

To: Chair & Members of the Executive

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Friday, 13th November 2020

Dear Councillor

EXECUTIVE

You are hereby summoned to attend a meeting of the Executive of the Bolsover District Council to be held as a virtual meeting and in the Council Chamber, The Arc, Clowne on Monday, 23rd November 2020 at 10:00 hours.

Members will be sent the details on how to access the Virtual Meeting by email.

Virtual Attendance and Hybrid Meetings

I have provided the Leader and Deputy Leader with advice on the holding of “hybrid” meetings outlining the risks including to employees dealing with the Chamber and to Members. Hybrid meetings are those where some attendance is in person in the Council Chamber and some is virtual.

I would encourage you all to attend virtually.

Accordingly if you attend in person you will be deemed to have accepted the following disclaimer (overleaf) as applying.



We speak your language
Polish **Mówimy Twoim językiem**
Slovak **Rozprávame Vaším jazykom**
Chinese **我们会说你的语言**

**If you require this agenda in large print
or another format please call us on 01246 217753**

If you require an adjustment to enable you to participate in or access the meeting please contact the Governance Team at least 72 hours before the meeting starts.

Risk Assessment Disclaimer

When attending this meeting in person, I confirm that I have read and understood the contents of each of the following risk assessments and agree to act in line with its content.

- Covid-19 ARC RTW RA001
- Working in Offices At The Arc During Covid-19 Pandemic Guidance – ARC – SSW001
- Meetings – EM001 - Committee and Council Meetings during the Covid-19 pandemic

These documents have been emailed to Members and are available on the Modern.Gov App library.

The same advice is given to officers who are also encouraged to participate in the meeting remotely.

Register of Members' Interests - Members are reminded that a Member must within 28 days of becoming aware of any changes to their Disclosable Pecuniary Interests provide written notification to the Authority's Monitoring Officer.

You will find the contents of the agenda itemised from page 3 onwards.

Yours faithfully

A handwritten signature in black ink that reads "Sarah Steenberg". The signature is written in a cursive, flowing style.

Solicitor to the Council & Monitoring Officer

EXECUTIVE

AGENDA

**Monday, 23rd November 2020 at 10:00 hours taking place as a virtual meeting
and in the Council Chamber, The Arc, Clowne**

Item No.	PART 1 – OPEN ITEMS	Page No.(s)
1.	Apologies For Absence	
2.	Urgent Items of Business	
	To note any urgent items of business which the Chairman has consented to being considered under the provisions of Section 100(B) 4(b) of the Local Government Act 1972.	
3.	Declarations of Interest	
	Members should declare the existence and nature of any Disclosable Pecuniary Interest and Non Statutory Interest as defined by the Members' Code of Conduct in respect of:	
	a) any business on the agenda	
	b) any urgent additional items to be considered	
	c) any matters arising out of those items	
	and if appropriate, withdraw from the meeting at the relevant time.	
4.	Minutes	
	To consider the minutes of the last meeting held on 26 th October 2020.	5 - 12
	<u>MATTERS REFERRED FROM SCRUTINY</u>	NONE
	<u>BUDGET & POLICY FRAMEWORK ITEMS</u>	NONE
	<u>NON KEY DECISIONS</u>	
5.	Medium Term Financial Plan - Revised Budgets 2020/21.	13 - 29
6.	Adoption of 3 Local Development Orders to support the redevelopment of underutilised sites in the Council's ownership for custom and self-build.	30 - 65
7.	First Year Review of the Single Equality Scheme 2019 - 2023.	66 - 74
	<u>KEY DECISIONS</u>	
8.	Exclusion of the public;	

To move:-

“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 item].

PART 2 - EXEMPT ITEMS

KEY DECISIONS

9.	Environmental Health Service Review.	75 - 83
10.	Corporate Debt – Write-off of Outstanding Amounts.	84 - 89
11.	Discretionary Grant Fund and Additional Restrictions Grant.	90 - 106

EXECUTIVE

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

PRESENT:-

Members:-

Councillor Steve Fritchley (Leader) in the Chair

Councillors Duncan McGregor (Deputy Leader), 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.

EXECUTIVE

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

The Treasury Management activity undertaken in the second quarter of 2020/21 was in

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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, who 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 to the report (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 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 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 Moesby **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 address any delays, were appended to the report.

EXECUTIVE

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; Corporate Asset Carbon Reduction; Climate change marketing campaign.

EXECUTIVE

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.

(Paragraph 3)

EXECUTIVE

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 for urgent decisions made in respect of existing rent agreements with business tenants in Council-owned Commercial Property. Arrangements were also proposed 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.

(Paragraph 3)

The meeting concluded at 1045 hours.

Bolsover District Council

Executive

23 November 2020

Medium Term Financial Plan - Revised Budgets 2020/21

Report of the Portfolio Holder - Finance and Community Safety

This report is public

Purpose of the Report

- To seek Executive approval of the 2020/21 revised budget for the General Fund, Housing Revenue Account and Capital Programme.

1 Report Details

General Fund Revenue Account

- 1.1 The revised budget process is now complete and the proposed 2020/21 revised budget for the General Fund is attached at **Appendix 1**. The appendix shows the original budget for 2020/21 which was approved by Council in February 2020, the current budget which reflects budget transfers and approved changes during the financial year, and the proposed revised budget for 2020/21.
- 1.2 As previously reported, the Coronavirus Pandemic is having a detrimental impact on the Council's 2020/21 budget. The main concern is the loss of income for fees and charges, predominantly within leisure but also for MOT testing, planning fees, recycling income and commercial property rents.
- 1.3 The pandemic income loss and expenditure projections have now been included in the revised budgets with the latest position being 23 October 2020. As the position continues to change, a further update will be provided for the current year in the MTFP which will be brought to Members for approval in February 2021.
- 1.4 The revised budget on **Appendix 1** shows that Net Cost of Services has increased to £12.338m which is £2.163m above the original budget figures. This increase in the Net Cost of Services reflects approvals during the year to fund new expenditure, predominantly funded from either earmarked reserves, new grant allocations or new income received, since the original budget was set.
- 1.5 The original budget showed a funding deficit of £0.290m. The current budget position before changes from the revised budget process were included was a

- deficit of £0.003m. This included the council tax increase of £0.111m, the quarter 1 vacancy savings of £0.168m and other small savings.
- 1.6 Table 1 below shows the revised budget position for 2020/21. Finance worked with budget managers to review all income and expenditure. Additional budget savings were captured as well as unavoidable budget pressures. Government funding assumptions were updated where necessary and corporate costs such as debt charges and investment interest were also revised. As mentioned previously, the effect of the Coronavirus Pandemic was also included.

Table 1

	2020/21 Original Budget £000	2020/21 Current Budget £000	2020/21 Revised Budget £000
Opening Budget Shortfall	290	290	290
Efficiencies identified + removed from budget	0	(287)	(211)
General Fund (surplus)/Budget Shortfall	290	3	79
Efficiencies identified not yet realised	(211)	0	0
Pension costs to be funded by GF balance	(79)	(79)	(79)
Closing Budget (surplus)/Budget Shortfall	0	(76)	0

- 1.7 The main variances within the revised budget are given in Table 2 below:

Table 2

	£000's
Debt charges/investment income	136
Vacancy management quarter 2	(246)
Net reduction in NNDR income	136
Net miscellaneous cost increases/income reduction	(44)
Net transfer to Reserves to finance future expenditure	94

1.8 At present additional expenditure and the loss of income due to the pandemic is covered by the grant received from the Government. For this reason the effect is not shown as a variance but the financial implications will be discussed in the next section. An explanation of each of the variances in table 2 is as follows:

- Debt charges/Investment income – The 3 month average LIBID rate used to calculate the HRA share of the debt charges cost is extraordinarily low at the moment causing a cost to the general fund. The fall in investment interest rates has also meant a drop in the estimate of interest for the year. Together this means an increased cost to general fund of £0.136m.
- In the first 6 months of the year, £0.414m has been saved through vacancy management, maternity leave and changes due to restructuring. Each vacancy is considered to ensure there is still a business need for it before recruiting. The requirements of the service are also considered to ensure no negative impact is caused by delaying or changing the staffing provision.
- The estimate of the benefit to be redistributed from the business rates pool has been reviewed and reduced in light of the financial effect of the pandemic on businesses, resulting in a cost of £0.136m.
- Miscellaneous income cost increases/income reduction - the main changes are an increase in the cost of External Audit of £0.023m; net changes to Strategic Alliance joint working is a cost of £0.134m; decrease in the net Benefit amounts payable of £0.099m and various service net reductions of £0.102m.
- Net savings resulting from the revised budget process mean £0.094m can be transferred to the NNDR Growth Protection Reserve. This reserve will be used to mitigate against future changes to Government funding, by allowing the flow of income back to general fund in a controlled and manageable manner.

Details on the Coronavirus Pandemic

1.9 The Council received from the Government £1.010m in emergency grant funding through tranches 1-3. Additionally an income compensation scheme is in operation to allow Council's to recover an element of loss due to the reduction in fees and charges income. Of the estimated loss in income of £0.828m, it is estimated we will receive £0.372m. The Council has to stand the first 5% of the fees and charges budgets £0.115m and also our 25% share of the loss £0.124m. Expenditure incurred to date of £0.197m has also been funded from the grant.

1.10 Income losses relating to industrial unit rents were not covered by the income compensation scheme and therefore £0.137m of the grant has been used so far for this purpose. In addition we have received funding for furloughed staff of £0.112m and made reductions in expenditure budgets of £0.172m. Both these figures are reduced from our income loss figure and reduce the amount of income compensation we receive.

1.11 For clearer understanding, a summary of the transactions is as follows:

	£000's
Tranche 1- 3 Covid Government Grant received	(1,010)
Lost eligible fees + charges income estimate	828
Income compensation estimate to be received	(372)
Expenditure incurred to date	197
Lost other income, ineligible for compensation estimate	137
Income received for furloughed staff	(112)
Reductions in expenditure budgets	(172)
Balance of Grant available for further costs/losses	(504)

The balance of the grant which can be used for remote working, improving ITC, preparing buildings for re-opening and paying for future costs caused by the pandemic will be transferred to the General Reserve and earmarked to be used on future expenditure.

- 1.12 The final position on the general fund revenue account will clearly be dependent on the actual financial performance out-turning in line with the revised budgets as there may be further costs and/or savings identified as the year progresses. **Appendix 2** details the net cost of each cost centre by Directorate.
- 1.13 The Council has been approached by a number of Parish Councils with requests for financial assistance due to the effects of the Coronavirus pandemic. The loss of income through leisure facilities being restricted or room rental being disallowed has created a financial burden.
- 1.14 The requests coincide with the latest emergency grant funding – Tranche 4, where Bolsover District Council has been allocated a further £0.448m, which is not yet included in the above figures as notification of the payment was received after the revised budget process had been concluded.
- 1.15 Therefore it is proposed that Bolsover District Council allocate an amount to each Parish Council based on their 2020/21 precept to help them continue to provide a service to their residents.
- 1.16 Amounts to be paid to the Parish Councils would be as follows:

Parish	£	Parish	£
Ault Hucknall	5,533	Old Bolsover	59,867
Barlborough	14,108	Pinxton	35,104
Blackwell	19,518	Pleasley	10,045
Clowne	49,138	Scarcliffe	11,137
Elmton with Creswell	28,051	Shirebrook	95,830
Glapwell	8,548	South Normanton	41,494
Hodthorpe	4,338	Tibshelf	22,174
Langwith	12,471	Whitwell	30,950

Housing Revenue Account (HRA)

- 1.17 The Housing Revenue Account revised budget for 2020/21 is set out in **Appendix 3** to this report.

Income

- 1.18 In total, income is £0.194m lower than the current budget. The main variance is Dwelling rents which have been reduced by £0.164m since the original budget. The number of empty properties (voids) is higher than originally estimated. Properties are being held intentionally empty because capital schemes are planned. Additionally, lettings were suspended in the early months of the pandemic and also for 4 weeks whilst the new Open Housing IT system went live.
- 1.19 Income from Non-dwelling rents is also reduced, again in preparation for capital schemes to take place.
- 1.20 Repair and maintenance income has increased by a net £0.039m. This is due to a combination of rechargeable repairs income increasing by £0.042m as more work has been done than was originally estimated and the income from Travis Perkins profit share is expected to be less than predicted due to less purchases during the pandemic.
- 1.21 Income from Special Services has been revised down by £0.028m. This is due to a reduction in the income expected from heating charges after the Safe and Warm capital scheme. The expenditure budgets for gas have also been reduced for the same reason.

Expenditure

- 1.22 Expenditure on the HRA is showing a net reduction against current budgets of £0.168m. Vacancies from Repair and Maintenance and Supervision and Management totalling £0.102m have been removed whilst an increase to pension and NI costs of £0.026m has been included in Housing Related Support - Wardens.

- 1.23 The remainder of the HRA expenditure reduction is £0.051m decrease in Travis Perkins expenditure; a software cost reduction of £0.020m within Supervision and Management and Special Services reductions in gas usage of £0.044m. Finally there is an increase within Supervision and Management of £0.051m for disturbance allowance expenditure related to the demolition of Tibshelf flats.
- 1.24 Taking account of the proposed budget changes detailed above, the HRA is anticipated to deliver a surplus in the current financial year of £0.095m, which is slightly lower than the current budget.

Capital Programme

- 1.25 The Council's capital programme is shown in **Appendix 4**. It has been updated from the original budgets to reflect approvals within the year and the profiling of the individual schemes following approved changes by Members and from detailed discussions with budget officers.
- 1.26 As part of the revised budget process, officers have estimated the likely level of spend in the current financial year. As a result £0.238m has been removed from the current budget and put into 2021/22 as this is when the work is likely to be undertaken. The proposed estimated outturn for 2020/21 is therefore a budget of £17.819m.
- 1.27 The changes that are shown in the revised capital programme mean that the financing is adjusted accordingly to meet the anticipated spend. There are no issues to report with regard to the financing of the 2020/21 capital programme.

2 Conclusions and Reasons for Recommendation

- 2.1 The purpose of this report is to set revised budgets as early as possible within the financial year to ensure that identified budget savings are realised, that all budget managers are working to the revised budgets and to allow any planned changes to be delivered. The revised budget now takes account of the effect of the Covid pandemic and of the Council's response thus far.

3 Consultation and Equality Impact

- 3.1 There are no consultation and equality impact implications from this report.

4 Alternative Options and Reasons for Rejection

4.1 General Fund and HRA

Any surplus on the Council's two main revenue accounts will result in an increase in financial balances at the year-end which are available to protect services at a time of declining central government support. It is proposed that additional resources would be transferred to reserves in preparation for future expenditure.

4.2 Capital

There are no alternative options being considered with regard to the proposed allocations from the Capital Programme budget as it ensures the Council's assets meet health and safety requirements in that they are maintained in a fit for purpose state that ensures they remain fully operational.

