

EXECUTIVE

Minutes of a meeting of the Executive of the Bolsover District Council held in the Council Chamber, The Arc, Clowne on Monday, 18 November 2019 at 10:00.

PRESENT:-

Members:-

Councillor Steve Fritchley in the Chair

Councillors Duncan McGregor, Nick Clarke, Mary Dooley, Clive Moesby, Sandra Peake, Liz Smyth and Deborah Watson.

Officers:- Dan Swaine (Joint Chief Executive Officer), Karen Hanson (Joint Strategic Director - Place), Lee Hickin (Joint Strategic Director - People), Sarah Sternberg (Joint Head of Corporate Governance & Monitoring Officer), Theresa Fletcher (Chief Accountant & Section 151 Officer), Matthew Broughton (Joint Head of Partnership and Transformation), Deborah Whallett (Housing Enforcement Manager) and Donna Cairns (Senior Governance Officer).

431 APOLOGIES FOR ABSENCE

There were no apologies for absence.

432 URGENT ITEMS OF BUSINESS

There was no urgent business to be considered at the meeting.

433 DECLARATIONS OF INTEREST

Members were requested to declare the existence and nature of any disclosable pecuniary interests and/or other interests, not already on their register of interests, in any item on the agenda and withdraw from the meeting at the appropriate time.

There were no declarations made at the meeting.

434 MINUTES

Moved by Councillor Steve Fritchley and seconded by Councillor Duncan McGregor **RESOLVED** that the minutes of a meeting of the Executive held on 14th October 2019 be approved as a true and correct record.

Councillor Nick Clarke entered the meeting at this point.

435 LOCAL OFFER FOR CHILDREN IN CARE AND CARE LEAVERS

Executive considered the report of the Portfolio Holder – Housing & Community Safety which sought approval for the Council to support and commit to a countywide

District and Borough 'Local Offer for Children in Care and Care Leavers'. Approval was also sought for the Council to support and to commit to the development of a countywide 'Care Leaver Covenant'.

The District and Borough 'Local Offer for Children in Care and Care Leavers' included the following elements:

- Council Tax Discount for Derbyshire Care Leavers (This element had been previously approved by Council in January 2019).
- Active Fostering – Physical Activity Programme
- Employment, Skills, Apprenticeships and Work Experience
- Accommodation and Housing
- Marketing and Promotion

The report set out the rationale and the details for each element of the offer.

Members queried the level of funding from the County Council towards the Active Fostering Physical Activity Programme and were advised that the funding was calculated based on the number of participants which was limited.

It was also proposed that the District Council work collaboratively with Derbyshire County Council, other District/Borough Councils and other partners and stakeholders across the county to develop a 'Derbyshire Care Leaver Covenant'. The Covenant was intended to be a promise made by the private, public and voluntary sectors to provide support for care leavers aged 16-25 to help them live independently.

Members praised the Joint Strategic Director – People for his work in relation to this report.

Moved by Councillor Sandra Peake and seconded by Councillor Mary Dooley

RESOLVED – That Executive:

- (1) approve and adopt the proposals set out at paragraph 1.6 to the report and that further consideration be given to how the Council might work with others across the County to support children in care and care leavers.

- (2) approve the District Council's support and commitment to the development of a county wide 'care leaver covenant' as set out in paragraph 1.7 of the report.

REASON FOR DECISION:

To provide the right support, through raising awareness and promoting opportunities, to ensure that children in care and care leavers were capable of achieving their ambitions, aspirations and life goals.

OTHER OPTIONS CONSIDERED:

The publication of a local offer was a requirement for the local authority so there was no alternative but to approve an offer. The option to produce an offer just for this Council was rejected as it was considered that a joint offer would provide greater consistence, clarity and equity.

(Joint Strategic Director – People)

Executive considered the report of the Portfolio Holder – Finance & Resources which provided an update on the financial position of the Council following the second quarter's budget monitoring exercise for the General Fund, the Housing Revenue Account (HRA), Capital Programme and Treasury Management activity.

General Fund

The overall position on the General Fund at the end of Quarter 2 showed that there was a favourable variance of £1.538m. This was mainly an issue of timing with a combination of receiving income in advance of spend and under spends due to not receiving invoices yet, for the year.

It was noted in the report that although the budget shortfall for 2019/20 had been met, there was still a need for on-going savings. The shortfall in future years was to be reduced by the efficiencies that had been identified but not yet realised. This included estimates of growth for business rates and council tax as well as transformation programmes.

Members queried work being done to address the underspend in Disabled Facilities Grants and were advised that the Environmental Health team were working proactively with the County Council to speed up the process.

Housing Revenue Account (HRA)

At the end of Quarter 2, the HRA was showing a net surplus of £0.894m. There were no significant issues to report in respect of this period.

Capital Programme

In headline terms, the Capital Programme profiled budget for Quarter 2 was £7.825m and the actual spend and known commitments totalled £5.123m, which was £2.702m behind the planned spend position. The areas of the programme which had underspent were listed in the report.

There were no significant financial issues to report regarding capital expenditure, however it was noted that the delivery of the approved Capital Programme was behind the profiled position as at this half year point. Officers were to continue to review the programme as part of the revised budget process and re-profile expenditure on schemes to future years as appropriate where funding allows.

