

## **EXECUTIVE**

Minutes of a meeting of the Executive of the Bolsover District Council held in the Council Chamber, The Arc, Clowne on Monday, 11 July 2022 at 10:00 hours.

### **PRESENT:-**

Members:-

Councillor Steve Fritchley in the Chair

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

Officers:- Karen Hanson (Executive Director Resources), Grant Galloway (Executive Director Strategy and Development), Theresa Fletcher (Treasurer), Pam Brown (Assistant Director - Leader's Executive, Partnerships, Governance and Communications), Jim Fieldsend (Solicitor to the Council & Monitoring Officer), Ian Barber (Assistant Director - Property Services & Housing Repairs), Chris Fridlington (Assistant Director – Development), Edward Raper (Asset Management Inspector), Laura Khella (Contracts and Commissioning Officer) (from Minute No EX17-22/23 to Minute No EX20-22/23) and Alison Bluff (Senior Governance Officer (acting)).

### **EX9-22/23 APOLOGIES FOR ABSENCE**

There were no apologies for absence.

### **EX10-22/23 URGENT ITEMS OF BUSINESS**

There were no urgent items of business to consider.

### **EX11-22/23 DECLARATIONS OF INTEREST**

There were no declarations of interest made.

### **EX12-22/23 MINUTES**

Moved by Councillor Duncan McGregor and seconded by Councillor Sandra Peake  
**RESOLVED** that the Minutes of an Executive meeting held on 13<sup>th</sup> June 2022 be approved as a correct record.

## **BUDGET & POLICY FRAMEWORK ITEMS**

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### EX13-22/23      MEDIUM TERM FINANCIAL STRATEGY

Executive considered a detailed report which provided an update on the Medium Term Financial Strategy (MTFS) 2023/24 – 2026/27, prior to it being presented to Council for approval.

The Medium Term Financial Strategy (MTFS) 2023/24 – 2026/27, set out the Council's strategic approach to the management of its finances and outlined the various factors and influences that may impact on the Council over the next few years.

The MTFS 2023/24 – 2026/27 was appended to the report and presently only related to the General Fund as the Housing Revenue Account (HRA) assumptions were based on the 30-year Business Plan. The decisions for Members around the HRA dwelling rents and service charges would be provided to Council in the Medium Term Financial Plan (MTFP) in February 2023.

Moved by Councillor Clive Moesby and seconded by Councillor Duncan McGregor  
**RECOMMENDED** that (1) Council approve the Medium Term Financial Strategy 2023/24 – 2026/27,

(2) Council continues to fund the General Fund revenue base budget from the full amount of New Homes Bonus (and related grants such as Lower Tier Services Grant) allocated by Government,

(3) Council sets the strategic intention to continue to be a member of the Derbyshire Business Rates Pool while ever it is financially advantageous for the Council to do so,

(4) Council sets the strategic intention to raise Council Tax by the maximum allowed in any given year, without triggering a Council Tax referendum, to endeavour to continue to deliver services. (The actual Council Tax for any given year will be decided by Council in the preceding March),

(5) Council maintains a policy of a minimum level of Balances for the General Fund of £2m.

(Treasurer)

#### Reasons for Recommendation

To inform the MTFP process by providing strategic financial intention.

#### Alternative Options and Reasons for Rejection

Members could decide not to approve the MTFS. The MTFP would then be prepared on assumptions not agreed by Members and there could be a risk it would need to be amended in February if the assumptions used were not agreeable. By law, the MTFP must be approved prior to the beginning of the financial year to which the budget relates, 31<sup>st</sup> March 2023.

### EX14-22/23      FINANCIAL OUTTURN 2021/22

Executive considered a detailed report which provided the financial outturn position of the

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Council for the 2021/22 financial year.

The Council had published its draft Statement of Accounts in respect of 2021/22 on 27th May 2022, in advance of the deadline date which had been extended due to the Covid 19 pandemic to 31st July 2023. The draft Statement of Accounts 2021/22 was now subject to independent audit from the Council's external auditors, Mazars.

Until the accounts had been agreed by Mazars, there remained the possibility that they would be subject to amendment. The statutory date for the final audited accounts had been extended from 31st July to 30th November 2022 but both the finance team and Mazars would be aiming for sign off by 30th September 2022.

The report highlighted the following;

### General Fund

During the previous financial year the Council had managed its budget effectively securing a favourable financial outturn. The Council was able to make contributions of £1.146m to reserves in preparation for future expenditure commitments. The Transformation Reserve, which was the Council's main general earmarked reserve, had £4.8m committed against it in 2022/23 and future years, so continued prudence was needed when committing against this reserve.