5 Implications

5.1 Finance and Risk Implications

5.1.1 The issue of financial risk is covered throughout the report. In addition, however, it should be noted that the risk of not achieving a balanced budget is outlined as a key risk within the Council's Strategic Risk Register. While officers are of the view that these risks are being appropriately managed it needs to be recognised that continued reductions in budgets may mean that adverse variances arising from particular issues or pressures may not be able to be absorbed from favourable variances in other budgets.

5.1.2 There is also no provision within the revised budget to meet any costs of delivering financial savings required for future years. Any proposals to utilise the forecast surplus in the current year must take this risk into account.

5.1.3 The capital programme identifies and recognises the need to maintain the Council's assets in a fit for purpose state and to retain and attract income streams for the Council. The financing of the capital programme is secured for 2020/21 thus minimising the risk of any additional unplanned borrowing.

5.1.4 Financial issues and implications are covered in the relevant sections throughout this report.

5.2 Legal Implications including Data Protection

5.2.1 There are no legal issues arising directly from this report.

5.3 Human Resources Implications

5.3.1 There are no human resource implications arising directly out of this report.

6 Recommendations

6.1 That Executive approves the revised General Fund budget for 2020/21 as set out in Appendix 1 and detailed in Appendix 2.

6.2 That Executive approves the revised HRA budget for 2020/21 as set out in Appendix 3.

6.2 That Executive approves the revised Capital Programme for 2020/21 as set out within Appendix 4.

7 Decision Information

Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: <i>BDC: Revenue - £75,000</i> <input type="checkbox"/> <i>Capital - £150,000</i> <input type="checkbox"/> <i>NEDDC: Revenue - £100,000</i> <input type="checkbox"/> <i>Capital - £250,000</i> <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)	No
Has the relevant Portfolio Holder been informed	Yes
District Wards Affected	All
Links to Corporate Plan priorities or Policy Framework	All

8 Document Information

Appendix No	Title
1	General Fund Summary
2	General Fund Detail
3	HRA
4	Capital Programme
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)	
Report Author	
Contact Number	
Head of Service – Finance and Resources	01246 242458

**BOLSOVER DISTRICT COUNCIL
GENERAL FUND**
APPENDIX 1

Description	Original Budget 2020/21 £	Current Budget 2020/21 £	Revised Budget 2020/21 £
Corporate Resources	3,586,104	3,696,719	3,883,741
Development	1,648,029	2,249,345	2,299,136
Environment and Enforcement	4,638,836	4,715,382	4,959,762
<u>S106 Expenditure</u>			
Corporate Resources	188,663	467,577	497,577
Development	113,390	712,842	697,806
Net Cost of Services	10,175,022	11,841,865	12,338,022
Debt Charges	844,473	844,473	895,053
Investment Interest	(303,739)	(303,739)	(217,905)
	10,715,756	12,382,599	13,015,170
Appropriations:			
Contributions to Reserves	1,357,667	1,357,667	2,022,710
Contribution from Earmarked Reserves	(391,697)	(881,681)	(888,517)
Contribution (from)/to NNDR Growth Protection Reserve	336,000	1,464,237	1,557,943
Contribution from Grant Accounts	(5,320)	(5,320)	(4,070)
Contribution (from)/to Holding Accounts	(393,258)	(837,733)	(831,985)
Contribution from S106 Holding A/cs	(302,053)	(1,210,419)	(1,195,383)
TOTAL EXPENDITURE	11,317,095	12,269,350	13,675,868
Parish Precepts	3,241,198	3,241,198	3,241,198
TOTAL SPENDING REQUIREMENT	14,558,293	15,510,548	16,917,066
Revenue Support Grant	(1,190,000)	(1,190,000)	(1,190,000)
Business Rates Retention total	(4,982,049)	(6,110,285)	(5,973,878)
New Homes Bonus Grant total	(947,182)	(947,181)	(952,995)
COUNCIL TAX - BDC precept	(3,908,279)	(4,019,068)	(4,019,068)
Council tax - Parish element from above	(3,241,198)	(3,241,198)	(3,241,198)
Covid New Burdens Grant	0	0	(130,000)
Covid Emergency Funding	0	0	(958,116)
Covid Income Compensation 75%	0	0	(372,453)
TOTAL FUNDING	(14,268,708)	(15,507,732)	(16,837,708)
FUNDING GAP / (SURPLUS)	289,585	2,816	79,358

APPENDIX 2

List of net budgets per cost centre per directorate

	Original Budget 2020/21 £	Current Budget 2020/21 £	Revised Budget 2020/21 £
G001 Audit Services	119,350	119,350	117,052
G002 I.C.T.	809,821	815,821	831,579
G003 Communications, Marketing + Design	263,158	271,416	283,234
G005 Chief Executive Officer - 50% People	41,410	21,532	0
G006 Partnership, Strategy & Policy	468,185	489,956	483,323
G011 Head of Leader's Executive Team	0	66,759	67,477
G014 Customer Contact Service	775,698	764,771	724,914
G015 Customer Service + Improvement	122,968	122,968	122,416
G038 Concessionary Fares & TV Licenses	(10,097)	(10,097)	(10,056)
G040 Corporate Management	147,819	147,819	169,342
G041 Non Distributed Costs	694,582	684,582	684,582
G044 Financial Services	309,681	295,114	258,476
G052 Human Resources	218,995	215,283	215,541
G054 Electoral Registration	180,466	181,020	179,360
G055 Democratic Representation & Management	514,939	514,939	519,501
G056 Land Charges	(2,928)	(2,928)	(3,999)
G057 District Council Elections	5,000	5,000	5,000
G058 Democratic Services	214,074	226,122	237,176
G060 Legal Services	224,003	234,003	237,396
G061 Bolsover Wellness Programme	73,680	73,680	66,184
G062 Extreme Wheels	(4,066)	(4,066)	37,497
G064 Bolsover Sport	139,360	139,360	142,897
G065 Parks, Playgrounds & Open Spaces	36,873	44,643	44,420
G069 Arts Projects	48,386	48,386	48,643
G070 Outdoor Sports & Recreation Facilities	19,436	19,436	19,193
G072 Leisure Services Mgmt & Admin	262,858	263,170	258,753
G084 Head of Transformation and Organisation	36,957	36,957	36,374
G086 Alliance	7,250	7,250	7,250
G094 Director of Corporate Resources	54,068	54,068	55,101
G100 Benefits	515,819	515,180	298,191
G103 Council Tax / NNDR	390,428	375,552	304,144
G111 Shared Procurement	47,790	45,004	42,802
G115 One Public Estate Shirebrook	0	6,033	6,033
G117 Payroll	75,318	75,318	75,344
G125 S106 Percent for Art	10,176	43,250	43,250
G126 S106 Formal and Informal Recreation	30,914	161,632	161,632
G129 Bolsover Apprenticeship Programme	(3,012)	(1,209)	(1,209)
G146 Pleasley Vale Outdoor Activity Centre	56,541	56,541	73,825

APPENDIX 2

List of net budgets per cost centre per directorate

	Original Budget 2020/21 £	Current Budget 2020/21 £	Revised Budget 2020/21 £	
G155	Customer Services	30,693	30,693	30,834
G157	Controlling Migration Fund	133,729	208,331	352,750
G161	Rent Rebates	(26,532)	(26,532)	(54,297)
G162	Rent Allowances	(12,985)	(12,985)	(53,960)
G164	Support Recharges	(3,905,014)	(3,905,014)	(3,905,014)
G168	Multifunctional Printers	39,900	39,900	39,900
G170	S106 Outdoor Sports	147,573	292,695	292,695
G179	School Sports Programme	511	511	6,860
G192	Scrutiny	22,125	22,125	22,172
G195	Head of Governance + Monitoring	38,460	38,460	38,345
G197	Head of Finance + Resources	68,171	68,171	68,594
G204	CEPT - BIG Lottery Talent Match	0	15,000	15,000
G205	Innovation	0	550	550
G207	Balanceability	54	54	851
G216	Raising Aspirations	51,250	7,500	7,500
G218	I-Venture/Namibia Bound	0	9,363	9,363
G220	Locality Funding	0	(75,265)	(75,265)
G228	Go Active Clowne Leisure Centre	13,956	13,528	531,515
G238	HR Health + Safety	91,976	106,371	90,287
G244	Bolsover Business Growth Fund	185,000	207,225	120,000
	Total for Corporate Resources Directorate	3,774,767	4,164,296	4,381,318
G031	S106 - Biodiversity	0	0	(15,036)
G073	Planning Policy	267,654	318,118	287,111
G074	Planning Development Control	24,704	9,622	22,660
G076	Planning Enforcement	118,758	118,758	118,153
G079	Senior Urban Design Officer	22,137	22,137	22,379
G080	Engineering Services (ESRM)	99,949	99,949	99,550
G082	Tourism Promotion + Development	39,076	46,876	47,375
G083	Building Control Consortium	55,000	55,000	55,000
G085	Economic Development	29,425	99,425	98,755
G088	Derbyshire Economic Partnership	15,000	15,000	15,000
G089	Premises Development	(71,520)	(67,620)	(50,231)
G090	Pleasley Vale Mills	(169,835)	(169,835)	(143,764)
G091	CISWO Duke St Building	0	1,647	1,849
G092	Pleasley Vale Electricity Trading	(37,212)	(37,212)	(53,571)
G095	Estates + Property	672,263	648,883	479,754
G096	Building Cleaning (General)	99,168	97,636	95,703
G099	Catering	500	500	400

APPENDIX 2

List of net budgets per cost centre per directorate

	Original Budget 2020/21 £	Current Budget 2020/21 £	Revised Budget 2020/21 £
G109 Director of Development	99,265	101,376	113,409
G110 Assistant Director of Development	69,129	69,129	68,141
G114 Strategic Investment Fund	0	413,054	413,054
G132 Planning Conservation	34,169	81,961	79,839
G133 The Tangent Business Hub	(66,687)	(66,687)	(20,304)
G138 Bolsover TC Regeneration Scheme	0	24,245	24,245
G151 Street Lighting	31,442	31,442	35,000
G156 The Arc	110,034	106,134	94,365
G167 Facilities Management	10,338	10,338	15,298
G169 Closed Churchyards	10,000	10,000	10,000
G171 S106 Education	0	18,196	18,196
G188 Cotton Street Contact Centre	18,713	18,713	13,461
G193 Business Growth Management + Admin	126,302	121,360	280,915
G194 Head of Economic Development	25	0	0
G196 Head of Planning	38,121	38,121	35,391
G200 Head of Housing Repairs + Property Services	0	0	8,924
G208 Head of Estates and Property	2,111	0	0
G226 S106 - Highways	0	551,124	551,124
G227 S106 - Public Health	113,390	143,522	143,522
G237 Joint Venture (LLP)	0	31,275	31,275
Total for Development Directorate	1,761,419	2,962,187	2,996,942
G004 Chief Executive Officer - 50% Place	41,413	21,534	0
G007 Community Safety - Crime Reduction	58,140	58,140	58,091
G010 Neighbourhood Management	91,911	91,911	64,960
G013 Community Action Network	266,951	319,229	317,113
G017 Private Sector Housing Renewal	64,308	64,308	75,502
G018 Environmental Health - Covid Team	0	0	12,381
G020 Public Health	(70,000)	(70,000)	(70,000)
G021 Pollution Reduction	167,116	167,116	183,008
G023 Pest Control	34,893	34,893	61,010
G024 Street Cleansing	322,185	324,435	324,809
G025 Food, Health & Safety	120,845	120,845	155,633
G026 Animal Welfare	83,648	83,648	79,236
G027 Emergency Planning	16,144	44,163	28,170
G028 Domestic Waste Collection	936,305	934,055	910,290
G032 Grounds Maintenance	673,410	677,810	733,458
G033 Vehicle Fleet	780,058	776,661	824,411
G036 Environmental Health Mgmt & Admin	188,246	188,246	240,155

APPENDIX 2

List of net budgets per cost centre per directorate

	Original Budget 2020/21 £	Current Budget 2020/21 £	Revised Budget 2020/21 £
G043 Director of Environment + Enforcement	54,643	54,643	54,968
G046 Homelessness	170,050	200,050	203,548
G048 Town Centre Housing	(10,600)	(10,600)	(10,600)
G053 Licensing	2,068	2,068	6,481
G097 Groundwork & Drainage Operations	67,527	67,527	69,208
G106 Housing Anti Social Behaviour	106,414	106,414	107,132
G113 Parenting Practitioner	36,093	36,093	35,523
G123 Riverside Depot	164,006	163,306	156,043
G124 Street Servs Mgmt & Admin	75,314	61,061	56,400
G135 Domestic Violence Worker	43,099	43,099	42,635
G142 Community Safety - CCTV	0	7,577	7,577
G143 Housing Strategy	43,226	43,251	57,481
G144 Enabling (Housing)	26,109	26,109	40,097
G148 Commercial Waste	(124,600)	(124,600)	(124,600)
G149 Recycling	136,843	136,843	170,300
G153 Housing Advice	13,276	13,276	13,806
G176 Affordable Warmth	20,922	20,922	20,608
G198 Head of Enforcement + Housing Management (GF)	357	(7,167)	16,128
G199 Head of Street Scene	37,516	37,516	37,800
G239 Housing + Comm Safety Fixed Penalty Acc	1,000	1,000	1,000
Total for Environment + Enforcement Directorate	4,638,836	4,715,382	4,959,762
Total Net Cost of Services	10,175,022	11,841,865	12,338,022

Appendix 3

Housing Revenue Account

APPENDIX 3

	Original Budget 2020/21 £	Current Budget 2020/21 £	Revised Budget 2020/21 £
Expenditure			
Repairs and Maintenance	4,899,491	4,899,491	4,836,282
Rents Rates and Taxes	223,576	223,576	214,117
Supervision and Management	5,340,701	5,342,051	5,282,389
Special Services	500,030	500,030	442,725
Housing Related Support - Wardens	602,324	602,324	636,020
Housing Related Support - Central Control	268,830	268,830	259,708
Tenants Participation	68,090	68,090	66,041
New Build Schemes Evaluation	0	453,886	453,886
New Bolsover Project	0	27,842	27,842
Leasehold Flats	0	92,000	92,000
Debt Management Expenses	8,938	8,938	8,000
Total Expenditure	11,911,980	12,487,058	12,319,010
Income			
Dwelling Rents	(20,510,920)	(20,510,920)	(20,346,910)
Non-dwelling Rents	(151,234)	(151,234)	(138,638)
Leasehold Flats and Shops Income	(26,980)	(26,980)	(14,480)
Repairs and Maintenance	(20,700)	(20,700)	(59,597)
Supervision and Management	(300)	(1,650)	(1,795)
Special Services	(72,673)	(72,673)	(44,663)
Housing Related Support - Wardens	(416,431)	(416,431)	(409,168)
Housing Related Support - Central Control	(342,051)	(342,051)	(333,263)
New Bolsover Project	0	(27,842)	(27,842)
Total Income	(21,541,289)	(21,570,481)	(21,376,356)
Net Cost of Services	(9,629,309)	(9,083,423)	(9,057,346)
Appropriations			
Increase in Bad Debt Provision	180,000	180,000	180,000
Capital Interest Costs	3,559,789	3,559,789	3,495,466
Investment Interest Income	(26,400)	(26,400)	(1,435)
Depreciation	3,800,000	3,800,000	3,800,000
T/f to Major Repairs Reserve	308,249	308,249	1,432,452
Contribution to Insurance Reserve	40,000	40,000	40,000
Contribution to Development Reserve	1,500,000	1,500,000	400,000
Contribution to Vehicle Replacement Reserve	200,000	200,000	200,000
Use of Earmarked Reserves	0	(545,886)	(545,886)
Contribution (from) HRA Balance	(38,696)	(38,696)	(38,696)
Net Operating (Surplus) / Deficit	(106,367)	(106,367)	(95,445)

