

EXECUTIVE

Minutes of a meeting of the Executive of the Bolsover District Council held in the Virtual Meeting and Council Chamber, The Arc, Clowne on Monday, 26 October 2020 at 10:00 hours.

PRESENT:-

Members:-

Councillor Steve Fritchley in the Chair

Councillors Duncan McGregor (Vice-Chair), Nick Clarke, Mary Dooley, Clive Moesby, Sandra Peake, Liz Smyth and Deborah Watson.

Officers:- Karen Hanson (Joint Director of Environment and Enforcement), Lee Hickin (Joint Director – Corporate Resources and Head of Paid Service), Sarah Sternberg (Solicitor to the Council & Monitoring Officer), Chris Fridlington (Assistant Director of Development and Planning), Ian Barber (Head of Property Services & Housing Repairs), Ann Bedford (Customer Standards and Complaints Officer), Donna Cairns (Senior Governance Officer) and Tom Scott (Governance Officer).

EX46-20/21 APOLOGIES FOR ABSENCE

There were no apologies for absence.

EX47-20/21 URGENT ITEMS OF BUSINESS

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

EX48-20/21 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.

EX49-20/21 MINUTES

Moved by Councillor Duncan McGregor and seconded by Councillor Sandra Peake
RESOLVED that the minutes of a meeting of Executive held on 28th September 2020 be approved as a true and correct record.

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NON KEY DECISIONS

EX50-20/21 BUDGET MONITORING REPORT - QUARTER 2 - APRIL TO SEPTEMBER 2020

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

General Fund

A breakdown of the Quarter 2 monitoring position by Directorate was included in the report. The overall position on the General Fund at the end of Quarter 2 showed that there was a favourable variance of £0.413m. However, this included the S106 under spent expenditure; the position without these is £0.195m under achieved. The figures in this report had not yet been adjusted for the financial effect of Coronavirus. Extra expenditure incurred was to be covered by the Government grant and irrecoverable losses of fees and charges will be compensated in part, by the Ministry of Housing, Communities and Local Government (MHCLG) income compensation scheme. Further assessment of lost income would be undertaken as part of the revised budget process.

It was noted in respect of the Medium Term Financial Plan, that from 2021/22 onwards, there was a transfer into the general fund from the NNDR Growth Protection Reserve to replace the losses caused by changes in Government funding. As this was not a sustainable source of income for the general fund, the Council looked to the new directorate for development to generate income.

Housing Revenue Account (HRA)

At the end of Quarter 2, the HRA income figures showed an adverse variance of £0.192m. Expenditure showed an overall favourable variance of £0.400m. Overall the HRA showed a net surplus of £0.188m. In light of the expenditure patterns to date, there were no significant issues to report regarding the overall position for the HRA at the end of the second quarter. All of the HRA Budgets were to be reviewed as part of the revised budget process.

Capital Programme

In headline terms, the Capital Programme profiled budget for Quarter 2 was £8.701m and the actual spend and known commitments totalled £4.424m, which was £4.277m behind the planned spend position.

Whilst there were no significant financial issues to report regarding capital expenditure at the end of the second quarter, it was noted that the delivery of the approved Capital Programme was behind the profiled position as at Quarter 2, in part due to Coronavirus related delays. There were concerns regarding the spending of the 1-4-1 capital receipts. Officers continued to monitor the situation closely and would keep MHCLG updated.

Treasury Management

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The Treasury Management activity undertaken in the second quarter of 2020/21 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 being received on investments was generally lower than estimated. A full assessment of this was to be carried out as part of the revised budgets process.

Executive thanked the Portfolio Holder – Finance and Community Safety for the report and his hard work. The Portfolio Holder thanked officers for their work in support.

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 detailed in Appendix 1 (A net favourable variance of £0.413m against the profiled budget) and the key issues highlighted within the report.
- 2) the position on the Housing Revenue Account (HRA), the Capital Programme and Treasury Management at the end of the second quarter (Appendices 3, 4 and 5).

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 2020/21 was primarily a factual report which details progress against previously approved budgets. Accordingly there are no alternative options to consider.

EX51-20/21 CUSTOMER SERVICE STANDARDS/ COMPLIMENTS, COMMENTS AND COMPLAINTS REPORT 2019/20

Executive considered the report of the Portfolio Holder – Corporate Governance which provided information on the Council's performance in relation to its customer service standards. The report provided a detailed breakdown of the key customer service standards by quarterly period, together with the target and the cumulative performance for each standard.

Members commented that the report demonstrated excellent service standards were being achieved, particularly the increased number of compliments and that staff should be commended for their hard work and commitment. The resolution of complaints was noted and that methods for contacting and raising complaints with the Council provided a simple and straightforward process.

