

EXECUTIVE

Minutes of a meeting of the Executive of the Bolsover District Council held in the Council Chamber, The Arc, Clowne on Monday 18th June 2018 at 1000 hours.

PRESENT:-

Members:-

Councillor A.M. Syrett in the Chair

Councillors M.J. Dooley, S.W. Fritchley, H.J. Gilmour, D. McGregor, B.R. Murray-Carr, M.J. Ritchie and B. Watson

Officers:-

D. Swaine (Chief Executive Officer), S. Sternberg (Joint Head of Corporate Governance and Monitoring Officer), D. Clarke (Joint Head of Finance and Resources), T. Evans (Joint Empty Property Officer) (until Minute No. *), R. Routledge (Interim Planning Policy Manager) (until Minute No. *), L. Khella (Partnership Programme Management Consultant), J. Clayton (Partnership Performance and Sustainability Officer) and A. Brownsword (Senior Governance Officer)

0058. APOLOGIES

There were no apologies for absence.

0059. URGENT ITEMS OF BUSINESS

There were no urgent items of business.

0060. DECLARATIONS OF INTEREST

There were no declarations of interest.

0061. MINUTES – 21st MAY 2018

Moved by Councillor S.W. Fritchley and seconded by Councillor B.R. Murray-Carr **RESOLVED** that the minutes of a meeting of the Executive held on 21st May 2018 be approved as a true and correct record.

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0062. POLICY AND BUDGET FRAMEWORK ITEMS ENFORCED SALE PROCEDURE – PRIVATE EMPTY PROPERTIES

The Joint Empty Property Officer presented the report which sought to implement a procedure for the current legislation of Enforced Sale for the Council to use when carrying out this function on long term empty properties. This procedure was to be used on properties where a debt was owed to the Council. It was noted that an external company may be used in the first instance to progress enforced sales, but this would be brought in-house once the expertise had been gained.

Moved by Councillor A.M. Syrett and seconded by Councillor B.R. Murray-Carr
RESOLVED that (1) Executive notes the contents of this report,

(2) Executive agree to the introduction of the Enforced Sale Procedure for Private Empty Properties and that it be used when dealing with cases that are appropriate for this course of action,

(3) Executive agree to delegate powers to the Chief Executive Officer to use the Enforced Sale Procedure for properties that are appropriate for this course of action.

REASON FOR DECISION: (1) The procedure will ensure that Officers adhere to the guidance and that cases are dealt with appropriately and successfully, resulting in a reduction of empty properties and protecting the Council's reputation.

(2) Having a clear procedure will help empty property owners know the procedure we will be undertaking and may encourage them to engage with the Council to take appropriate action with their property.

(3) The wider general public will understand the Council are taking nuisance empty properties seriously and have an agreed procedure that the Council will follow.

OTHER OPTIONS CONSIDERED: (1) The alternative option of following enforced sale guidance from other Councils and government legislation, has been rejected in favour of having an adopted procedure that is clear to Officers, Members, empty property owners and the public.

(2) The alternative option of using external legal firms to manage cases for enforced sale has also been rejected, as this would involve the Council paying them a fee (although it would be recoverable from the proceeds of the sale of the empty property). The Council has the necessary skills available in-house and the Council are better able to keep control of the process by doing it in-house.

(Joint Empty Property Officer)

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0063. NON KEY DECISION REPRESENTATIVES ON OUTSIDE BODIES

The Leader and Portfolio Holder – Overall Policy and Strategic Planning presented the report to appoint Portfolio Holders as representatives to serve on relevant outside bodies.

Moved by Councillor D. McGregor and seconded by Councillor S.W. Fritchley
RESOLVED that the representatives to serve on outside bodies for 2018/19, relating to Cabinet functions, as attached at Appendix 1, be approved.

REASON FOR DECISION: To facilitate the appointment of members of the Cabinet to Outside Bodies.

OTHER OPTIONS CONSIDERED: There are no alternative options recommended as failure to make appointments would result in the Council not being represented on the Outside bodies.

(Senior Governance Officer)

0064. NON KEY DECISION LOCAL PLAN UPDATE REPORT

The Interim Planning Policy Manager presented the report which advised the Executive of progress in relation to the Local Plan and set out the associated risks.

The most recent round of consultation on the Local Plan closed at 5pm on 15th June 2018 and around 560 representations had been received. Work was ongoing to prepare for submission to the Inspector in late July in accordance with the Local Development Scheme.