CAPITAL PROGRAMME SUMMARY

APPENDIX 4

	Original Budget 2020/21 £	Current Budget 2020/21 £	Revised Budget 2020/21 £
General Fund			
Asset Management Plan			
Investment Properties	0	23,289	23,289
Leisure Buildings	0	61,314	61,314
Pleasley Vale Business Park	0	118,547	141,010
Riverside Depot	0	76,419	76,419
The Arc	0	92,315	92,315
The Tangent	0	10,000	10,000
Refurbishment Work	260,000	62,097	97,097
	260,000	443,981	501,444
Assets			
Car Parking at Clowne - Additional	0	47,581	47,581
Land at Portland Drive Shirebrook	0	165,000	165,000
LED Lighting Upgrade	0	68,875	68,875
Pleasley Vale Mill 1 - Dam Wall	78,332	106,682	106,682
PV Mansafe System	0	22,463	0
Pleasley Vale Rock Face Stabilisation	0	3,412	0
Shirebrook Contact Centre	0	15,000	15,000
Polling Booths	0	0	25,000
Clowne Campus - Refurb Retention	0	23,077	23,077
	78,332	452,090	451,215
ICT Schemes			
E-Store Lite & PCI Pal Midcall Solution	0	28,000	28,000
ICT infrastructure	123,200	129,718	109,718
Modern.Gov Software	0	2,100	2,100
	123,200	159,818	139,818
Leisure Schemes			
Playing Pitch Improvements (Clowne)	50,000	762,500	762,500
Go Active Equipment	15,000	6,202	9,614
Clowne Leisure Facility	0	65,422	65,422
	65,000	834,124	837,536
Private Sector Schemes			
Disabled Facility Grants	900,000	999,472	999,472
	900,000	999,472	999,472
Joint Venture			
Dragonfly Joint Venture Shares	0	369,150	369,150
Dragonfly Joint Venture Loan	0	1,753,202	1,753,202
	0	2,122,352	2,122,352
Vehicles and Plant			
Fleet Management System	0	3,260	3,260
Vehicle MOT testing Equipment	0	18,000	17,850
Vehicle Replacements	441,500	458,270	242,771
Vehicle Wash Area	0	8,098	8,098
Can Rangers Equipment	0	14,231	14,231
	441,500	501,859	286,210
Total General Fund	1,868,032	5,513,696	5,338,047

CAPITAL PROGRAMME SUMMARY
APPENDIX 4

	Original Budget 2020/21 £	Current Budget 2020/21 £	Revised Budget 2020/21 £
Housing Revenue Account			
New Build Properties			
Avant Creswell	0	500,000	500,000
Keepmoat Properties at Bolsover	0	622,000	564,500
Recreation Close Clowne	0	17,440	5,240
Rippon Homes South Normanton	0	302,500	302,500
The Paddock Bolsover	0	1,442,122	1,442,122
The Whitwell Cluster	0	1,456,977	1,456,977
Hilltop	0	22,930	22,930
Ash Close Pinxton	0	33,988	33,988
Beech Grove South Normanton	0	13,794	13,794
	0	4,411,751	4,342,051
Vehicle Replacements	63,500	63,500	80,464
	63,500	63,500	80,464
Public Sector Housing			
Bramley Vale	0	124,313	124,313
Electrical Upgrades	120,000	132,992	132,992
Environmental Works	0	26,846	61,184
External Door Replacements	100,000	159,760	159,760
Flat Roofing	25,000	25,000	25,000
House Fire Damage (Insurance)	0	41,409	41,409
Kitchen Replacements - Decent Homes	200,000	239,087	239,087
Re Roofing	750,000	581,136	965,529
Regeneration Mgmt & Admin	69,320	69,320	92,980
Safe and Warm	2,300,000	3,308,713	4,471,266
Soffit and Fascia	0	40,374	31,755
Reactive Capital Works	150,000	120,000	100,230
Welfare Adaptations	300,000	376,354	350,000
Heating Upgrades	0	2,692	2,692
Public Sector Housing	34,529	0	0
	4,048,849	5,247,996	6,798,197
ICT Schemes			
Open Housing	59,400	69,494	69,494
	59,400	69,494	69,494
New Bolsover Scheme (inc HLF)			
New Bolsover-Regeneration Scheme	0	1,190,863	1,190,863
	0	1,190,863	1,190,863
Total HRA	4,171,749	10,983,604	12,481,069
TOTAL CAPITAL EXPENDITURE	6,039,781	16,497,300	17,819,116

CAPITAL PROGRAMME SUMMARY
APPENDIX 4

	Original Budget 2020/21 £	Current Budget 2020/21 £	Revised Budget 2020/21 £
Capital Financing			
General Fund			
Better Care Fund	(900,000)	(999,472)	(999,472)
Reserves	(708,362)	(3,576,115)	(3,324,027)
Capital Receipts	0	(100,267)	(165,875)
External Funding	(259,670)	(837,842)	(848,673)
	(1,868,032)	(5,513,696)	(5,338,047)
HRA			
Major Repairs Reserve	(4,108,249)	(6,474,722)	(8,017,145)
Prudential Borrowing	0	(2,586,048)	(2,503,639)
Development Reserve	0	(561,750)	(561,750)
Vehicle Reserve	(63,500)	(63,500)	(80,464)
1-4-1 Capital Receipts	0	(1,256,175)	(1,276,662)
External Funding	0	(41,409)	(41,409)
	(4,171,749)	(10,983,604)	(12,481,069)
TOTAL CAPITAL FINANCING	(6,039,781)	(16,497,300)	(17,819,116)
Capital Reserves			
Major Repairs Reserve			
Opening Balance	(59,292)	(2,784,693)	(2,784,693)
Contribution to reserve in year	(4,108,249)	(4,108,249)	(5,232,452)
Amount to be used in year	4,108,249	6,474,722	8,017,145
Closing Balance	(59,292)	(418,220)	0
HRA Development Reserve			
Opening Balance	(2,259,983)	(2,660,064)	(2,660,064)
Contribution to reserve in year	(1,500,000)	(1,500,000)	(400,000)
Amount to be used in year	0	561,750	561,750
Closing Balance	(3,759,983)	(3,598,314)	(2,498,314)
HRA Vehicle Reserve			
Opening Balance	(455,529)	(455,529)	(455,529)
Contribution to reserve in year	(200,000)	(200,000)	(200,000)
Amount to be used in year	63,500	63,500	80,464
Closing Balance	(592,029)	(592,029)	(575,065)
1-4-1 Capital Receipts Reserve			
Opening Balance	(586,985)	(1,236,503)	(1,236,503)
Contribution to reserve in year	0	(200,000)	(200,000)
Amount to be used in year	0	1,256,175	1,276,662
Closing Balance	(586,985)	(180,328)	(159,841)

Bolsover District Council

Executive

23rd November 2020

Adoption of 3 Local Development Orders to support the redevelopment of underutilised sites in the Council's ownership for custom and self-build.

Report of the Portfolio Holder – Corporate Governance

This report is public

Purpose of the Report

- To set out the reasons for adopting Local Development Orders granting planning permission for residential development on three Council-owned sites.
- The report recommends adoption of Local Development Orders for custom and self-build on three sites subject to conditions.

1. Report Details

Introduction

- 1.1 It is Government policy that local authorities should dispose of surplus and under-used land and property wherever possible. The Council also has fairly wide discretion to dispose of its assets (such as land or buildings) in any manner it wishes, subject to the provisions under sections 123 and 127 of the Local Government Act 1972 and section 87-89 of the Localism Act 2011.
- 1.2 In addition, the way the Council manages its land/property assets can have a significant impact both on the quality of services delivered to the public and the local environment. For example, the redevelopment of the sites have the capacity to:
 - reduce anti-social behaviour through eliminating poorly overlooked and poorly lit pieces of land
 - reduce fly tipping and the potential for fly tipping
 - improve safety and perceived safety around people's homes; and
 - accommodate new homes in sustainable locations.
- 1.3 The disposal of sites can also help to reduce the Council's expenditure on maintaining pieces of land that have become a liability or no longer provide viable streams of income for the Council.
- 1.4 With these objectives in mind, officers have identified a list of sites owned by the Council which are not suitable for retention and which have been approved for disposal by elected members.
- 1.5 In particular, the sites approved for disposal are not considered suitable for the Council's own house building projects (B @ Home or Dragon Fly) but a number of these sites are suitable for disposal.

Local Development Orders

- 1.6 Therefore, to assist with the disposal of these sites and subsequent redevelopment of garage sites (and other pieces of under-utilised) Council-owned land, officers consider a Local Development Order (“an LDO”) could be made by the Council (in its capacity as the Local Planning Authority) to give a grant of planning permission for residential development in line with a planning brief drafted for each site and subject to prior approval of what would normally be considered reserved matters (i.e. landscaping, external appearance, layout and scale).
- 1.7 This type of LDO would encourage prospective buyers by providing a guarantee that the site is suitable for residential development ‘in principle’ and therefore reduces the risk involved in buying land without a permission in place.
- 1.8 At the same time, the LDO would facilitate development by informing prospective buyers about the type of development likely to gain permission and reducing the costs for prospective buyers who can avoid the fees associated with submitting a planning application through the formal process.
- 1.9 The LDO has the benefit that it would allow the Council to achieve best value for the sites with permissions in principle for residential development that would assist with regeneration across the District and help to address unmet housing demand across the district.

Custom and Self Build

- 1.10 In particular, the Council has not yet granted planning permission for a sufficient number of serviced plots to meet the demand for custom and self-build houses. National Planning Practice Guidance states that relevant authorities should consider how they can best support self-build and custom housebuilding in their area. This could include using their own land if available and suitable for self-build and custom housebuilding and marketing it to those on the custom and self-build register.
- 1.11 Therefore, an LDO could be used to discharge the Council’s duties under the Self Build & Custom Housebuilding Act 2015 by only making the LDO route for residential development available to individuals registered on the custom and self-build register. For example:
 - Section 2(1) of the Self-build and Custom Housebuilding Act 2015 places a duty on relevant bodies to have regard to each self-build and custom housebuilding register, that relates to their area when carrying out their planning, housing, land disposal and regeneration functions.
 - Section 2A(2) of the revised Self-build and Custom Housebuilding Act 2015 places a duty on relevant authorities to give suitable development permission to enough suitable serviced plots of land to meet the demand for self-build and custom housebuilding in their area.
- 1.12 In these terms, an appropriately worded LDO (or LDOs) could be able to simultaneously address Government policy on disposal of surplus land, address

the Council's own objectives in terms of addressing the issues associated with retention of un-used or under-utilised garage sites and other land in its ownership and help the Council meet its targets in terms of granting permission for serviced for custom and self-builders.

2 Conclusions and Reasons for Recommendation

- 2.1 In summary, an LDO would support the disposal of surplus land by providing more certainty to prospective buyers about the type of development suitable for the site and what is likely to be acceptable in planning terms.
- 2.2 An LDO would also be an effective tool to make the planning process easier and less costly, thereby encouraging the sale and development of the sites. In addition the LDO would encourage desirable improvement, within the scope of the Design Guide, on sites that are untidy and which don't contribute positively to the character or amenities of the local area.
- 2.3 An LDO would also allow the council to discharge its statutory duties under the Self Build and Custom Housebuilding Act 2015.
- 2.4 In this case, it is proposed to adopt LDOs for residential development on the following three sites:
 - Springfield Close, Clowne (Appendix 1);
 - Damsbrook Drive North, Clowne (Appendix 2); and
 - Damsbrook Drive South, Clowne (Appendix 3).
- 2.5 These sites have been chosen because they lie within the settlement framework where housing is acceptable in principle, have safe and suitable accesses and residential development on these sites is unlikely to have a harmful impact on the character, appearance and amenities of their local areas, subject to the following standard conditions:
 - Prior approval of: external appearance, landscaping, layout and scale must be obtained from the Local Planning Authority prior to the commencement of any development;
 - The design of the proposed development of the dwelling house/s must be in accordance with the design principles set out in the Successful Places Design Guide;
 - Any new build dwelling granted prior approval under this order must be built in accordance with the approved plans;
 - Each dwelling must be provided with a minimum of two parking spaces and any designated parking spaces, manoeuvring areas for vehicles off the public highway and access to the public highway shall be maintained free of any obstruction throughout the lifetime of any new house granted prior approval under this Order; and
 - Site specific conditions set out in the detailed planning analysis of each site.
- 2.6 Appendices 1-3 to this report provide a further detailed planning analysis of each of these sites and these reports include any site-specific conditions and the reasons for those conditions.

- 2.7 The following condition should also be imposed to ensure that the LDOs are prioritised for custom and self-build in accordance with the principal reasons for their adoption:

Any new build dwelling granted prior approval under this order must meet the statutory definition of self-build and custom housebuilding as defined in the Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016).

3 Consultation and Equality Impact

- 3.1 The current proposals for the adoption of multiple LDOs to support the redevelopment of garage sites and other council owned land have already been subject to formal consultation, i.e. site notice and neighbour notifications, and where required, the draft LDOs have been amended with regard to relevant consultation responses.
- 3.2 In all other respects, the proposals are unlikely to have any negative impact on any person with a protected characteristic or group of people with a shared protected characteristic because the proposals are designed to improve the quality of local communities for everybody.
- 3.3 In the alternative, accessible homes (which meet the needs of those with limited mobility or specific lifestyle needs) can be proposed under the LDO process and the LDO would make it easier and more affordable for those wishing to make an application in order to build an accessible home that meets the requirements of themselves or their family members.

