

To: All Members

The Arc
High Street
Clowne
S43 4JY

Contact: Alison Bluff
Telephone: 01246 2425298
Email: alison.bluff@bolsover.gov.uk

Date: 2nd February 2022

Dear Councillor

EXECUTIVE MEETING MONDAY, 31ST JANUARY 2022 – DECISION NOTICE

I have pleasure in enclosing herewith, for your attention, a copy of the Decision Notice of the Executive held on Monday, 31st January 2022.

Set out below is the procedure for calling in decisions of the Executive. **Only Key Decisions may be called in.** Request forms to call in a decision of the Executive may be obtained from the Governance Team.

Deadline date for calling in Key Decisions contained in the Decision Notice:

Wednesday 9th February 2022

Number of Members required to call in an item:

Three Scrutiny Members

Method by which items may be called in:

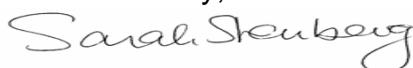
- By completion of the form available from the Governance Team

Recording of called in items:

The Governance Manager shall be responsible for keeping and maintaining a log of called in items. In practice this log will be kept by the Governance Officers who are themselves authorised to accept notifications from Members.

A log shall be maintained in chronological order according to when requests are received. This log will be open for inspection by any Member of the Council, upon request.

Yours sincerely,



Solicitor to the Council & Monitoring Officer

**DECISION NOTICE OF THE EXECUTIVE
MONDAY, 31ST JANUARY 2022**

NON KEY DECISIONS

AGENDA ITEM		DECISION
5	Additional Restrictions Grant	<p>RESOLVED that the details of the forthcoming Additional Restrictions Grant (ARG) be noted and the following proposals endorsed;</p> <p>(i) a new scheme is open inviting businesses from across the District to apply through a new application process;</p> <p>(ii) businesses who have been and continue to be affected by the Coronavirus pandemic, specifically the Omicron variant, be prioritised for the ARG including;</p> <ul style="list-style-type: none"> • businesses from all sectors that may have been impacted, including but not limited to, hospitality, accommodation, leisure, personal care, the travel and tourism sector (group travel, travel agents, tour operators), wedding industries, • businesses who hold a business rates account, • businesses who do not hold a business rates account, • and businesses who have not received any previous ARG funding. <p>(iii) the following criteria be used to assess the level of grant funding to be awarded from the ARG scheme;</p> <ul style="list-style-type: none"> • level of fixed costs faced by the business, • no. of FTE employees within the applicant business, • the impact of the Omicron variant on their business trading, • and, the value of previous grant/s award through ARG or other discretionary grant schemes. <p>(iv) the level of any award be set at a maximum of £5,000 for a single business with discretion to award a grant of £1,500 / £2,500 / £5,000 based on an officer assessment using the above criteria as set out in 1(ii) and 1(iii).</p>

		<p>REASON FOR DECISION: The report set out the proposals for administering the latest round of ARG funding to the value of £97,718.41</p> <p>The grant is a much needed financial injection in to businesses who are facing continued financial pressures as a result of COVID and its variants.</p> <p>OTHER OPTIONS CONSIDERED: The option to ‘do nothing’ with Additional Restrictions Grant self-evidently cannot be countenanced by the Council.</p>
6	<p>Tenant Alteration and Improvement Policy</p>	<p>RESOLVED that the updated Tenant Alteration and Improvement Policy be approved.</p> <p>REASON FOR DECISION: It is considered good practice to have a policy which sets out the Council’s approach to tenant alterations and improvements.</p> <p>The policy which sits alongside and supplements the tenancy agreement ensures that all tenants are aware of their rights and responsibilities, but also ensures that officers involved in housing repairs and tenancy management, adopt the same fair but firm approach and takes account of the need to consider equality and proportionality when taking any action.</p> <p>OTHER OPTIONS CONSIDERED:. The updated Policy is considered necessary so that members of the public are aware of the Council’s approach to these requests, payment of compensation or recovery of recharges and in what circumstances these would arise.</p>
7	<p>Housing Tenancy Agreement</p>	<p>RESOLVED that (1) the commencement of a public consultation on the revised Council Housing Tenancy Agreement be approved,</p> <p>(2) the Assistant Director of Housing Management and Enforcement be given delegated powers to adopt the Tenancy Agreement, in consultation with the Leader, Deputy Leader and Portfolio Holder for Housing, subject to any changes following a public consultation.</p> <p>REASON FOR DECISION: The new tenancy agreement sets out the required</p>

