refused and it has not been allocated within the Plan to be brought forward.

A report recommending adoption of the Local Development Scheme was currently in a draft form and would be presented to the Local Plan Steering Group and Planning Committee on 14th March 2018 and the new timetable would be formally adopted.

Early draft feedback from the Sustainability Appraisal Consultants had indicated that in terms of the big strategic decisions the Council was promoting; in terms of the quantum of housing and employment land and the spatial strategy about the distribution, the changes were what they would have expected to see at this point in the process. The Consultant's view was that the Council's recent revisions were essentially tweaks, which was expected this close to publication. The Consultant's advice, that whilst hard to quantify, the Council's latest preferred options were better again than the previous draft plan. Lastly, the Consultant had confirmed that they were still on track to meet the agreed dates in terms of all of the work concerned.

More work was to be undertaken on individual sites and individual policies in the Plan in terms of their sustainability but it was good so far in terms of that and the Consultants believed they would stick to all the dates concerned.

Detailed discussions had taken place with the Barrister in terms of the greenbelt, sustainability appraisal and duty to cooperate issues. Feedback on these areas was generally positive and work was still ongoing. The Council was currently on track for a special meeting of the Planning Committee on 18th April 2018, which would be to agree the publication of the draft Local Plan.

The Leader noted that a report from the Government on the revised guidance appeared to be relaxing restrictions on building and restrictions on greenbelt. The general feel was that the Government were still blaming local councils for blocking housing and therefore developers needed a simpler path to developing. Housing allocations were being looked at but the Leader did not know the detail. Whilst the Council was on track with what it planned to do as advised at this meeting, the Leader was concerned that this was another

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broadside from the Government about what the Council should be doing and this raised concerns with the Leader.

The Chief Executive Officer reported that he had arranged for a piece of work to be undertaken on the outcome of any revised guidance and what the impact may be for the Council. However, the Council needed to continue with what it was currently doing taking into account any changes that may materially affect the direction. Concerns about the impact of any revised guidance would require clarity from the Government and then dialogue on what it would mean for the Authority going forward.

The Interim Planning Policy Manager confirmed that whilst a consultation National Planning Policy Framework (NPPF) was due out today, he did not believe that many of the changes that would be consulted on would have a negative effect on the Council. In essence, the proposed changes had already been signposted and planning officers had tried to ensure that the emerging Local Plan would be robust to deal with the changes when, potentially in late summer, they were eventually brought in.

The Leader and the Chief Executive Officer agreed that the Council's date must not slip. The Chief Executive Officer added that once an assessment of the Government's new guidance was known, an update would be provided to lead Members to see how it reconciled to the Plan and the timetable.

Members thanked the Chief Executive Officer for paying close attention to the situation.

Moved by Councillor B.R. Murray-Carr and seconded by Councillor S.W. Fritchley **RESOLVED** that the verbal update be noted.

REASON FOR DECISION: The verbal report was an updating report and there was currently no action required in order for the Local Plan to continue to develop as intended.

OTHER OPTIONS CONSIDERED: The purpose of the verbal report was to provide a progress update on the Local Plan and no alternative options had been considered. However, it is important to note that alternative options had been considered as part of the preparation of the Local Plan and these were documented through the Sustainability Appraisal that had been prepared alongside the Plan and within the various committee papers approving the content of the Plan.

The Interim Planning and Policy Manager left the meeting.

0666. KEY DECISION HOMES ENGLAND (FORMERLY HCA) FUNDING AGREEMENT

Executive considered a report which provided an update on progress regarding development sites in the southern part of the District as agreed at the 30th January 2017 Executive meeting. The report also sought Executive's approval to enter into a funding agreement with Homes England.

In October 2017, Executive approved officers to pursue Homes England (Formally HCA) Affordable Homes Programme (AHP) funding to support the delivery of sites, adding

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further capacity to the Council's B@Home Programme. Officers submitted the AHP bids for the following sites:

- St. Michael's Drive, South Normanton
- Leamington Drive, South Normanton
- Beech Grove, South Normanton
- Ash Close, Pinxton
- Elm Close, Pinxton
- Lime Close, Pinxton
- Highcliffe Avenue, Shirebrook

Homes England had confirmed that the bids, totalling approximately £650k, to support the delivery of 18 new Council homes on the above sites, had been successful and they wished to enter into a contract with the Council.

Executive's approval was sought to enter into a funding agreement with Homes England for the AHP 2016-21. Whilst the current funding agreement would cover the schemes outlined above, any further bids submitted by officers, (e.g. Recreation Close, Clowne, The Paddock, Bolsover etc.) would need to be submitted under a new Homes England funding agreement.

Members welcomed the report.

Moved by Councillor S.W. Fritchley and seconded by Councillor B.R. Murray-Carr
RESOLVED that Executive agrees to enter into the Homes England, Affordable Homes Programme 2016-21, funding agreement and any ancillary agreement as outlined in the report.

(Head of Property & Commercial Services)

REASON FOR DECISION: (1) To deliver the Council's corporate target of building a minimum of 100 new Council properties by March 2019, it was recommended that Executive utilised external funding support where available to increase the overall capacity to deliver new homes through HRA headroom borrowing.

(2) To date, Executive and Council have approved and funded the delivery of 14 sites, which will deliver 99 new Council properties by March 2019. Support of the recommendation in the report would mean of the forecast £12m total cost, Homes England would have contributed in excess of £2.2m.

OTHER OPTIONS CONSIDERED: Executive could choose not to enter the funding agreement and decline the funding support. This would increase the pressure on the HRA headroom and reduce the capacity for further delivery of new Council homes.

The meeting concluded at 1045 hours.