4 Alternative Options and Reasons for Rejection

- 4.1 Alternative options for the council to pursue could be to 'do nothing' or follow the more conventional routes of achieving a permission, which include:
- i. Applying for outline planning permission with reserved matters to follow
 - ii. Applying for full planning permission
 - iii. The Brownfield Register or an application for Permission in Principle.
- 4.2 The first option (i), provides certainty to prospective buyers but is more costly than the LDO route i.e. £462 x 0.1 hectare or part thereof and an additional £462 per dwelling to submit the reserved matters. In addition to the cost, there could be a waiting time of up to 8 weeks, although, if issues arise this can take longer.
- 4.3 The second option (ii), also provides certainty but offers no flexibility to the buyer on the type and appearance of development and would therefore not tie into the Custom & Self Build objectives. It would also be costly for the council i.e. £462 per dwelling in addition to commissioning technical drawings. Apart from the cost and rigidity there could be a waiting time of up to 8 weeks, although, if issues arise this can take longer.
- 4.4 The third option (iii), is to put the sites onto the Brownfield Register. However, the minimum size requirements of at least 0.25 hectares for the Brownfield

Register cannot be met by many of the garage sites or other pieces of council owned land. The process is also less well known and familiar to the market; as is the 'Permission in Principle' application route.

- 4.5 If the Council were to do nothing, the sites would become an increasing liability and continue to detract from the character and amenities of the local area.

5 Implications

5.1 Finance and Risk Implications

- 5.1.1 If the Council were to accept applications of prior approval under the LDO without an application fee then there would be some loss of income. The normal fee for an application for full planning permission for a single dwelling would be £462.
- 5.1.2 Therefore, there would be a potential loss of income of c. £12,000 based on the loss of fee income from all 26 sites identified for disposal and suitable for residential development.
- 5.1.3 There is an option to recover some of the costs of office time by setting a fee of the councils choosing, should it opt to do so.

5.2 Legal Implication including Data Protection

- 5.2.1 The LDO process is regulated through the planning acts and once an LDO is in place, the LDO would grant planning permission for residential development subject to conditions.
- 5.2.2 The proposed LDO would not otherwise grant planning permission for EIA development because the sites are not in a sensitive area (as defined by the EIA regulations) and the types of development that would be granted planning permission by the LDO would be highly unlikely to have any significant effects on the environmental quality of the local area (from an EIA perspective).
- 5.2.3 The LDO process does not give rise to any specific data protection issues other than the processing of personal details of any consultees responding to consultation on the LDOs, which have been dealt with in accordance with the Planning Service's existing privacy statement.

5.3 Human Resources Implications

- 5.3.1 These proposals do not give rise to any significant increase in existing workloads as the council has already employed additional resources to work on the disposal of the garage sites.

6 Recommendations

- 6.1 That Executive consider the three sites proposed for LDO's, having regard to the consultation responses and representations, which have been received.

Subsequently, Local Development Orders be adopted to grant planning permission for residential development on the following sites:

- Springfield Close, Clowne (Appendix 1);
- Damsbrook Drive North, Clowne (Appendix 2); and
- Damsbrook Drive South, Clowne (Appendix 3).

SUBJECT TO the following standard conditions:

1. Prior approval of: external appearance, landscaping, layout and scale must be obtained from the Local Planning Authority prior to the commencement of any development
2. The design of the proposed development of the dwelling house/s must be in accordance with the design principles set out in the Successful Places Design Guide
3. Any new build dwelling granted prior approval under this order must be built in accordance with the approved plans.
4. Any new build dwelling granted prior approval under this order must meet the statutory definition of custom and/or self-build housing as defined in the Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016).
5. Each dwelling must be provided with a minimum of two parking spaces and any designated parking spaces, manoeuvring areas for vehicles off the public highway and access to the public highway shall be maintained free of any obstruction throughout the lifetime of any new house granted prior approval under this Order; and
6. The site specific conditions set out in the detailed planning analysis of each site set out in appendices 1-3 to this report.

6.2 The reasons for the adoption of the Local Development Orders are:

- i. to allow the Council to obtain best value for underutilised pieces of land whilst improving the environmental quality of the District
- ii. to attract private investment in this land through a simplified and less costly planning process which provides a guarantee the land can be developed to address the Council's duties under the Self-build and Custom Housebuilding Act 2015; and
to ensure a consistent high quality of design is achieved that provides a long-lasting legacy that will benefit the local community, improve the character and appearance of the local area and add variation to the existing housing stock.

7 Decision Information

<p>Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: <i>BDC: Revenue - £75,000</i> <input type="checkbox"/> <i>Capital - £150,000</i> <input type="checkbox"/> <i>NEDDC: Revenue - £100,000</i> <input type="checkbox"/> <i>Capital - £250,000</i> <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i></p>	No
<p>Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)</p>	No
<p>Has the relevant Portfolio Holder been informed</p>	Yes
<p>District Wards Affected</p>	Clowne West
<p>Links to Corporate Plan priorities or Policy Framework</p>	All

8 Document Information

Appendix No	Title
1	20/00147/OTHER: Springfield Close, Clowne
2	20/00148/OTHER: Damsbrook Drive North, Clowne
3	20/00149/OTHER: Damsbrook Drive South, Clowne
Background Papers	
Successful Places: Design Guide	
Report Authors	Contact Number
Sarah Kay / Amelia Carter	2265 / 2294

APPENDIX 1 - 20/00147/OTHER: SPRINGFIELD CLOSE, CLOWNE

PARISH Clowne Parish

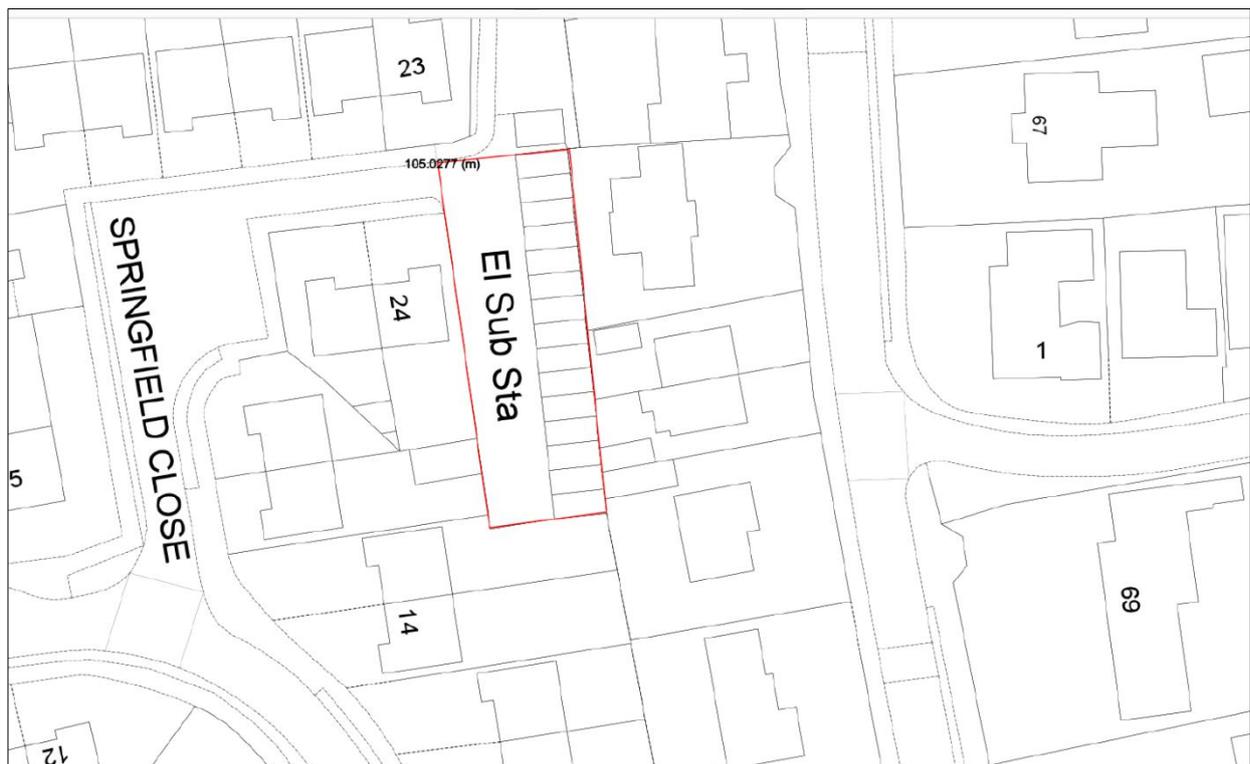
APPLICATION Local development order for residential development
LOCATION Garage Block Springfield Close Clowne
APPLICANT Bolsover District Council, The Arc, Clowne
APPLICATION NO. 20/00147/OTHER **FILE NO.**
CASE OFFICER Amelia Carter
DATE RECEIVED 6th April 2020

SUMMARY

This site is one of four garage sites positioned in the locality of Damsbrook Drive in Clowne. Three of the sites are recommended for a Local Development Order (an "LDO") and one, which is located off High Leys Road, is being retained by housing to create a fully occupied better quality garage court with the appropriate investment.

In respect of this report the garage site in question is located off Springfield Close.

Site Location Plan



OFFICER REPORT ON APPLICATION NO. 20/00147

SITE & SURROUNDINGS

A level site currently used as a garage court which is located at the end of the cul-de-sac on Springfield Close. To the north of the site is an electric Sub-station and a footpath over an area of protected green space as designated in the local plan. The street is characterised by two storey semi-detached dwellings of a fairly uniform design.

PROPOSAL

A local development order for residential development.

Supporting Documents

An indicative layout has been drawn to determine how a dwelling could be accommodated on site whilst meeting the council's standards as set out in the supplementary planning document: Successful Places, see Figure 1.

EIA SCREENING OPINION

The Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

The proposals are not Schedule 1 development, but they are an urban development project as described in criteria 10b of Schedule 2. However, the proposals are not in a sensitive location as defined by Regulation 2 and by virtue of their size and scale, they do not exceed the threshold for EIA development set out in Schedule 2. Therefore, the proposals are not EIA development.

CONSULTATIONS

Clowne Parish Council

No comments received.

Derbyshire County Council Highway Authority 26/06/2020

The highway authority have said that it should be demonstrated that the loss of the existing garage/ parking provision within the site will be unlikely to result in over spill onto Springfield Close, or it's footways. They also recommend that an area for the standing of waste bins should be demonstrated adjacent to but not within the highway.

Full details of consultation responses can be found on the planning register.

PUBLICITY

The development has been advertised by way of a site notice and 9 neighbours have been individually notified. Two representations have been received 18/08/2020.

The first representation ask specific questions about the proposed development which were responded to directly via a phone call.

The second representation raises a range of questions about the proposals which were responded to directly via email.

Many of the points raised unfortunately cannot be considered through the planning process. One concern over the right to light in their property is a planning related matter. However, there is a 12m separation from their rear wall to the side gable of the proposed dwelling which falls within the standard separations distances set out in the council's supplementary planning document Successful Places. At a maximum height of two storeys, this is not considered to impact light entering their windows and would pass a daylight test.

POLICY

Planning law requires that applications for planning permission be determined in accordance with saved policies in the adopted Local Plan, unless material

considerations indicate otherwise. In this case, the most relevant saved Local Plan policies include:

The Local Plan for Bolsover District (Adopted March 2020)

SS1 (Sustainable Development)
SS3 (Spatial Strategy and Distribution of Development)
SS11 (Environmental Quality (Amenity))
SC1 (Development within the Development Envelope)
SC2 (Sustainable Design and Construction)
SC3 (High Quality Development)

National Planning Policy Framework (“the Framework”)

The National Planning Policy Framework sets out the Government’s planning policies for England and how these should be applied. The Framework is therefore a material consideration in the determination of this application and policies in the Framework most relevant to this application include:

*Paragraphs 7-10: Achieving sustainable development
Paragraphs 47-48: Determining applications
Paragraphs 54-57: Planning conditions and obligations
Paragraphs 91, 92 and 94: Promoting healthy and safe communities
Paragraphs 108-111: Promoting sustainable transport
Paragraph 118: Making effective use of land
Paragraphs 124-128: Achieving well-designed places
Paragraph 153: Meeting the challenge of climate change*

Supplementary Planning Documents

Successful Places: A Guide to Sustainable Housing Layout and Design, Adopted 2013

The purpose of the Successful Places guide is to promote and achieve high quality residential development within the District by providing practical advice to all those involved in the design, planning and development of housing schemes. The guide is applicable to all new proposals for residential development, including mixed-use schemes that include an element of housing.

Self-build and Custom Housebuilding Act 2015

National Planning Practice Guidance states that relevant authorities should consider how they can best support self-build and custom housebuilding in their area. This could include using their own land if available and suitable for self-build and custom housebuilding and marketing it to those on the custom and self-build register. Section 2(1) of the Self-build and Custom Housebuilding Act 2015 places a duty on relevant bodies to have regard to each self-build and custom housebuilding register, that relates to their area when carrying out their planning, housing, land disposal and regeneration functions. The act provides a legal definition of self-build and custom housebuilding. The Act does not distinguish between self-build and custom housebuilding and provides that both are where an individual, an association of individuals, or persons working with or for individuals or associations of individuals, build or complete houses to be occupied as homes by those individuals.

ASSESSMENT

Principle

The development is acceptable in principle as it lies within the development envelope of Clowne as set out in the Policies Map in the local plan (adopted March 2020).

Landscape and visual impact of the proposed development

The design of the future dwelling should be informed by local character and proportions so that it becomes imbedded within its surroundings. The garage site is not considered to have an amenity value on Springfield Close and the redevelopment of the site would be considered to have a positive impact on the site and its surroundings, although details on the appearance of the dwelling will need to be submitted to the local planning authority for prior approval.

Residential amenity

To the east of the site there are two storey dwellings whose first floor windows overlook the site. However, it is possible to achieve a separation distance of 12m from their rear window to the side of a new dwelling, which is in line with the councils separation distances set out in Successful Places. The dwelling to the south of the site and to the west (No.24) both have single windows overlooking the site, but these appear to be obscure glazed bathroom or stairwell windows not the principle window to a habitable room. Therefore less protection is given to these windows and it is considered that overall the impact on the amenity of the dwellings would be minimal. Similarly, as the windows do not appear to serve habitable rooms, there are no concerns of overlooking from their windows into the proposed dwelling or rear garden.

Access

The site has a safe and suitable access of Springfield Close and it has been demonstrated (see figure 1.) that two off street parking spaces can be accommodated in line with the parking standards set out in the local plan. It is acknowledged that the redevelopment of the garage court may result in some loss of parking. The highway authority have said that it should be demonstrated that the loss of the existing garage/ parking provision within the site will be unlikely to result in over spill onto Springfield Close, or it's footways. However, it is considered unreasonable to demonstrate this as many of the dwellings on Springfield Close have sufficient space to accommodate off street parking on the frontages to their houses. The redevelopment of the site is therefore not considered to impact upon highway safety.

