

EXECUTIVE

Minutes of a meeting of the Executive of the Bolsover District Council held in the Council Chamber, The Arc, Clowne, on Monday 16th May, 2022 at 1000 hours.

PRESENT:-

Members:-

Councillor Steve Fritchley in the Chair

Councillors Duncan McGregor, Clive Moesby, Sandra Peake, Liz Smyth and Deborah Watson.

Officers:- Karen Hanson (Executive Director of Resources), Grant Galloway (Executive Director of Strategy and Development), Pam Brown (Assistant Director Leader's Executive, Partnerships, Governance and Communications), Theresa Fletcher (Assistant Director of Finance and Resources), Chris Fridlington (Assistant Director of Development and Planning), Jim Fieldsend (Monitoring Officer), Joanne Wilson (Scrutiny and Elections Officer) (to Minute No. EX111-21/22), Victoria Dawson (Assistant Director of Enforcement and Housing Management) (to Minute No. EX111-21/22), Ian Barber (Assistant Director of Property Services & Housing Repairs), Deborah Whallett (Housing Enforcement Manager) (to Minute No. EX111-21/22), Natalie Etches (Business Growth Manager), Sally Lovell (Business Estates Manager) and Alison Bluff (Senior Governance Officer (acting)).

Also in attendance at the meeting to Minute No. EX111-21/22), were Councillors Rose Bowler and Rita Turner.

EX105-21/22 APOLOGIES FOR ABSENCE

Apologies for absence were received on behalf of Councillors Mary Dooley and David Downes.

EX106-21/22 URGENT ITEMS OF BUSINESS

There were no urgent items of business to consider.

EX107-21/22 DECLARATIONS OF INTEREST

There were no declarations of interest made.

EX108-21/22 MINUTES

Moved by Councillor Duncan McGregor and seconded by Councillor Sandra Peake
RESOLVED that the Minutes of an Executive meeting held on 4th April 2022 be approved as a correct record.

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MATTERS REFERRED FROM SCRUTINY

EX109-21/22 REVIEW OF COUNCIL OWNED ADAPTED ACCOMMODATION

Executive considered a detailed report regarding to a review undertaken by the Customer Services Scrutiny Committee in relation to Council-owned Adapted Accommodation.

The report was presented by Councillor Rose Bowler, Chair of Customer Services Scrutiny Committee.

Under the Equality Act 2010, the Council had a duty to make reasonable adjustments for people with disabilities to ensure they received the same services, as far as this was possible, as someone who was not disabled. A disability under this Act was defined as a physical or mental impairment that had a 'substantial' and 'long-term' negative effect on the ability to do normal daily activities.

The aim of the review was to ensure that the Council had adequate plans and processes in place to maintain the required level of adapted accommodation for both individuals and families.

The objectives agreed for the review and the key issues identified for investigation were detailed in the report.

Based on the evidence sought by the Scrutiny Committee, nine recommendations had been proposed, which would hopefully assist the Council in improving its policy and procedures in relation to allocation and management of adapted accommodation. The Review of the Council-owned Adapted Accommodation document containing the nine recommendations was attached as an appendix to the report.

Members welcomed the report and noted it was an excellent report. They thanked Councillor Bowler for the work undertaken by the Scrutiny Committee in carrying out the Review.

Moved by Councillor Sandra Peake and seconded Councillor Duncan McGregor

RESOLVED that (1) the recommendations of the Review as outlined in section 2 of the report be endorsed,

(2) the approved recommendations be monitored by Committee over a twelve month period via the PERFORM system with an update report to Committee at the end of the monitoring period.

(Scrutiny & Elections Officer)

NON KEY DECISIONS

EX110-21/22 WELFARE ADAPTATIONS POLICY

Executive considered a detailed report which sought Members approval for a Welfare Adaptations policy.

The Council had a well-established working practice and internal procedure when

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considering and carrying out adaptations. It was considered best practice to have a policy which set out formally what an adaption was, how these were considered and circumstances when these may be refused.

The Welfare Adaptations policy provided a framework for the provision of adaptations to the homes of tenants living in Council accommodation. A copy of the policy was attached to the report.

Minor adaptations were simple, cost effective solutions to assist a person to live independently, for example, grab rails, small external handrails and over bath showers. Major adaptations generally required structural changes to a property, for example, replacing a bath with a level access shower or wet room, hard-standing/drive ways and stair lifts.

The Policy had been developed in conjunction with the Customer Services Scrutiny Committee who had recommended that the policy be submitted to Executive for approval and adoption.

Members welcomed the report and noted it was a good report. They thanked the Assistant Director of Enforcement and Housing Management for the work that had gone into the policy.

Moved by Councillor Sandra Peake and seconded by Duncan McGregor
RESOLVED that the Welfare Adaptations policy be approved.

Councillors Rose Bowler and Rita Turner, the Scrutiny & Elections Officer, the Assistant Director of Enforcement and Housing Management and the Housing Enforcement Manager left the meeting.