### HRA

The Council was able to make a contribution of £0.234m to the HRA Vehicle, Plant and Equipment Reserve. The HRA continued to operate within the parameters set by the 30 Year Business Plan and the MTFP. Officers would be working to ensure that the Business Plan continued to reflect the impact of Government legislation and that the HRA remained sustainable over the 30 year period of the Business Plan.

### Capital Programme

The Capital Programme saw good progress on approved schemes during the 2021/22 financial year. There were, however, a number of schemes which were work in progress and this required that the associated expenditure and funding be carried forward into the 2022/23 financial year.

### Capital Financing

Capital expenditure during 2021/22 had been fully financed in line with the approved programme.

### Treasury Management

The Council operated in line with its agreed Treasury Management Strategy during the 2021/22 financial year. This ensured that lending and borrowing arrangements were prudent and sustainable, minimising the risk of financial loss to the Council. Effective management of these arrangements ensured that interest costs during the year were minimised in order to assist the Council's revenue position whilst interest receivable rose.

Moved by Councillor Clive Moesby and seconded by Councillor Duncan McGregor

**RESOLVED** that (1) the outturn position in respect of the 2021/22 financial year be noted,

(2) the transfers to earmarked reserves of £1.146m and £0.234m as outlined in detail in paragraphs 2.3 and 2.15 of the report respectively, be approved,

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- (3) the proposed carry forward of capital budgets detailed in Appendix 4 to the report, totalling £6.488m, be approved.

(Treasurer)

### Reasons for Recommendation

As stated above.

### Alternative Options and Reasons for Rejection

The financial outturn report for 2021/22 is primarily a factual report which details the outcome of previously approved budgets therefore there are no alternative options that need to be considered.

The allocation of resources to earmarked reserve accounts has been undertaken in line with the Council's policy and service delivery framework and in the light of the risks and issues facing the Council over the period of the current MTFP. If these risks do not materialise or are settled at a lower cost than anticipated then the earmarked reserves will be reassessed and returned to balances where appropriate.

## NON KEY DECISION

### EX15-22/23      **AMBITION PLAN TARGETS PERFORMANCE UPDATE - JANUARY TO MARCH 2022 - (Q4 - 2021/22)**

Executive considered a detailed report which provided the Quarter 4 outturns for the Council's Ambition targets 2020-2024.

Out of the 31 targets:

- 18 (58%) were on track
- 1 (3%) continued to be affected by Covid 19
- 1 (3%) were achieved in 2021/22
- 1 (3%) failed in 2021/22
- 3 (10%) placed on alert
- 7 (23%) achieved previously

In relation to ENV.08 - *Bring 5 empty properties back into use per year through assistance and enforcement measures*, the Portfolio Holder for Housing and the Executive Director Resources jointly advised Members that this target would be revisited due to the extent of time of the legal processes and also new regulations which would be introduced under the levelling up agenda.

Moved by Councillor Duncan McGregor and seconded by Councillor David Downes  
**RESOLVED** that the report be noted.

### Reasons for Recommendation

This was an information report to keep Members informed of progress against the Council Ambition targets and supporting indicators noting achievements and any areas of concern.

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### Alternative Options and Reasons for Rejection

Not applicable as the report was to provide an overview of performance against agreed targets.

## KEY DECISIONS

### EX16-22/23      SERVICE LEVEL AGREEMENT - HOUSEHOLD SUPPORT FUND

Executive's approval was sought for the Authority to enter into a Service Level Agreement with Derbyshire County Council (DCC) regarding the funding arrangement for the grant of Household Support Fund (HSF).

The detailed report set out that following the Government's announcement on 6<sup>th</sup> October 2021, a HSF grant would be made available to county councils and unitary authorities in England to support those most in need over the winter and the Council had been awarded £200,000 covering the period 6<sup>th</sup> October 2021 to 31<sup>st</sup> March 2022.

The Government had since announced a further scheme to help support those most in need with the current significant rise in living costs, to buy food or pay essential utility bills and other essential living costs/housing costs, to cover the period 1<sup>st</sup> April 2022 to 30<sup>th</sup> September 2022.

Following discussions with DCC, it had been agreed that DCC would retain a portion of their grant funding to assist vulnerable households and the Council would utilise the grant of £114,456 around housing costs.

A Service Level Agreement provided by DCC was appended to the report and set out how the grant must be administered and also reporting information.

Moved by Councillor Sandra Peake and seconded by Councillor Duncan McGregor  
**RESOLVED** that the Council enters into a Service Level Agreement with DCC for the Household Support Fund as detailed above.

(Assistant Director Enforcement & Housing)

### Reasons for Recommendation

The grant was an opportunity to financially assist vulnerable households across the District, to prevent homelessness and to sustain tenancies.