Self-Build & Custom Housebuilding

This site as an individual serviced plot would be suitable for an individual(s) who want to be involved in the design and/or construction of their own home.

RECOMMENDATION

The current Local Development Order be APPROVED subject to the following conditions:

1. Prior approval of layout, scale, landscaping and the external appearance of any new dwelling houses(s) must be obtained from the Local Planning Authority prior to the commencement of any development.
2. The layout of any new dwelling house(s) and the final external appearance of any new dwelling house must be in accordance with the design principles set out in the supplementary planning document: Successful Places - A Guide to Sustainable Housing Layout and Design 2013 or any later editions of the design guide adopted by the Council.

3. Any new dwelling house granted prior approval under this Order must be built in complete accordance with the approved plans.

4. Any new dwelling house granted prior approval under this Order must meet the statutory definition of self-build and custom housebuilding as defined in the Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016).

5. Any new dwelling house granted prior approval under this Order must be provided with a minimum of two parking spaces. Thereafter, any designated parking spaces, manoeuvring areas for vehicles off the public highway and access to the public highway shall be maintained free of any obstruction throughout the lifetime of any new dwelling house granted prior approval under this Order.

Statement of Decision Process

1. The proposal complies with the policies and guidelines adopted by the Council and the decision has been taken in accord with the guidelines of the National Planning Policy Framework.

Equalities Statement

Section 149 of the Equality Act 2010 places a statutory duty on public authorities in the exercise of their functions to have due regard to the need to eliminate discrimination and advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it (i.e. "the Public Sector Equality Duty").

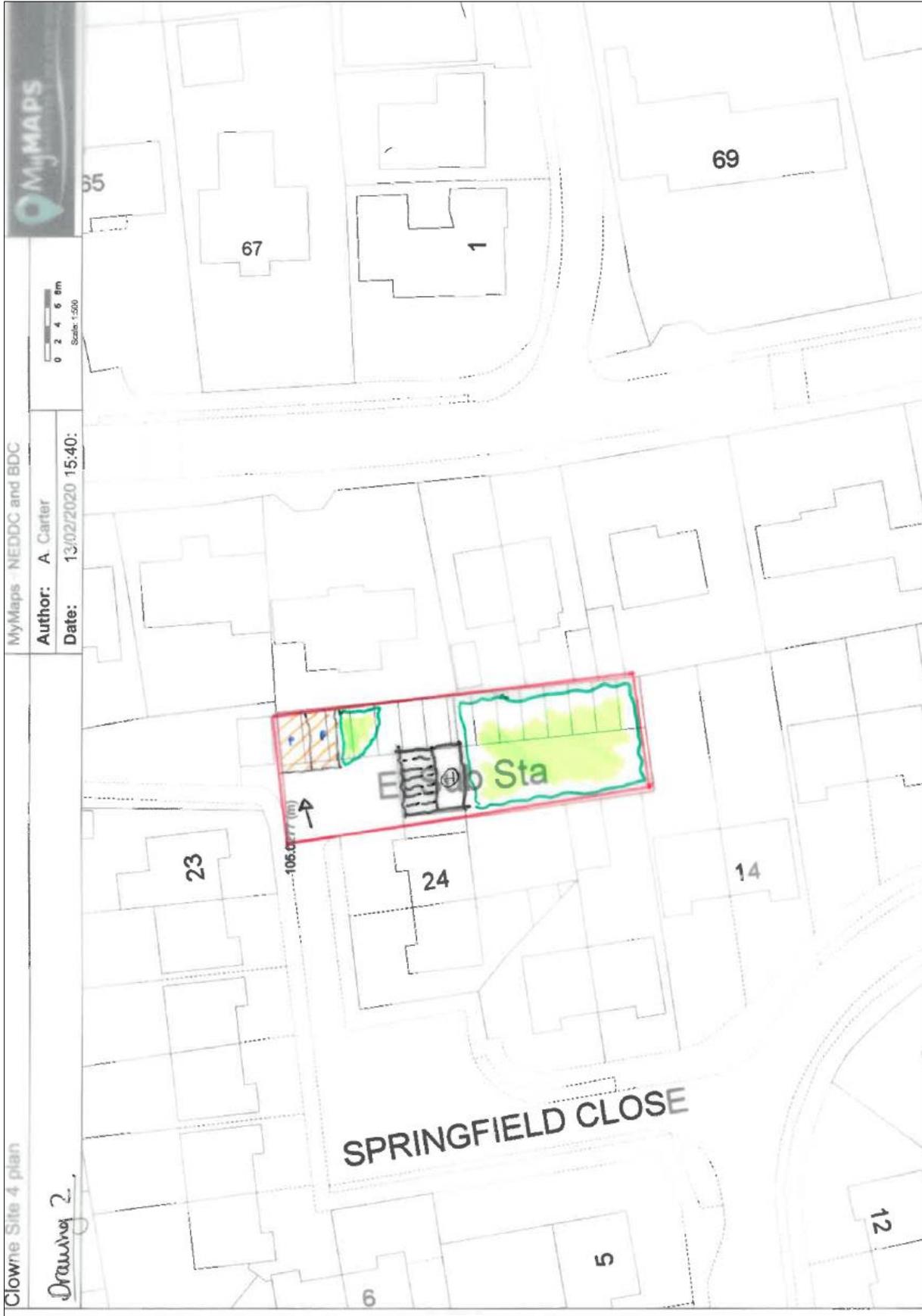
In this case, there is no evidence to suggest that the development proposals would have any direct or indirect negative impacts on any person with a protected characteristic or any group of people with a shared protected characteristic

Human Rights Statement

The specific Articles of the European Commission on Human Rights ('the ECHR') relevant to planning include Article 6 (Right to a fair and public trial within a reasonable time), Article 8 (Right to respect for private and family life, home and correspondence), Article 14 (Prohibition of discrimination) and Article 1 of Protocol 1 (Right to peaceful enjoyment of possessions and protection of property).

It is considered that assessing the effects that a proposal will have on individuals and weighing these against the wider public interest in determining whether development should be allowed to proceed is an inherent part of the decision-making process. In carrying out this 'balancing exercise' in the above report, officers are satisfied that the potential for these proposals to affect any individual's (or any group of individuals') human rights has been addressed proportionately and in accordance with the requirements of the ECHR.

Figure 1.



BOLSOVER DISTRICT COUNCIL
The Arc, High Street, Clowne, Derbyshire, S43 4JY

Notice of Decision on Application for Other Development

Bolsover District Council
The Arc
High Street
Clowne
S43 4JY

TOWN AND COUNTRY PLANNING ACT 1990

In pursuance of the powers vested in the Bolsover District Council as local planning authority under the above Act (as amended), and the relevant Orders and Regulations made under that Act, and with reference to the Local Planning Authority on xx Month 2020 adopting a

LOCAL DEVELOPMENT ORDER FOR REDEVELOPMENT OF GARAGE SITE

NOTICE is hereby given that on land Garage Block Springfield Close Clowne **PLANNING PERMISSION** is granted for residential development within the area edged red on the plan, attached as Schedule 1, subject to the following conditions:

Conditions

1. Prior approval of layout, scale, landscaping and appearance must be obtained from the Local Planning Authority prior to the commencement of any development.
2. The design of the proposed dwelling/s and the final external appearance of the proposed dwelling must be in accordance with the design principles set out in the Design Guide.
3. Any new build dwelling granted prior approval under this order must be built in accordance with the approved plans and substantially completed within five years of the date of the decision notice issued by the Council.
4. Any new build dwelling granted prior approval under this order must meet the statutory definition of custom and/or self-build housing as defined in the Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016).
5. Each dwelling must be provided with a minimum of two parking spaces and any designated parking spaces, manoeuvring areas for vehicles off the public highway and access to the public highway shall be maintained free of any obstruction throughout the lifetime of any new house granted prior approval under this Order.

Development not permitted

Notwithstanding the provisions of the Town and Country Planning (General Permitted

Development)(England) Order 2015 (or any order amending, revoking and re-enacting that Order with or without modification), no development shall take place within the curtilage of any new dwelling other than those expressly granted prior approval under this Order.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order amending, revoking and re-enacting that Order with or without modification), no alterations, extensions or modifications shall be carried out to the exterior of any new dwelling granted prior approval under this Order following its substantial completion.

Footnotes

All applicants seeking prior approval under this Lawful Development Order must be registered on Bolsover District Council’s self-build and custom housebuilding register.

All applications seeking prior approval under this Lawful Development Order must include:

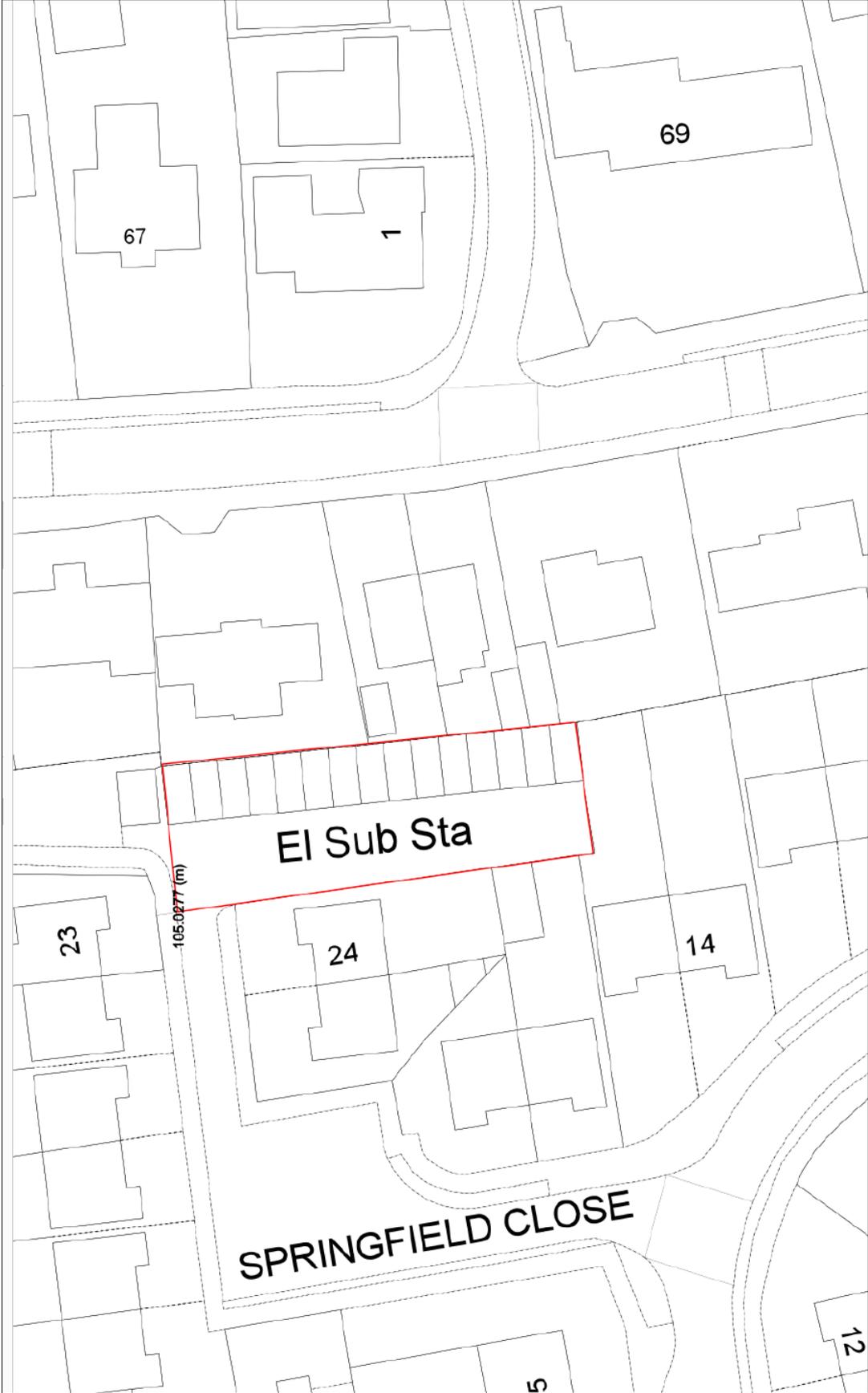
- Either a completed application form supplied by the Council or covering letter confirming that the applicant is registered on Bolsover District Council’s self-build and custom housebuilding register and a written statement setting out how any proposed dwelling(s) meet the statutory definition of custom and or self-build.
- Block plan at 1:200 to illustrate the scale of dwelling, landscaping and parking etc.
- Floor plans at 1:100/1:50 to show the layout of the proposed dwelling/s
- Elevational drawings to illustrate the external appearance of the proposed dwelling/s

There is no right of appeal against a decision to refuse prior approval for any application made under this Lawful Development Order

Date:

Signed
Authorised Officer of the Council

Schedule 1: Springfield Close, Clowne



APPENDIX 2 - 20/00148/OTHER: DAMSBROOK DRIVE NORTH, CLOWNE

PARISH Clowne Parish

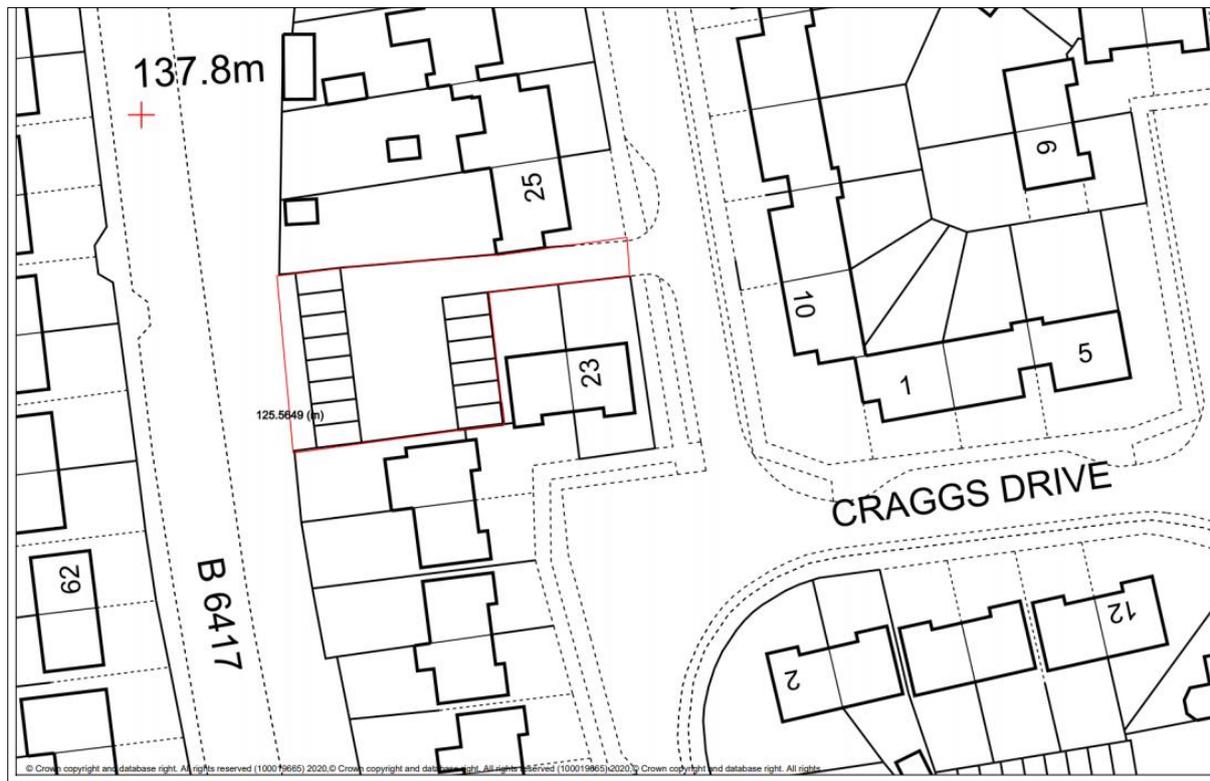
APPLICATION Local development order for residential development
LOCATION North Garage Block Damsbrook Drive Clowne
APPLICANT Bolsover District Council, The Arc, Clowne
APPLICATION NO. 20/00148/OTHER **FILE NO.**
CASE OFFICER Amelia Carter
DATE RECEIVED 6th April 2020

SUMMARY

This site is one of four garage sites positioned in the locality of Damsbrook Drive in Clowne. Three of the sites are recommended for a Local Development Order (an “LDO”) and one, which is located off High Leys Road, is being retained by housing to create a fully occupied better quality garage court with the appropriate investment.