BUDGET & POLICY FRAMEWORK ITEMS

EX111-21/22 BUSINESS RATES MANDATORY AND DISCRETIONARY RATE RELIEF POLICY

Executive considered a report which sought Members approval for an updated Business Rates Mandatory and Discretionary Rate Relief policy.

The Council was required to have a Business Rates Mandatory and Discretionary Rate Relief Policy and this had been updated to take account of all legislative and operational changes to ensure it remained fit for purpose.

The Council had the power to award business rate relief under Section 44a, Section 47 and Section 49 of the Local Government Finance Act 1988. The law governing the granting of discretionary rate relief was found in Section 47 of the 1988 Act and subsequent amending legislation and Section 69 of the Localism Act 2011.

The policy applied to non-domestic ratepayers within the Bolsover District Council area that were requesting the Authority to use their discretion to reduce an organisation's Business Rates liability.

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Councillor Liz Smyth noted that although she was a business rates payer, the policy did not apply to her.

Moved by Councillor Clive Moesby and seconded by Councillor Duncan McGregor
RESOLVED that the updated Business Rates Mandatory and Discretionary Rate Relief Policy be approved.

Reasons for Recommendation

The Business Rates Mandatory and Discretionary Rate Relief Policy had been updated to take account of all legislative and operational changes to ensure it remained fit for purpose. The policy was considered by the Customer Services Scrutiny Committee on 21st March 2022 for their comments.

Alternative Options and Reasons for Rejection

No alternatives found – the Council was required to have a Business Rates Mandatory and Discretionary Rate Relief Policy to enable it to operate the schemes.

EX112-21/22 COUNCIL TAX DISCRETIONARY RELIEF POLICY

Executive considered a report which sought Members approval for an updated Council Tax Discretionary Relief policy.

The Council was required to have a Council Tax Discretionary Relief Policy and this had been updated to take account of all legislative and operational changes to ensure it remained fit for purpose.

Through the operation of the policy the Council sought to ensure that the most vulnerable received the support they needed whilst ensuring local Council Tax payers were not unfairly burdened.

Moved by Councillor Clive Moesby and seconded by Councillor Duncan McGregor
RESOLVED that the updated Council Tax Discretionary Relief Policy be approved.

Reasons for Recommendation

The Council Tax Discretionary Relief Policy had been updated to take account of all legislative and operational changes to ensure it remained fit for purpose. Through the operation of the policy the Council sought to ensure that the most vulnerable received the support they needed whilst ensuring local Council Tax payers were not unfairly burdened. The policy was considered by the Customer Services Scrutiny Committee on 21st March 2022 for comments.

Alternative Options and Reasons for Rejection

No alternatives found – the Council was required to have a Council Tax Discretionary Relief Policy to enable it to operate the scheme.

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EX113-21/22 EXCLUSION OF THE PUBLIC

Moved by Councillor Duncan McGregor and seconded by Councillor Clive Moesby

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 item of business on the grounds that it involves the likely disclosure of exempt information as defined in the stated Paragraph of Part 1 of Schedule 12A of the Act and it is not in the public interest for that to be revealed.

PART 2 - EXEMPT ITEMS

KEY DECISIONS

EX114-21/22 DISPOSAL OF COMMERCIAL PROPERTY AT BRAMLEY VALE

Executive considered a detailed report which sought Members approval to dispose of commercial property at Bramley Vale by private sale or auction.

The properties referred to in the report were rented out by the Council and managed by the Business Estates team rather than through the Housing Revenue Account. Primarily because they were commercial properties rather than dwelling houses and the tenants paid market rents

Further to an approach by one of the tenants to purchase all 3 units, the Asset Management Group had agreed the sale of all 3 units to the tenant, and had requested the Senior Valuer to complete a formal valuation.

The value of each property as valued in the Senior Valuer's professional opinion, was set out in the report.

Moved by Councillor Liz Smyth and seconded by Councillor Duncan McGregor

RESOLVED that delegated authority be given to the Assistant Director of Development and Planning, to dispose of the commercial properties at Bramley Vale as detailed in the report, by private sale subject to the following conditions:

1. the units are sold to an existing tenant or combination of existing tenants;
2. disposal will only proceed on receipt of evidence of a mortgage offer or proof of funding available to purchase the appropriate units;
3. the sale of all three units are completed at the same time and on the same date in the event the units do not get sold to a single purchaser; and
4. the properties are sold in line with the valuations provided by the Senior Valuer or any subsequent valuation completed by the Senior Valuer if there is good reason to consider the figures should be revised – for example, six or more months elapsing between the valuation and completion of any sale or any significant changes in the market likely to have a substantial impact on market

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values.

(Assistant Director of Development and Planning)

Reasons for Recommendation

As detailed in the report.

Alternative Options and Reasons for Rejection

As detailed in the report.

The meeting concluded at 1020 hours.