Treasury Management

The Treasury Management activity undertaken in the second quarter of 2019/20 was in line with the plans agreed as part of the Treasury Management Strategy 2019-2023. The income received from investments was higher than budgeted, however, interest rates were variable and therefore it was too early in the financial year to predict if this trend would continue. A full assessment of this was to be carried out during the next quarter with a view to amending budgets accordingly.

Moved by Councillor Clive Moesby and seconded by Councillor Sandra Peake

RESOLVED – That Executive notes -

- (1) the monitoring position of the General Fund at the end of the second quarter as detailed on Appendix 1 to the report (A net favourable variance of £1.538m against the profiled budget) and the key issues highlighted within the report.
- (2) the position on the Housing Revenue Account, the Capital Programme and Treasury Management at the end of the second quarter (Appendices 2, 3 and 4 to the report).

REASON FOR DECISION: The report summarised the financial position of the Council following the second 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 2019/20 was primarily a factual report which details progress against previously approved budgets. Accordingly there are no alternative options to consider.

(Head of Finance and Resources & S151 Officer)

437 RENT ARREARS POLICY

Executive considered the report of the Portfolio Holder – Housing & Community Safety which recommended the approval of a Rent Arrears Policy.

The Rent Arrears Policy explained the Council's approach to prevention and collection of rent arrears. The procedure which was to sit alongside the policy was to ensure that all officers involved in tenancy management, at different levels or stages, adopt the same fair but firm approach and took account of the need to consider equality and proportionality when taking any action.

Members queried the reliance in the policy and procedure on the sending of letters or emails rather than home visits and personal contact. The Housing Enforcement Manager explained that the focus of the policy was on prevention of rent arrears through support and budget management. The Equality Act Case Assessment, attached to the policy, demonstrated the actions that had to be carried out prior to authorisation for proceedings for repossession to be issued. This included a number of steps including home visits and attempts to contact the tenant prior to any escalation of the recovery action.

It was also discussed that the Policy did not include reference to the communication with families or next of kin of tenants who have died in relation to the tenancy and any rent arrears owed in respect of it. Some concerns were raised regarding the current wording used. The Housing Enforcement Manager advised Members that the housing service had reviewed the letters sent to the next of kin of tenants who have died in respect of rent arrears owed by their estate. A booklet has been put together with advice on different situations on the termination of a tenancy such as this. This would explain the process in a more sensitive and accessible manner.

It was agreed that the revised letters and guidance sent to the next of kin following the death of a tenant with rent arrears be circulated to Executive Members for information.

Moved by Councillor Sandra Peake and seconded by Councillor Duncan McGregor
RESOLVED – That Executive approve and adopt the Rent Arrears Policy.

REASON FOR DECISION:

It was considered good practice to have a policy which set out the Council's approach to the prevention and collection of rent arrears.

OTHER OPTIONS CONSIDERED:

The policy was considered necessary so that members of the public were aware of the Council's approach to prevention and collection of rent arrears. Therefore no alternative options were considered.

(Housing Enforcement Manager)

438 EXCLUSION OF PUBLIC

Moved by Councillor Steve Fritchley and Seconded by Councillor Duncan McGregor
RESOLVED that under Section 100(A)(4) of the Local Government Act 1972 (as amended), the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in the stated Part 1 of Schedule 12A of the Act and it is not in the public interest for that to be revealed. [The category of exempt information is stated after each Minute].

439 EXEMPT MINUTES

Moved by Councillor Steve Fritchley and Seconded by Councillor Duncan McGregor
RESOLVED that the exempt minutes of a meeting of the Executive held on 14th October 2019 be approved as a true and correct record.

(Paragraph 3)

440 PAYMENT CARD INDUSTRY DATA SECURITY STANDARD - UPDATE

Executive considered the report of the Portfolio Holder – Corporate Governance which provided an update on the cost and service implications in progressing towards Payment Card Industry Data Security Standards (PCI-DSS) compliance. The report also recommended measures to be approved to facilitate this progress.

Moved by Councillor Duncan McGregor and seconded by Councillor Clive Moesby
RESOLVED - That Executive:

- (1) note the outcome of the Kiosk tender process and award the contract to Cammax Ltd as outlined in paragraph 1.9 of the report.
- (2) approve £57,000 to fund the procurement of the Kiosks, funded from the 2019/20 Capital Programme.
- (3) note the progress to date on a 'Customer not present' solution and support the procurement process and await the outcome in a future report.
- (4) approve £30,000 to upgrade/replace the Payment Solution which was considered end of life, to be funded through the 2020/21 Capital Programme.

REASON FOR DECISION:

To provide a practical and economical solution to ensure Payment Card Industry Data Security Standard compliance, whilst maintaining or enhancing the customer experience and trust in the Council when it comes to personal and sensitive data.

OTHER OPTIONS CONSIDERED:

Other bids were considered during the tender process for the replacement of the payment kiosks but were rejected as the recommended bid was considered the most economically advantageous. The upgrade/replacement of the Payment Solution was considered to be essential and therefore no alternative options were applicable.

(Joint Head of Partnerships and Transformation)
(Paragraph 3)

The meeting concluded at 10:35 hours.