In respect of this report the garage site in question is located off Damsbrook Drive (North).

Site Location Plan



OFFICER REPORT ON APPLICATION NO. 20/00148

SITE & SURROUNDINGS

A level site currently used as a garage court which is located off Damsbrook Drive. To the north of the site there are semi-detached single storey dwellings and to the east and to the south there are semi-detached two storey dwellings. The dwelling to the south

(No.19) appears to have established a vehicular access from the garage site to their rear garden but the legal rights of access over the garage site are not known.

PROPOSAL

A local development order for residential development.

Supporting Documents

An indicative layout has been drawn (see Figure 1.) to determine how a dwelling could be accommodated on site whilst meeting the council's standards set out in the supplementary planning document: Successful Places.

EIA SCREENING OPINION

The Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

The proposals are not Schedule 1 development, but they are an urban development project as described in criteria 10b of Schedule 2. However, the proposals are not in a sensitive location as defined by Regulation 2 and by virtue of their size and scale, they do not exceed the threshold for EIA development set out in Schedule 2. Therefore, the proposals are not EIA development.

CONSULTATIONS

Clowne Parish Council

No comments received.

Derbyshire County Council Highway Authority 26/06/2020

- The highway authority have said that it should be demonstrated that the loss of the existing garage/ parking provision within the site will be unlikely to result in over spill onto Damsbrook Drive, or it's footways. They have also recommended a turning facility suitable for a supermarket delivery vehicle to be provided within the site. They also recommend that an area for the standing of waste bins should be demonstrated adjacent to but not within the highway.

Full details of consultation responses can be found on the planning register.

PUBLICITY

The development has been advertised by way of a site notice and 10 neighbours have been individually notified. One representation has been received.

The objection is based on traffic hazard concerns, the objector highlights that the re-development of the site is likely to increase the number of vehicles parked on the street as many houses do not have provision for off street parking. Whilst the redevelopment of the site may result in some loss of parking for neighbouring dwellings there appears to be sufficient space for off street parking provision to be made on the frontages of most dwellings on Damsbrook Drive and this is considered to be a reasonable adjustment to be made.

POLICY

Planning law requires that applications for planning permission be determined in accordance with saved policies in the adopted Local Plan, unless material considerations indicate otherwise. In this case, the most relevant saved Local Plan policies include:

The Local Plan for Bolsover District (Adopted March 2020)

SS1 (Sustainable Development)

SS3 (Spatial Strategy and Distribution of Development)

SS11 (Environmental Quality (Amenity))

SC1 (Development within the Development Envelope)

SC2 (Sustainable Design and Construction)

SC3 (High Quality Development)

National Planning Policy Framework ("the Framework")

The National Planning Policy Framework sets out the Government's planning policies for England and how these should be applied. The Framework is therefore a material consideration in the determination of this application and policies in the Framework most relevant to this application include:

Paragraphs 7-10: Achieving sustainable development

Paragraphs 47-48: Determining applications

Paragraphs 54-57: Planning conditions and obligations

Paragraphs 91, 92 and 94: Promoting healthy and safe communities

Paragraphs 108-111: Promoting sustainable transport

Paragraph 118: Making effective use of land

Paragraphs 124-128: Achieving well-designed places

Paragraph 153: Meeting the challenge of climate change

Supplementary Planning Documents

Successful Places: A Guide to Sustainable Housing Layout and Design, Adopted 2013

The purpose of the Successful Places guide is to promote and achieve high quality residential development within the District by providing practical advice to all those involved in the design, planning and development of housing schemes. The guide is applicable to all new proposals for residential development, including mixed-use schemes that include an element of housing.

Self-build and Custom Housebuilding Act 2015

National Planning Practice Guidance states that relevant authorities should consider how they can best support self-build and custom housebuilding in their area. This could include using their own land if available and suitable for self-build and custom housebuilding and marketing it to those on the custom and self-build register. Section 2(1) of the Self-build and Custom Housebuilding Act 2015 places a duty on relevant bodies to have regard to each self-build and custom housebuilding register, that relates to their area when carrying out their planning, housing, land disposal and regeneration functions. The act provides a legal definition of self-build and custom housebuilding. The Act does not distinguish between self-build and custom housebuilding and provides that both are where an individual, an association of individuals, or persons working with or for individuals or associations of individuals, build or complete houses to be occupied as homes by those individuals.

ASSESSMENT

Principle

The development is acceptable in principle as it lies within the development envelope of Clowne as set out in the Policies Map of the Local Plan.

Landscape and visual impact of the proposed development

The garage site is located to the rear of existing houses on Damsbrook Drive and

therefore does not occupy a prominent position in the street scene. Any residential development that is kept to a single storey is not likely to have a negative impact on the street or on neighbouring properties. The indicative layout illustrates how the development of the site could have a positive relationship with Mansfield road by having an active frontage with the street.

Residential Amenity

There are gable end side facing window which overlook the site from two dwellings No 19 and No 21. No 19 has windows on ground floor and first floor level but these do not appear to be the principle window of a habitable room and therefore do not raise concerns of direct overlooking of the site. Similarly, No 21 has a single first floor window overlooking the site but this also appears to be a bathroom, stairwell or a secondary window and therefore is unlikely to pose an unacceptable risk of overlooking to the site.

Due to the height of development on the site being restricted to one storey, it is unlikely that the development on the site would negatively impact on the amenity of adjacent dwellings.

Access

The re-development of the site is unlikely to attract more traffic than its current use as a garage court. It has also been demonstrated that two off street car parking spaces can be accommodated on site in line with the Council's guidelines set out in the local plan. On this basis the proposal is not considered to be detrimental to highway safety and is considered to meet the requirements of Policy SC3 of the Local Plan for Bolsover District.

It is acknowledged that the re-development of the garage court may result in some loss of parking. The highway authority have said that that it should be demonstrated that the loss of the existing garage/ parking provision within the site will be unlikely to result in over spill onto Damsbrook Drive, or it's footways. However, it is considered unreasonable to demonstrate this as many of the dwellings on Damsbrook Drive have sufficient space to accommodate off street parking on the frontages to their houses.

They have also recommended an area for the storage of waste bins on collection days and a turning facility be demonstrated for use by a typical supermarket delivery vehicle. These recommendations can be met at the prior approval stage when more detailed proposals are submitted to the local planning authority for approval.

Self-Build & Custom Housebuilding

This site as an individual serviced plot would be suitable for an individual(s) who want to be involved in the design and/or construction of their own home.

RECOMMENDATION

The current Local Development Order be APPROVED subject to the following conditions:

Condition(s)

1. Prior approval of layout, scale, landscaping and the external appearance of any new dwelling houses(s) must be obtained from the Local Planning Authority prior to the commencement of any development.

2. The layout of any new dwelling house(s) and the final external appearance of any new dwelling house must be in accordance with the design principles set out in the supplementary planning document: Successful Places - A Guide to Sustainable Housing Layout and Design 2013 or any later editions of the design guide adopted by the Council.

3. Any new dwelling house granted prior approval under this Order must be built in complete accordance with the approved plans.

4. Any new dwelling house granted prior approval under this Order must meet the statutory definition of self build and custom housebuilding as defined in the Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016).

5. Any new dwelling house granted prior approval under this Order must be provided with a minimum of two parking spaces. Thereafter, any designated parking spaces, manoeuvring areas for vehicles off the public highway and access to the public highway shall be maintained free of any obstruction throughout the lifetime of any new dwelling house granted prior approval under this Order.

6. Any new dwelling house must not exceed a single storey and should be maintained as such thereafter.

Statement of Decision Process

1. The proposal complies with the policies and guidelines adopted by the Council and the decision has been taken in accord with the guidelines of the National Planning Policy Framework.

Equalities Statement

Section 149 of the Equality Act 2010 places a statutory duty on public authorities in the exercise of their functions to have due regard to the need to eliminate discrimination and advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it (i.e. "the Public Sector Equality Duty").

In this case, there is no evidence to suggest that the development proposals would have any direct or indirect negative impacts on any person with a protected characteristic or any group of people with a shared protected characteristic

Human Rights Statement

The specific Articles of the European Commission on Human Rights ('the ECHR') relevant to planning include Article 6 (Right to a fair and public trial within a reasonable time), Article 8 (Right to respect for private and family life, home and correspondence), Article 14 (Prohibition of discrimination) and Article 1 of Protocol 1 (Right to peaceful enjoyment of possessions and protection of property).

It is considered that assessing the effects that a proposal will have on individuals and weighing these against the wider public interest in determining whether development should be allowed to proceed is an inherent part of the decision-making process. In carrying out this 'balancing exercise' in the above report, officers are satisfied that the

potential for these proposals to affect any individual's (or any group of individuals') human rights has been addressed proportionately and in accordance with the requirements of the ECHR.

Figure 1.



BOLSOVER DISTRICT COUNCIL
The Arc, High Street, Clowne, Derbyshire, S43 4JY

Notice of Decision on Application for Other Development

Bolsover District Council
The Arc
High Street
Clowne
S43 4JY

TOWN AND COUNTRY PLANNING ACT 1990

In pursuance of the powers vested in the Bolsover District Council as local planning authority under the above Act (as amended), and the relevant Orders and Regulations made under that Act, and with reference to the Local Planning Authority on xx Month 2020 adopting a

LOCAL DEVELOPMENT ORDER FOR REDEVELOPMENT OF GARAGE SITE

NOTICE is hereby given that on land North Garage Block Damsbrook Drive Clowne **PLANNING PERMISSION** is granted for residential development within the area edged red on the plan, attached as Schedule 1, subject to the following conditions:

Conditions

1. Prior approval of layout, scale, landscaping and appearance must be obtained from the Local Planning Authority prior to the commencement of any development.
2. The design of the proposed dwelling/s and the final external appearance of the proposed dwelling must be in accordance with the design principles set out in the Design Guide.
3. Any new build dwelling granted prior approval under this order must be built in accordance with the approved plans and substantially completed within five years of the date of the decision notice issued by the Council.
4. Any new build dwelling granted prior approval under this order must meet the statutory definition of custom and/or self-build housing as defined in the Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016)
5. Each dwelling must be provided with a minimum of two parking spaces and any designated parking spaces, manoeuvring areas for vehicles off the public highway and access to the public highway shall be maintained free of any obstruction throughout the lifetime of any new house granted prior approval under this Order.
6. Any new dwelling house must not exceed a single storey and should be maintained as such thereafter.

Development not permitted

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order amending, revoking and re-enacting that Order with or without modification), no development shall take place within the curtilage of any new dwelling other than those expressly granted prior approval under this Order.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order amending, revoking and re-enacting that Order with or without modification), no alterations, extensions or modifications shall be carried out to the exterior of any new dwelling granted prior approval under this Order following its substantial completion.

Footnotes

All applicants seeking prior approval under this Lawful Development Order must be registered on Bolsover District Council’s self-build and custom housebuilding register.

All applications seeking prior approval under this Lawful Development Order must include:

- Either a completed application form supplied by the Council or covering letter confirming that the applicant is registered on Bolsover District Council’s self-build and custom housebuilding register and a written statement setting out how any proposed dwelling(s) meet the statutory definition of custom and or self-build.
- Block plan at 1:200 to illustrate the scale of dwelling, landscaping and parking etc.
- Floor plans at 1:100/1:50 to show the layout of the proposed dwelling/s
- Elevational drawings to illustrate the external appearance of the proposed dwelling/s

There is no right of appeal against a decision to refuse prior approval for any application made under this Lawful Development Order

Date

Signed
Authorised Officer of the Council

Schedule 1: North Garage Block Damsbrook Drive Clowne



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APPENDIX 3 - 20/00149/OTHER: DAMSBROOK DRIVE SOUTH, CLOWNE

PARISH Clowne Parish

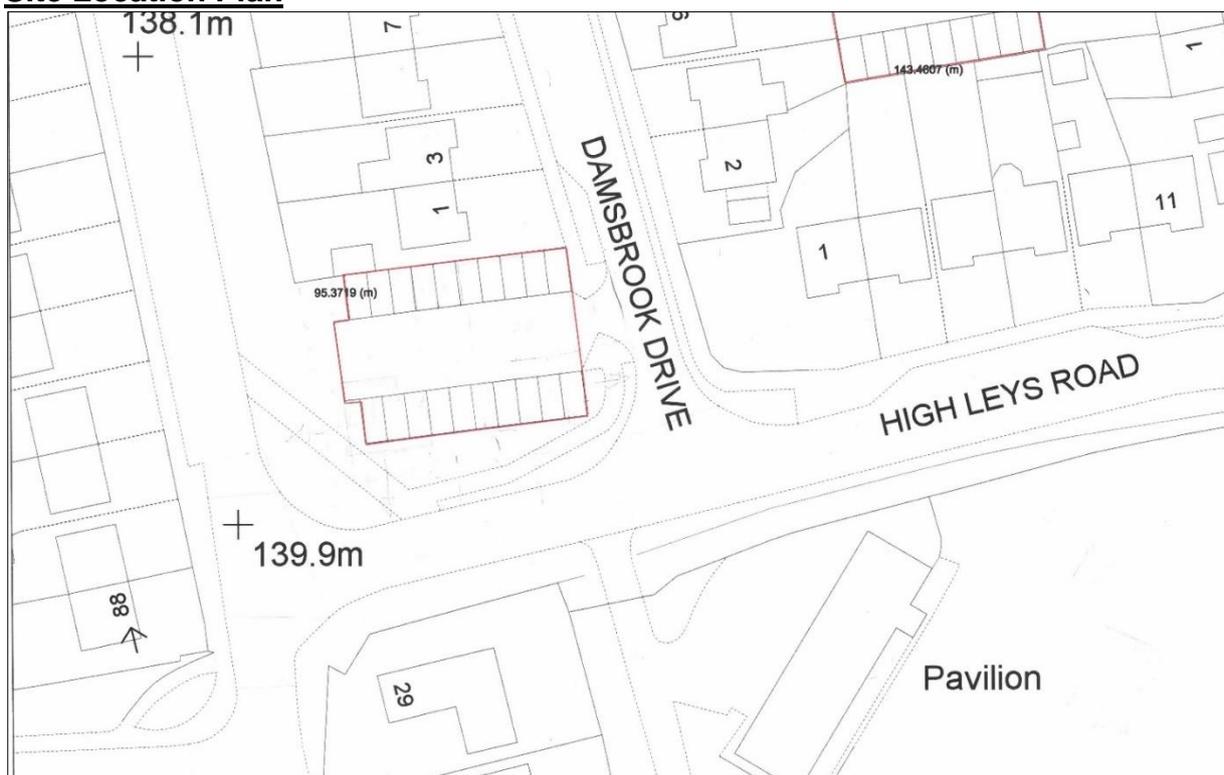
APPLICATION Local development order for residential development
LOCATION South Garage Block Damsbrook Drive Clowne
APPLICANT Bolsover District Council The Arc, Clowne
APPLICATION NO. 20/00149/OTHER **FILE NO.**
CASE OFFICER Amelia Carter
DATE RECEIVED 6th April 2020

SUMMARY

This site is one of four garage sites positioned in the locality of Damsbrook Drive in Clowne. Three of the sites are recommended for a Local Development Order (an "LDO") and one, which is located off High Leys Road, is being retained by housing to create a fully occupied better quality garage court with the appropriate investment.