Moved by Councillor D. McGregor and seconded by Councillor A.M. Syrett
RESOLVED that (1) the report be noted in terms of the work that has been completed in relation to the Local Plan and the risks that have been recognised and our approach to the proposed management of such risks,

REASON FOR DECISION: (1) The report clarifies that we should not submit a Plan unless we consider it to be sound and compliant with legal requirements. However, planning is a matter of judgement and there will always be those making objections, whilst some of these may have planning merit, it does not necessarily mean that our Plan is wrong.

(2) The report makes clear that there are a number of opportunities for the Council to reconsider their position and seek to make amendments to the Plan. The approach to take will be a matter of judgement based upon an assessment of the issues involved, the level of risk and legal advice.

OTHER OPTIONS CONSIDERED: The Council must recognise that the production of a Local Plan often leads to conflict situations and what is most important is that we

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can show a robust approach and fair consideration to all representations submitted, as outlined above. Deciding to do otherwise at this point would be counterproductive

(Interim Planning Policy Manager)

**0065. NON KEY DECISION
BOLSOVER PARTNERSHIP FUNDING AND PERFORMANCE
MONITORING - APRIL 2017 TO MARCH 2018**

The Partnership Programme Management Consultant presented the monitoring report which included details on key activities that the Bolsover Partnership Team has been working on between April 2017 and March 2018, key statistics/trends for the district in relation to three of the Partnership's thematic Action Groups – Business and Employment, Health and Well-Being, and Raising Aspirations, an overview of the Council's Business Growth Fund in Bolsover and the impact of the investment, social value outcomes through the B@Home Partnership, progress on the Building Resilience Programme funded by the Controlling Migration Fund, an overview of the Council's Grants to Voluntary Organisations programme and the impact of the investment, progress on the LEADER programme and case studies demonstrating the impact of project activity to local people.

Members noted that the Partnership Team had had another successful year delivering against the Council's priorities and were being nationally recognised for their work. The Chief Executive Officer noted that the team was an example of an exemplar partnership, receiving national recognition and showing the lead on the Local Integration Board.

Moved by Councillor M. Dooley and seconded by Councillor D. McGregor
RESOLVED that (1) the report be received.

REASON FOR DECISION: To ensure that funding is targeted to best effect

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

(Partnership Programme Management Consultant)

**0066. NON KEY DECISION
STRATEGIC RISK REGISTER AND PARTNERSHIP
ARRANGEMENTS**

The Joint Head of Finance and Resources presented the report which updated the Executive on the current position regarding Risk Management and Partnership

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Arrangements and sought approval for the revised Strategic Risk Register as at 31st March 2018.

It was noted that Safeguarding and Local Plan had been added to the Risk Register

Moved by Councillor B. Watson and B.R. Murray-Carr

RESOLVED that (1) Executive approves the Strategic Risk Register as at 31 March 2018 as set out in Appendix 1 of the report.

REASON FOR DECISION: To enable Executive to consider the risks identified within the Strategic Risk Register / Partnership Arrangements in order to assist in maintaining effective governance arrangements, service and financial performance.

OTHER OPTIONS CONSIDERED: Under the relevant good practice and to facilitate the development of robust managerial arrangements the Council is required to prepare a Strategic Risk Register as part of its risk management framework. This report is in part intended for Members and Officers to consider whether the Council has adopted an appropriate approach to its management of risk and partnerships. Given that this report is part of the approach to help ensure the effective management of risk / partnerships there is not an alternative to the presentation of a formal report.

(Joint Head of Finance and Resources)

0067. KEY DECISION MEDIUM TERM FINANCIAL PLAN - FINANCIAL OUTTURN 2017/18

The Joint Head of Finance and Resources presented the report which informed the Executive of the outturn position of the Council for the 2017/18 financial year.

It was noted that the report had been prepared in time to meet the target date of 31st May 2018. The draft Statement of Accounts 2017/18 were now subject to the independent audit from the Council's external auditors, KPMG.

A contribution of £1.785m had been made to the Transformation Reserve and the outturn position of the Housing Revenue Account and the position of the Capital Programme was noted.

Moved by Councillor B. Watson and seconded by Councillor M.J. Ritchie

RESOLVED that (1) Executive note the outturn position in respect of the 2017/18 financial year,

(2) the Executive approve the proposed carry forward of capital budgets detailed in **Appendix 4** totalling £3.739m.

REASON FOR DECISION: The Statement of Accounts is required to be prepared by 31 May and audited by the 31 July each year. The Council has now completed the

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draft Statement of Accounts and they have been signed off by the Chief Financial Officer as at 24 May 2018 which secures compliance with the Council's obligations.

OTHER OPTIONS CONSIDERED: The financial outturn report for 2017/18 is primarily a factual report which details the outcome of previously approved budgets therefore there are no alternative options that need to be considered.

(Joint Head of Finance and Resources)

The meeting concluded at 1115 hours.