Moved by Councillor Duncan McGregor and seconded by Councillor Sandra Peake
RESOLVED that Executive notes the report on the Council's performance in relation to its customer service standards with a detailed breakdown of the key customer service standards by quarterly period, together with the target and the cumulative performance for each standard and that staff should be commended for their hard work and commitment.

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REASON FOR DECISION:

Not applicable as this report was for information only.

OTHER OPTIONS CONSIDERED:

Not applicable as this report was for information only.

EX52-20/21 ANNUAL LETTER FROM THE LOCAL GOVERNMENT & SOCIAL CARE OMBUDSMAN 2019/20

Executive considered the report of the Portfolio Holder – Corporate Governance which detailed an annual summary of statistics on the complaints made about the Authority for the financial year ending 31st March 2020.

It was noted that 11 enquiries and complaints had been made to the Local Government and Social Care Ombudsman during 2019/20, 4 of which were subject to a detailed investigation. 16 complaints had been decided of which 2 were incomplete or invalid, 8 were closed after initial enquiries, 2 were referred back to the Council and 3 were ‘no maladministration’. The remaining one was decided as ‘maladministration and injustice’. This was a particularly complex case and fault was found in the delays that had occurred.

The report provided bench making information for comparison against neighbouring authorities.

Moved by Councillor Duncan McGregor and seconded by Councillor Clive Moebsy
RESOLVED that Executive notes the report and the Annual Letter from the Local Government & Social Care Ombudsman 2019/20.

REASON FOR DECISION:

The report was to keep elected Members informed of the volumes and trends regarding Local Government and Social Care Ombudsman and Housing Ombudsman complaints.

OTHER OPTIONS CONSIDERED:

Not applicable as this report was for information only.

EX53-20/21 COUNCIL TARGETS TO DELIVER THE AMBITION 2020-2024 - PERFORMANCE FRAMEWORK UPDATE - APRIL TO JUNE 2020 - (Q1 - 2020/21)

Executive considered the report of the Portfolio Holder – Corporate Governance which reported on the quarter 1 outturns for the Council Ambition 2020-2024 Performance Framework.

Out of the 31 targets, 20 were on track (64%), 10 had been affected by Covid 19 (32%) and 1 (4%) had been achieved.

Details of each target and the related performance, together with actions taken to

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address any delays, were appended to the report.

Information on performance in relation to these targets in the second quarter of the year was being gathered and would be reported to Executive in due course. It was anticipated that the second quarter may show a greater impact of Covid-19.

Moved by Councillor Duncan McGregor and seconded by Councillor Steve Fritchley **RESOLVED** that Executive notes the progress and outturns against the Council Ambition 2020-2024 targets.

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 as this report was for information only, providing an overview of performance.

EX54-20/21 TRANSFORMATION PROGRAMME REVIEW

Executive considered the report of the Portfolio Holder – Partnerships and Leisure which provided an update on the Transformation Programme and sought approval to change the emphasis of the programme, post Covid-19 to focus more on strategic projects with reduced governance.

It was noted that the Transformation Programme had achieved great things since its adoption in late 2018 which would have a lasting impact on the organisation. However it was recognised that Covid-19 had significantly changed the context in which the programme operated and the Council needed to be agile and adaptive to the risks and opportunities presented.

The importance of staff development and the need to review all council services was recognised and the Leadership Programme and Service Reviews were to continue as a fundamental part of the Transformation Programme. Executive were advised that the first cohort on the Leadership Programme were about to resume, and a second cohort would start in the next year as planned.

The proposed changes to the programme were detailed in the report, and summarised below:

- Reduction in governance of the programme which was recognised to be resource intensive, due to the number and frequency of meetings
- Monitoring of historic project ideas was to be replaced by monitoring of strategic transformation projects. There would also be no further 'open call' for project ideas from staff, which would be replaced with direct engagement with staff on specific issues.
- Financial savings would be monitored via the existing 'line by line' annual budget review process to remove the risk of double counting savings
- Strategic Projects included home/agile working; review of vacant space; Development of Leisure Infrastructure; Bolsover Homes; Pleasley Vale Mills;

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Corporate Asset Carbon Reduction; Climate change marketing campaign.