In respect of this report the garage site in question is located off Damsbrook Drive (South).

Site Location Plan



OFFICER REPORT ON APPLICATION NO. 20/00149

SITE & SURROUNDINGS

A level garage court which occupies a prominent corner location on Mansfield Road and High Leys Road. Surrounding the garage court are mostly semi-detached two storey housing with some detached properties to the south along Mansfield Road. The land immediately surrounding the garage court is a grassed verge and pavement in Council

ownership where two mature silver birch trees are located.

PROPOSAL

A local development order for residential development.

Supporting Documents

An indicative layout has been drawn to determine how a dwelling could be accommodated on site whilst meeting the Council's standards set out in the supplementary planning document: Successful Places, see Figure 1.

EIA SCREENING OPINION

The Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

The proposals are not Schedule 1 development, but they are an urban development project as described in criteria 10b of Schedule 2. However, the proposals are not in a sensitive location as defined by Regulation 2 and by virtue of their size and scale, they do not exceed the threshold for EIA development set out in Schedule 2. Therefore, the proposals are not EIA development.

CONSULTATIONS

Clowne Parish Council

No comments received.

Derbyshire County Council Highway Authority 26/06/2020

- The Highway Authority have said that it should be demonstrated that the loss of the existing garage/ parking provision within the site will be unlikely to result in over spill onto Damsbrook Drive, or its footways. They have asked for parking provision to meet BDC standards to be provided on site. They also recommend that an area for the standing of waste bins should be demonstrated adjacent to but not within the highway.
- The highway authority highlight that part of the land included in the illustrative layout (Figure 1.) is within the existing highway boundary.

These comments will be addressed in the relevant section of this report.

PUBLICITY

The site has been advertised by way of a site notice and 8 neighbours have been individually notified. One representation has been received.

The objection is based on traffic hazard concerns, the objector highlights that the re-development of the site is likely to increase the number of vehicles parked on the street as many houses do not have provision for off street parking. Whilst the redevelopment of the site may result in some loss of parking for neighbouring dwellings there appears to be sufficient space for off street parking provision to be made on the frontages of most dwellings on Damsbrook Drive and this is considered to be a reasonable adjustment to be made.

POLICY

Planning law requires that applications for planning permission be determined in accordance with saved policies in the adopted Local Plan, unless material

considerations indicate otherwise. In this case, the most relevant saved Local Plan policies include:

The Local Plan for Bolsover District (Adopted March 2020)

SS1 (Sustainable Development)
SS3 (Spatial Strategy and Distribution of Development)
SS11 (Environmental Quality (Amenity))
SC1 (Development within the Development Envelope)
SC2 (Sustainable Design and Construction)
SC3 (High Quality Development)

National Planning Policy Framework (“the Framework”)

The National Planning Policy Framework sets out the Government’s planning policies for England and how these should be applied. The Framework is therefore a material consideration in the determination of this application and policies in the Framework most relevant to this application include:

*Paragraphs 7-10: Achieving sustainable development
Paragraphs 47-48: Determining applications
Paragraphs 54-57: Planning conditions and obligations
Paragraphs 91, 92 and 94: Promoting healthy and safe communities
Paragraphs 108-111: Promoting sustainable transport
Paragraph 118: Making effective use of land
Paragraphs 124-128: Achieving well-designed places
Paragraph 153: Meeting the challenge of climate change*

Supplementary Planning Documents

Successful Places: A Guide to Sustainable Housing Layout and Design, Adopted 2013

The purpose of the Successful Places guide is to promote and achieve high quality residential development within the District by providing practical advice to all those involved in the design, planning and development of housing schemes. The guide is applicable to all new proposals for residential development, including mixed-use schemes that include an element of housing.

Self-build and Custom Housebuilding Act 2015

National Planning Practice Guidance states that relevant authorities should consider how they can best support self-build and custom housebuilding in their area. This could include using their own land if available and suitable for self-build and custom housebuilding and marketing it to those on the custom and self-build register. Section 2(1) of the Self-build and Custom Housebuilding Act 2015 places a duty on relevant bodies to have regard to each self-build and custom housebuilding register, that relates to their area when carrying out their planning, housing, land disposal and regeneration functions. The act provides a legal definition of self-build and custom housebuilding. The Act does not distinguish between self-build and custom housebuilding and provides that both are where an individual, an association of individuals, or persons working with or for individuals or associations of individuals, build or complete houses to be occupied as homes by those individuals.

ASSESSMENT

Principle

The development is acceptable in principle as it lies within the development envelope of Clowne as set out in the Policies Map in the local plan (adopted March 2020).

Landscape and visual impact of the proposed development

This garage court occupies a prominent position as you enter the village of Clowne from Mansfield Road. The re-development of the site for residential uses has the potential to improve the street scene and create an attractive corner development. An indicative layout has been drawn to illustrate how development on the site may be accommodated to improve the amenity of the site and its surroundings.

Residential amenity

No 1 Damsbrook Drive has a gable end side facing window overlooking the site. However, this appears to be a bathroom, stairwell or secondary window serving a habitable room and therefore is not likely to contribute to direct overlooking of the site. It has also been demonstrated how two dwellings can be accommodated on site whilst meeting the council's standards as set out on Successful Places.

Access

The garage site has a safe and suitable access off Damsbrook Drive, which has been used for some time by the garage tenants. Any development of the site is likely to result in fewer vehicular movements from the site and is unlikely to negatively impact the safe use of the highway.

The layout in Figure 1 shows how two off street parking spaces can be accommodated per dwelling in line with the standards set out in the local plan. It also proposes a new access created off High Leys Road, (although it would be for the future occupiers to submit details for approval of how they want to develop the site).

It is acknowledged that the re-development of the garage court may result in some loss of parking. The highway authority have said that that it should be demonstrated that the loss of the existing garage/ parking provision within the site will be unlikely to result in over spill onto Damsbrook Drive, or it's footways. However, it is considered unreasonable to demonstrate this as many of the dwellings on Damsbrook Drive have sufficient space to accommodate off street parking on the frontages to their houses.

They have also recommended an area for the storage of waste bins on collection days which can be met at the prior approval stage when more detailed proposals are submitted to the local planning authority for approval.

With regards to the land outside of the red line shown on the plan and included within illustrative layout (Figure 1), whilst the land is within council ownership the highway authority have control over it by way of being adopted highway. Therefore a stooping up order would need to be pursued by the future buyers to realise the full development potential of the land. In planning terms, if the stooping up order was successful there would be no detriment to highway uses if the area referred to by the highway authority was removed from public use, as the footway could be redirected along the perimeter of the site.

If the stooping up order was unsuccessful for whatever reason the land within the red line shown in the plan (the developed area of the garage court) would still be suitable for residential development, albeit with a different layout to the one included in this report.

Self-Build & Custom Housebuilding

This site as an individual serviced plot would be suitable for an individual(s) who want to be involved in the design and/or construction of their own home.

RECOMMENDATION

The current Local Development Order be APPROVED subject to the following conditions:

Condition(s)

1. Prior approval of layout, scale, landscaping and the external appearance of any new dwelling houses(s) must be obtained from the Local Planning Authority prior to the commencement of any development
2. The layout of any new dwelling house(s) and the final external appearance of any new dwelling house must be in accordance with the design principles set out in the supplementary planning document: Successful Places - A Guide to Sustainable Housing Layout and Design 2013 or any later editions of the design guide adopted by the Council.
3. Any new dwelling house granted prior approval under this Order must be built in complete accordance with the approved plans
4. Any new dwelling house granted prior approval under this Order must meet the statutory definition of self-build and custom housebuilding as defined in the Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016).
5. Any new dwelling house granted prior approval under this Order must be provided with a minimum of two parking spaces. Thereafter, any designated parking spaces, manoeuvring areas for vehicles off the public highway and access to the public highway shall be maintained free of any obstruction throughout the lifetime of any new dwelling house granted prior approval under this Order

Statement of Decision Process

1. The proposal complies with the policies and guidelines adopted by the Council and the decision has been taken in accordance with the guidelines of the National Planning Policy Framework.

Note(s)

1. The applicant is advised that there is a public right of way which crosses or is adjacent to the application site. This permission does not grant the right to close, alter or build over a right of way. In order to realise the full development potential of the site a stopping up order under the Town and Country Planning Act 1990 would need to be pursued with the Derbyshire Country Council Highway Authority.

Equalities Statement

Section 149 of the Equality Act 2010 places a statutory duty on public authorities in the exercise of their functions to have due regard to the need to eliminate discrimination and advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it (i.e. "the Public Sector Equality Duty").

In this case, there is no evidence to suggest that the development proposals would have any direct or indirect negative impacts on any person with a protected characteristic or any group of people with a shared protected characteristic

Human Rights Statement

The specific Articles of the European Commission on Human Rights ('the ECHR') relevant to planning include Article 6 (Right to a fair and public trial within a reasonable time), Article 8 (Right to respect for private and family life, home and correspondence), Article 14 (Prohibition of discrimination) and Article 1 of Protocol 1 (Right to peaceful enjoyment of possessions and protection of property).

It is considered that assessing the effects that a proposal will have on individuals and weighing these against the wider public interest in determining whether development should be allowed to proceed is an inherent part of the decision-making process. In carrying out this 'balancing exercise' in the above report, officers are satisfied that the potential for these proposals to affect any individual's (or any group of individuals') human rights has been addressed proportionately and in accordance with the requirements of the ECHR.

Figure 1.



BOLSOVER DISTRICT COUNCIL
The Arc, High Street, Clowne, Derbyshire, S43 4JY

Notice of Decision on Application for Other Development

Bolsover District Council
The Arc
High Street
Clowne
S43 4JY

TOWN AND COUNTRY PLANNING ACT 1990

In pursuance of the powers vested in the Bolsover District Council as local planning authority under the above Act (as amended), and the relevant Orders and Regulations made under that Act, and with reference to the Local Planning Authority on xx Month 2020 adopting a

LOCAL DEVELOPMENT ORDER FOR REDEVELOPMENT OF GARAGE SITE

NOTICE is hereby given that on land South Garage Block Damsbrook Drive Clowne **PLANNING PERMISSION** is granted for residential development within the area edged red on the plan, attached as Schedule 1, subject to the following conditions:

Conditions

1. Prior approval of layout, scale, landscaping and appearance must be obtained from the Local Planning Authority prior to the commencement of any development.
2. The design of the proposed dwelling/s and the final external appearance of the proposed dwelling must be in accordance with the design principles set out in the Design Guide.
3. Any new build dwelling granted prior approval under this order must be built in accordance with the approved plans and substantially completed within five years of the date of the decision notice issued by the Council.
4. Any new build dwelling granted prior approval under this order must meet the statutory definition of custom and/or self-build housing as defined in the Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016)
5. Each dwelling must be provided with a minimum of two parking spaces and any designated parking spaces, manoeuvring areas for vehicles off the public highway and access to the public highway shall be maintained free of any obstruction throughout the lifetime of any new house granted prior approval under this Order.
6. This Order will expire and no longer take effect after 31 December 2022.

Development not permitted

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order amending, revoking and re-enacting that Order with or without modification), no development shall take place within the curtilage of any new dwelling other than those expressly granted prior approval under this Order.

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order amending, revoking and re-enacting that Order with or without modification), no alterations, extensions or modifications shall be carried out to the exterior of any new dwelling granted prior approval under this Order following its substantial completion.

Footnotes

All applicants seeking prior approval under this Lawful Development Order must be registered on Bolsover District Council’s self-build and custom housebuilding register.

All applications seeking prior approval under this Lawful Development Order must include:

- Either a completed application form supplied by the Council or covering letter confirming that the applicant is registered on Bolsover District Council’s self-build and custom housebuilding register and a written statement setting out how any proposed dwelling(s) meet the statutory definition of custom and or self-build.
- Block plan at 1:200 to illustrate the scale of dwelling, landscaping and parking etc.
- Floor plans at 1:100/1:50 to show the layout of the proposed dwelling/s
- Elevational drawings to illustrate the external appearance of the proposed dwelling/s

There is no right of appeal against a decision to refuse prior approval for any application made under this Lawful Development Order

Date

Signed
Authorised Officer of the Council

Schedule 1: South Garage Block Damsbrook Drive Clowne



Bolsover District Council

Executive

23rd November 2020

Single Equality Scheme 2019 - 2023 Review Year 1

Report of the Portfolio Holder - Corporate Governance

This report is public

Purpose of the Report

- To consider the first year review of the Single Equality Scheme 2019 - 2023 and to note the achievements.