		<p>information more clearly and logically for tenants. It protects the tenant’s right to quiet enjoyment of their homes. It addresses deficiencies in the existing agreement as a result of a number of legislative changes and updates both Council rights and obligations as a landlord, as well as tenants’ rights. This agreement strengthens the Council’s ability to enforce conditions of tenancy against those who wilfully and/or persistently fail to abide by them.</p> <p>OTHER OPTIONS CONSIDERED: To do nothing and to continue to operate using the existing, outdated tenancy agreement would mean that the Council will not have a modern, easily understandable, fit for purpose, tenancy agreement in place.</p>
8	52 Week Rent Period	<p>RESOLVED that the Council moves to a standard 52 week rent collection cycle from April 2022.</p> <p>REASON FOR DECISION: By switching to a 52 week rent year, the Council will be aligning the rent account payment requirements to the Universal Credit payment cycles. Tenants will see a weekly reduction in their weekly rent which should make budgeting easier. In turn, this should have a positive impact upon the level of rent debt, and also reduce levels of stress and anxiety for those who are finding it hard to pay on time. The main rationale for the change is to allow those in receipt of Universal Credit to spread the cost of their rent throughout the year and to ensure that their rent accounts are kept up to date as much as possible. There is also a need to ensure that a rent payment culture is embedded in all aspects of housing service delivery. There is a tension between having weeks which are called “rent free” in an era where Officers are trying to encourage tenants to establish a payment habit and to keep their accounts up to date. By setting the expectation of a payment for every week of the year, it would minimise the situation where a tenant could claim that they had been under the impression that they were not required to pay rent because there had been a rent free week, or that their debt will be cleared because they intend to use the rent free weeks as an opportunity to make additional payments.</p> <p>OTHER OPTIONS CONSIDERED: To do nothing is rejected because the proposal to</p>

<p>9</p>	<p><i>Medium Term Financial Plan 2022/23 - 2025/26</i></p>	<p>move to a 52-week rent collection pattern will enable a more transparent service for tenants, will allow for better budgeting (aligned to benefit payments) and is consistent with most other household bills as well as providing a more efficient collection process for the Housing Service.</p> <p>RECOMMENDED that Council approve;</p> <p>that (1) in the view of the Chief Financial Officer, the estimates included in the Medium Term Financial Plan 2022/23 to 2025/26 are robust and that the level of financial reserves whilst at minimum levels are adequate, be accepted,</p> <p>(2) officers report back to Executive and to the Audit and Corporate Overview Scrutiny Committee on a quarterly basis regarding the overall position in respect of the Council's budgets. These reports to include updates on achieving savings and efficiencies for 2022/23 and future years.</p> <p>GENERAL FUND</p> <ol style="list-style-type: none"> 1. A Council Tax increase of £5.00 is levied in respect of a notional Band D property (2.68%), 2. The Medium Term Financial Plan in respect of the General Fund as set out in Appendix 1 to this report be approved as the Revised Budget 2021/22, as the Original Budget in respect of 2022/23, and the financial projection in respect of 2023/24 to 2025/26, 3. That any further under spend in respect of 2021/22 is transferred to the Council's General Fund Reserves, 4. On the basis that income from Planning Fees may exceed £0.500m in 2021/22, the Head of Paid Service in consultation with the Leader be granted delegated powers to authorise such additional resources as are necessary to effectively manage the resultant increase in workload. <p>HOUSING REVENUE ACCOUNT</p> <ol style="list-style-type: none"> 5. That Council sets its rent levels in line with government policy, increasing rent levels by CPI (3.1%) plus 1% to apply from 1st April 2022, 6. That the increases in respect of other charges
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as outlined in Appendix 3 Table 1 to this report be implemented with effect from, 1st April 2022,