Further strategic projects had been identified, agreed between the Council and the local MP, Mark Fletcher. These were to be added to the list of transformation programme strategic projects as they become closer to a delivery phase:

- The development of a new purpose-built growth corridor to Shirebrook
- The development of the Treble-Bob roundabout in Barlborough
- An extension of the Robin Hood Railway Line from Shirebrook to Ollerton
- The development of a new passenger service and station in Pinxton
- Strongly lobbying HS2 to reconsider the routing of the line through the district
- The development of new cycling opportunities across the district
- The development of further education provision in Bolsover, one of the few local authority districts in the country without any post 16 educational opportunities
- To pursue the development of a Green Enterprise Zone, and other opportunities for regeneration and the creation of skilled job
- To work closely with the four town and parish councils of Bolsover, Clowne, Shirebrook and South Normanton in anticipation of future Towns Deal bids.
- A positive outcome for the district through Vision Derbyshire and Local Government Reform.

Members discussed their support for the programme and the proposals for reducing costs and bringing forward projects of strategic importance, generating income with new ideas and investments, such as at Pleasley Vale Mills. It was noted that many of the scheme were about supporting the economy and job creation.

In relation to the Home/Agile Working project, Members noted that performance was important, as it mattered 'what work you do, not where you do it'.

The Portfolio Holder – Partnerships and Leisure requested that a report on achievements under the Transformation Programme be compiled and circulated to all Members.

Moved by Councillor Mary Dooley and seconded by Councillor Duncan McGregor
RESOLVED that Executive agree to the Transformation Programme changes as outlined in the report.

REASON FOR DECISION:

The proposals built upon the actions in the Covid-19 recovery plan, to reduce the resource heavy governance arrangements and focus on key strategic projects that had the ability to deliver the key drivers of the transformation programme.

OTHER OPTIONS CONSIDERED:

The option to continue with the existing programme unchanged was rejected as this would have been less efficient and less focussed on strategic projects.

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EX55-20/21 EXCLUSION OF THE 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 was not in the public interest for that to be revealed. [The category of exempt information is stated after each Minute].

PART 2 - EXEMPT ITEMS

NON KEY DECISIONS

EX56-20/21 CULVERTS REMEDIAL WORKS AT PLEASLEY VALE BUSINESS PARK

Executive considered the report of the Portfolio Holder – Economic Development which sought approval for additional capital funds to carry out identified works to the culverts at all three mills at Pleasley Vale Business Park. A contractor, detailed in the report, was also recommended to be appointed to carry out the works, subject to approval of the necessary budget.

Moved by Councillor Liz Smyth and seconded by Councillor Duncan McGregor **RESOLVED** that

- 1) Executive approves the scheme to carry out the identified culvert remedial works at Pleasley Vale Business Park.
- 2) Executive recommends to Council that the scheme be added to the Capital Programme.
- 3) subject to the approval of the budget and the addition of the scheme to the Capital Programme, OnSite Central Ltd be appointed to carry out the identified culvert remedial works detailed in the report.

REASON FOR DECISION:

The remedial works were considered to be essential as they would bring the culverts back into a reasonable state of repair and reduce the need for further more costly works in the future.

OTHER OPTIONS CONSIDERED:

The option not to undertake the works was rejected as this would have risked cost increases if the identified defects were left to worsen with time, and the increased flood risk through additional silting would not have been dealt with.

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KEY DECISIONS

EX57-20/21 BUSINESS RETENTION AND RENT RELIEF IN COUNCIL-OWNED COMMERCIAL PROPERTY

Executive considered the report of the Portfolio Holder – Economic Development which sought endorsement from Executive for urgency decisions made in respect of existing rent agreements with business tenants in Council-owned Commercial Property. Arrangements were also agreed for a future decision making process for any similar circumstances in the future.

Moved by Councillor Liz Smyth and seconded by Councillor Sandra Peake

RESOLVED that

- 1) Executive endorse the previously agreed decisions as set out at 1.4 in the report.
- 2) the Director of Development be authorised to reach further agreements on ‘rent-reductions’ or ‘rent-free’ periods with the Council’s commercial tenants following consultation with the Section 151 Officer, the Leader, Deputy Leader and Portfolio Holders for Economic Development and Finance until the 31st March 2021.
- 3) the criteria for the decisions on each case as outlined in paragraph 2.5 of the report are approved for use in future decision making under recommendation 6.2.
- 4) regular reports on the expenditure on ‘rent-reductions’ or ‘rent-free’ periods are periodically reported to Executive to allow further consideration of the commercial desirability of this type of assistance for the Council’s business tenants.

REASON FOR DECISION:

The proposals were to protect the Council’s own commercial interests as well and safeguarding jobs and seeking to protect the local economy.

OTHER OPTIONS CONSIDERED:

A ‘do nothing’ and a ‘do less’ option were rejected with regard to corporate priorities for the economy including: working with partners to support enterprise, innovation, jobs and skills; making the best use of our assets; and ensuring financial sustainability and increasing revenue streams, recovery from Covid-19 economic affects plus protecting the sustainability of the Council’s own financial position.