1 Report Details

- 1.1 The Single Equality Scheme 2019 - 2023 provides a framework for implementing the Council's obligations with regard to the general and specific equality duties and encompasses the range of protected characteristics as defined within the Equality Act 2010.
- 1.2 The Scheme sets out the Council's legal responsibilities, four corporate equality objectives with actions and measures, performance monitoring arrangements and responsibilities for equality.
- 1.3 The Council's objectives are:
- (1) Everyone can access our services, facilities and information
 - (2) Decision making and services take into account the needs of residents and communities
 - (3) Discrimination, harassment and hate crime is not tolerated
 - (4) Our workforce and workforce policies support equality
- 1.4 Appendix 1 illustrates the achievements and progress under each objective. It also demonstrates what the Council has done under its general equality duties. Together they demonstrate the variety of work being undertaken to support and enhance the lives of customers and residents and employees too.
- 1.5 Once considered by Executive the review document will be published on the Council's website and publicised. This will fulfil our duty to publish equality information at least once a year.

2 Conclusions and Reasons for Recommendation

- 2.1 This is an information report to keep Executive informed of progress against the Single Equality Scheme and to note achievements.

3 Consultation and Equality Impact

3.1 The scheme has already been consulted upon and it supports equality. The review document has been taken to SAMT for consultation.

4 Alternative Options and Reasons for Rejection

4.1 It is a statutory requirement to publish information to demonstrate compliance with the general equality duty.

5 Implications

5.1 Finance and Risk Implications

5.1.1 None

5.2 Legal Implications including Data Protection

5.2.1 Statutory requirement to publish information to demonstrate compliance with the general equality duty.

5.3 Human Resources Implications

5.3.1 None

6 Recommendations

6.1 To note the progress made and achievements under the first year review of the Single Equality Scheme 2019 - 2023.

7 Decision Information

Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: <i>BDC: Revenue - £75,000</i> <input type="checkbox"/> <i>Capital - £150,000</i> <input type="checkbox"/> <i>NEDDC: Revenue - £100,000</i> <input type="checkbox"/> <i>Capital - £250,000</i> <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)	No
Has the relevant Portfolio Holder been informed	Yes
District Wards Affected	All

Links to Council Plan priorities or Policy Framework	BDC Ambition priority <i>Promoting equality, diversity and supporting vulnerable and disadvantaged people</i>
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8 Document Information

Appendix No	Title
1	Single Equality Scheme 2019-2023 BDC Review Document
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)	
Report Author	Contact Number
Kath Drury, Information Engagement & Performance Manager	01246 242280

Report Reference –

Bolsover District Council Single Equality Scheme 2019-23 Review 2020

Public Sector Equality Duty

Examples of how we are meeting our equality duty:

Eliminating discrimination, victimisation and harassment
Hate crime reporting
<ul style="list-style-type: none"> Any victims of hate crime can report incidents online via the Council's self-service portal. We continue to provide support and assistance to victims of hate crime including referrals to partner agencies.
Safeguarding
<ul style="list-style-type: none"> Corporate safeguarding training is provided during induction to all new starters and refresher training is also provided to Elected Members. All office-based staff undertook online 'Prevent' mandatory training during the summer of 2020. The course was designed to safeguard vulnerable people from being radicalised to either support terrorism or to prevent individuals from becoming terrorists themselves.
Antisocial behaviour (ASB)
<ul style="list-style-type: none"> Three victims of hate crime were provided with support via the Hate Crime service during 2019. Significant reductions in ASB in three of the five wards in Shirebrook have been reported when comparing the last 12 month period ending September 2019, with the previous 12 month period ending September 2018. Only small increases in ASB have been seen in two of the five wards. The Council's new Ambition for 2020-2024 recommits to <i>working with partners to reduce crime and antisocial behaviour</i>. A target to <i>resolve successfully 60% of cases following the issuing of a Community Protection Warning</i> has been made to support this priority. The Council has provided support to 48 referrals experiencing domestic abuse.
Training and guidance
<ul style="list-style-type: none"> Transgender training has been delivered to over 60 frontline leisure staff. Transgender Guidance has been published to help staff with FAQs about assisting transgender customers. Domestic Abuse campaign in operation across all Council offices.

Advancing equality of opportunity
Health & wellbeing
<ul style="list-style-type: none"> Bolsover District Council is commissioned by Bolsover Partnership and County Public Health to deliver a Health Intervention programme, in 2019/20 669 people completed the programme against a target of 485. This programme continues to support the life expectancy target set by government by increasing levels of physical activity across Bolsover District. In turn this has reduced obesity

and the risk of stroke, chronic heart disease, diabetes and a range of other illnesses. Involving the most 'at risk' groups has been having a positive impact on life expectancy levels across our District (which is lower than the national average).

- **'Raising Aspirations'** (RA) is Bolsover Partnership's flagship project supports young people to fulfil their potential. The Social Return on Investment (SROI) captured across the whole RA programme has been positive with every £1 spent, showing a £4.68 value.
- 1563 residents contacted our authority for support during C19. We made **353 food deliveries** and **567 pharmacy deliveries** during lockdown.
- The target figure for the year (of 8000 hours) to deliver positive activity through community-based culture and leisure engagement was exceeded by 577. Actual performance 8577 hour for 2019/20.
- The target figure for the year (of 300 000 attendances) **to increase participation/attendance in leisure**, sport, recreation, health, physical and cultural activity was exceeded by 77842. Actual performance 377,842 attendances for 2019/20.
- The Council has partnered with Active Derbyshire to create a programme called **PALS** which aims to change behaviours and find solutions to help people face their daily challenges, allowing them to concentrate more on their health and wellbeing. It helps to assess their needs, unpick situations, and provide consistent support in an effort to improve their lifestyle and became more physically active. Due to C19 there are limited statistics to report at present however the following quotes provide a flavour of the feedback received: *"I would not know where I would be if it wasn't for the help I have received from the officer ... the programme is fantastic and will help lots of people and long may it continue"* and *I am more positive about the future than I have been for a long time. I have more confidence when meeting people and all this has come from the officer and the PALS programme".*

Building Resilience Programme

- Welcome Information Packs for new arrivals are available in hard copy and online formats to aid migrants and support integration.
- The Building Resilience programme continues to make good progress across all strands of activity which includes encouraging cohesion and integration amongst communities through community events, the development of a Shirebrook Business Forum and further enhancements at Rainbow Park to reduce anti-social behaviour while supporting the learning of English through the development of a mobile app, '1000 words in 100 days'.
- Approx. £57,000 has been approved to date for the Phase 2 Controlling Migration Fund.
- Enhanced partnership working has resulted in improved access to language skills for migrant communities and increased knowledge of migrants within agencies across the District.

Access and support

- 368 adaptations completed in council tenant homes during 2019/20. These range from handrails to larger, more complex works such as installing wet rooms.
- 156 new units of Careline personal alarm systems provided to older/vulnerable people during 2019/20.
- Deaf awareness and basic British Sign Language (BSL) training was delivered to key members of staff in the Council Chamber at the Arc.
- A hearing loop has been fitted in one of the fitness studios at the Arc.

- An equalities impact assessment on video conferencing has been finalised for staff and Members.
- Our language interpretation service has been reviewed to check relevant languages promoted.

The Council has produced a new Ambition for 2019-2023 which establishes the following priorities for customers:

- Increasing customer satisfaction with our services
- Improving customer contact and removing barriers to accessing information
- Actively engaging with partners to benefit our customers
- Promoting equality, diversity and supporting vulnerable or disadvantaged people
- Providing good quality council housing where people choose to live
- Improving health, wellbeing and increasing participation in sport/leisure activities

Apprenticeships

- **2019-20:** 16 apprenticeships (exceeding the annual target of 12).

Fostering good relations

Promoting understanding

- **Building Resilience Programme:** The key factor attracting immigrants to the NG20 area has been employment opportunities at the Sports Direct warehouse in Shirebrook. The two largest employment agencies operating in the NG20 area confirm that the two main migrant nationalities employed in the NG20 area are Polish and Romanian. Links created between British, Polish and Romanian community groups help to maintain community cohesion by including more people. However, lack of English proficiency is still the main challenge preventing immigrants from using services, socialising and integrating and remains the main reason for immigrants seeking assistance from members of the Council's Project Team.
 - English lessons for adults were completed in June 2019 (involved four hours per week for a cohort of approx. 20 students)
 - Project Team organised two very successful community events:
 - i. Community Heritage Day that took place in May. In this initiative, different communities have been showcasing their culture, traditions, important and interesting facts about their countries. This involved the Polish Community, Romanian Community and local, Shirebrook, British Community. There were artists singing and dancing in different languages and the preparation of traditional food.
 - ii. Second event took place in July at Rainbow Park in Shirebrook. There were a lot of activities for all members of the community as well as a free BBQ and many stalls with handmade goods. Attendees were encouraged during the event to join local community groups.
 Our Project Officer continues to support the development of The Polish Community Group in Shirebrook. As a result, the group has been successful in securing two grants, one from Derbyshire Community Action and the second from the Polish Consulate in Manchester. Drop-in sessions at Shirebrook Contact Centre (assisted by a Polish speaking advisor) are available to immigrants and continue to be popular with increased attendance levels reported during 2019.
- **Holocaust Memorial Day:** 27 January 2020 – We displayed promotional materials and commemoration books at our three Contact Centres across the District commemorating lives lost in the Holocaust while raising awareness about

the genocides in Cambodia, Rwanda, Bosnia and Darfur offering our community the chance to learn, remember and reflect.

- The Council adopted the non-legally binding working definition of **Anti-Semitism**.
- Communications: We have supported a number of national campaigns from **International Women’s Day** to **Hate Crime Awareness Week** to **World Mental Health Day**.
- **Connect Bolsover (Small Grants)**: Grants of up to £1000 were made available to local community organisations, including Parish and Town councils to respond to the pandemic situation. The fund closed after awarding £24,000 to 34 different organisations to help with a range of different requirements including:
 - meals being cooked and delivered to vulnerable residents
 - online support for mental health
 - activity packs/resources for families or isolated/vulnerable individuals
 - online counselling
 - physical activity equipment
 - contributing to core costs for VCS organisations who were experiencing higher demand than usual.
- Dedicated Council web pages have been developed for the **Armed Forces Community** and a dedicated Armed Forces e-mail, telephone number and script which allows our Customer Services Team to signpost the caller to the most appropriate department/service provider is in the process of being developed. Our Armed Forces Champion, Cllr Nick Clarke also attended Armed Forces Community events held in other districts to show support.

Equality objectives

How we are meeting our specific objectives during 2019 – 2023:

Objective	Supporting information
<p>Objective 1: Everyone can access our services, facilities and information</p>	<p>A new website is being launched to include enhanced accessibility features in compliance with The Public Sector Bodies (Websites and Mobile Applications) (No. 2) Accessibility Regulations 2018.</p> <p>Council staff supported and delivered Community Support services during the lockdown period and extended opening times to include weekends and the Easter Bank Holiday.</p> <p>Ongoing development of Self Service and new forms are continually being uploaded; the most recent being the ability to order three bins on one form rather than one per form. Also available is a C19 registration form for the public to access advice and support.</p> <p>Contactless payments have been available via the payment kiosks since March 2020.</p> <p>Polish ‘drop in’ sessions have restarted on a pre-arranged appointment basis every Tuesday designed to continue providing support to the Eastern European community.</p>

	<p>The Council has completed a procurement exercise for a video relay system to provide deaf customers with the option of a BSL interpreter through video calling.</p> <p>We have updated our Joint Equality Policy for Service Delivery, reviewed our equality monitoring form and guidance, and the reasonable adjustments form for customer information</p> <p>We have undertaken a number of Equality Impact Assessments (EIAs) for new and reviewed policies, services, consultations and functions and have published relevant ones on our website.</p>
<p>Objective 2: Decision-making and services take into account the needs of residents and communities</p>	<p>Consultation and satisfaction survey reports are published on our website and Ask Derbyshire: https://www.askderbyshire.gov.uk/</p> <p>Results and planned actions are shared through various communication channels and information is made available to decision makers prior to decisions being made.</p> <p>We publish an Annual Consultation Review which summarises some of the consultation activity that the Council has undertaken. This is available on our website.</p> <p>The BDC Equality Panel continues to meet three times annually to discuss local and national equalities issues however, this activity has been suspended until further notice because of C19 constraints. At our next panel meeting, we will be welcoming a new member of the community to our group; Chair of the Polish Community Group in Shirebrook.</p> <p>The Bolsover District Youth Council known as 'The Young Voice' met four times throughout 2019 to tackle various community issues, to participate in teambuilding activities/excursions and to raise funds for its chosen charity. All secondary schools in the District (Bolsover, Frederick Gent, Heritage High, Shirebrook, Stubbin Wood and Tibshelf) are represented by six young people who are elected to represent each school as 'Youth Councillors'. The Young Voice receives an annual budget from Bolsover District Council to spend on projects identified each year and has gone from strength to strength since starting as a pilot scheme some 14 years ago.</p> <p>Young Voice Highlights of 2019: 1. Electing a new charity (The Children's Hospital Charity in Sheffield) to support via individual school fundraising initiatives raising nearly £2000 which will be used towards improving the hospital environment through artwork, design, providing workshops for the young patients</p>

	<p>to take part in and to procure pieces of essential equipment (such as scanners) which are not funded by the NHS</p> <p>2. Participating in an outdoor recreation day at Pleasley Vale</p> <p>3. A memorable educational visit to Bolsover Castle in November 2019</p> <p>4. Creating the 2019 Young Voice Annual Newsletter from scratch</p>
<p>Objective 3: Discrimination, harassment and hate crime is not tolerated</p>	<p>Our online Hate Crime form has been updated and is available for residents to report any incidents.</p> <p>The Council has approved a new Antisocial Behaviour policy.</p> <p>Public Space Protection Orders (PSPOs) were introduced in Langwith and Whaley Thorns and in Shirebrook and Langwith Junction which prohibits antisocial behaviour.</p>
<p>Objective 4: Our workforce, and workforce policies, support equality</p>	<p>Corporate training on Equalities is undertaken every quarter covering Induction for new starters, refresh training for existing staff as well as introductory and refresher training for Elected Members.</p> <p>Equalities is a key feature of recruitment practices and employee relations practices embedded at the Council.</p> <p>Internal Training Programmes include supporting employees at work, managing employee relations and recruitment drives all feature equalities considerations.</p> <p>Good equalities practices are considered in the development of any workforce policies, practices and procedures to with consultation undertaken with SAMT, Trade Unions, Members, Managers and Employees.</p> <p>We run regular staff surveys and gather perceptions on a variety of matters, most latterly opinions from staff on Working From Home during C19.</p> <p>Counselling services are available for employees.</p> <p>In December 2019 our legal team led a campaign to highlight domestic violence. Council staff donated gifts as part of a collection to donate to families in shelters over Christmas.</p>

Agenda Item 9

By virtue of paragraph(s) 1, 2, 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

Agenda Item 10

By virtue of paragraph(s) 1, 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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Agenda Item 11

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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