7. The Medium Term Financial Plan in respect of the Housing Revenue Account as set out in Appendix 3 to this report be approved as the Revised Budget in respect of 2021/22, as the Original Budget in respect of 2022/23, and the financial projection in respect of 2023/24 to 2025/26,

8. That under spends in respect of 2021/22 to 2025/26 are transferred to the HRA Revenue Reserve.

CAPITAL PROGRAMME

9. That the Capital Programme as set out in Appendix 4 to this report be approved as the Revised Budget in respect of 2021/22, and as the Approved Programme for 2022/23 to 2025/26,

10. That the Assistant Director of Property Services and Housing Repairs be granted delegated powers in consultation with the Portfolio Member and the Asset Management group to approve the utilisation of the £260,000 of AMP Refurbishment Work allocation, with such approvals to be reported back to Executive through the Quarterly Budget Monitoring Report.

REASON FOR DECISION:

This report presents a budget for approval by Council. It seeks to ensure approval to budgets in respect of the General Fund, the Housing Revenue Account and the Capital Programme.

OTHER OPTIONS CONSIDERED:

Alternative options are considered throughout the report.

PART 2 - EXEMPT ITEMS

KEY DECISIONS

AGENDA ITEM		DECISION
11	Service Level Agreement - Household Support Fund	<p>RESOLVED that the Council enters into a Service Level Agreement with Derbyshire County Council for the Household Support Fund.</p> <p>REASON FOR DECISION: This grant is an opportunity to financially assist vulnerable households across the District, to prevent homelessness and to sustain tenancies. In order to receive this grant the Service Level Agreement needs to be signed. The Councils legal team have approved the agreement in its current form.</p> <p>OTHER OPTIONS CONSIDERED: Do nothing. This option is rejected, to refuse the Service Level Agreement would mean residents in the District could not benefit from the funding and may suffer financial hardship.</p>
12	Appointment of Security and Concierge Contractor for Commercial Property	<p>RESOLVED that (1) the Joint Assistant Director for Development and Planning be given delegated authority to appoint the preferred supplier and to enter in to a contract agreement, to be drafted and issued by Legal Services. The delegation to extend to include the appointment of the second supplier on the shortlist if for any reason contracts were not agreed with the preferred supplier,</p> <p>(2) The Joint Assistant Director for Development and Planning be given delegated authority to implement the two one-year extensions based on satisfactory performance from the contractor, and also an acceptable pricing proposal going forward.</p> <p>REASON FOR DECISION: To offer a continuation of the Security Industry Authority (SIA) accredited security and concierge service across the commercial premises, allowing for the provision of concierge, out of hours CCTV monitoring, as well as alarm response and key holding for the commercial properties. The Joint Assistant Director for Development and Planning is to be given the delegated authority to appoint</p>

the first or second choice supplier, based on the evaluation of tender submissions and results of the scoring matrix. The contract is from 1st December 2021 for 3 years and 4 months with the option to extend for a further 2 years in two one-year extensions.

OTHER OPTIONS CONSIDERED:

To bring the service back in house, however, this would be at a significantly greater cost and we don't currently have the resource to run without having the SIA accreditation for the CCTV monitoring. To bring the concierge element of the contract back in house, however the staffing costs would be higher due to the need to employ more than two staff members for holiday and sickness cover etc. This would also mean a period of delay in the service provision as it would take time to recruit and appoint qualified staff. We would also still require a contractor for the CCTV monitoring with the SIA accreditation.

Only Key Decisions may be called in. All other decisions will be actioned immediately with the exception of those referred to Council (shown in italics).