In order to receive the grant the Service Level Agreement needed to be signed. The Council's Legal Team had approved the agreement in its current form.

### Alternative Options and Reasons for Rejection

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.

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### EX17-22/23      UK SHARED PROSPERITY FUND

Executive considered a detailed report which provided an update on the development, in partnership, of the Investment Plan for submission to Government by 1st August 2022.

At its meeting held on 4th April 2022, Executive had considered a report which explained the pre-launch guidance and requirements for the District to access UK Shared Prosperity Funding (UKSPF) of £1.9m.

Developments since a more detailed launch of the UKSPF guidance was issued had meant that the approach in administering the fund required more formal partnership arrangements to strengthen the Investment Plan.

Bolsover Partnership was a long standing, well established partnership comprising of relevant representation by the 4 sectors of the community - public, private, community and voluntary and the administration and management of the programme would now sit with the Council's Executive and Partnership Team to ensure that maximum impact and solid commissioning could be jointly agreed in a partnership context. This would strengthen the bid and demonstrate the partnership approach.

Moved by Councillor Mary Dooley and seconded by Councillor Clive Moesby

**RESOLVED** that the Investment Plan be submitted to Bolsover Partnership Executive Board for approval on 14th July 2022, prior to submission to Government, to meet the deadline of 1st August 2022.

(Assistant Director  
Leader's Executive, Partnerships, Governance and Communications)

### Reasons for Recommendation

The UKSPF guidance requires Investment Plans to be developed in partnership. The Bolsover Partnership is an ideal vehicle to undertake this within the timescales required.

### Alternative Options and Reasons for Rejection

The alternative of not involving the Bolsover Partnership in the development of the UKSPF Investment Plan is rejected due to the requirement, within the guidance, of a partnership approach in the development and the delivery of the Fund.

### EX18-22/23      PHASE 2 EXTERNAL WALL INSULATION - DIRECT AWARD THROUGH EEM FRAMEWORK.

Executive's approval was sought to award a contract to Sustainable Building Services (SBS), for external wall insulation (EWI), to Council owned properties.

The detailed report set out that following a successful completion of 1<sup>st</sup> phase of part funded EWI installation works (LAD 1B), further dwellings had been identified which would qualify for Green Homes Grant Local Authority Delivery Phase 2 (LAD 2). The scheme aimed to raise the energy efficiency of low-income and low EPC rated homes.

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Working in conjunction with the Housing Team, the Home Improvement Coordinator had been successful in bidding for £410,000 of funding for up to 82 Council properties of which the Council was required to match fund.

It was proposed that a direct award to deliver the work be made through the EEM Framework to Sustainable Building Services (SBS) with progress on the contract reported through the Housing Stock Management Group.

Moved by Councillor Sandra Peake and seconded by Councillor Liz Smyth

**RESOLVED** that (1) a contract, within the EEM Framework, for external wall insulation (EWI), to Council owned properties, be awarded to Sustainable Building Services,

(2) progress on the contract be reported through the Housing Stock Management Group.

(Assistant Director Property Services and Housing Repairs)

### Reasons for Recommendation

To allow smooth transition to next phase of works, minimising potential delays as external funding requirements include tight deadlines for completion.

### Alternative Options and Reasons for Rejection

Full competitive tender carried out by Bolsover District Council or mini competition within Framework. Rejected because of extremely tight period to complete works and necessity to secure a certified and competent contractor and resources ahead of other authorities who are also looking to complete within same time frame.

## EX19-22/23      EXTENSION OF BCVS DELIVERY TO PROVIDE INFRASTRUCTURE SUPPORT TO THE VOLUNTARY AND COMMUNITY SECTOR IN BOLSOVER DISTRICT.

Executive's approval was sought to enter into a contract with Bassetlaw CVS for a further three years, utilising the Council's existing allocation from the Grants to Voluntary Organisations budget, as well as additional funding from Bolsover Partnership.

The detailed report provided an update on the current position in respect of infrastructure support provided to the voluntary and community sector in Bolsover.

An exemption to Contract Procurement Rules had recently been approved to enable the Council to grant a new contract to BCVS to continue to provide infrastructure support for the VCS in Bolsover District, without the need to go out to competitive tender again. This was because BCVS had become the recognised and embedded infrastructure support organisation within the District. In particular, Derbyshire County Council allocated £41,500 annually to BCVS, as they did to all CVS organisations across the county.

Moved by Councillor Mary Dooley and seconded by Councillor Duncan McGregor

**RESOLVED** that a new contract to BCVS be granted to continue to provide infrastructure support to the voluntary and community sector in Bolsover District for three years on a 1 year + 1 year + 1 year basis.

(Assistant Director

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Leader's Executive, Partnerships, Governance and Communications)

### Reasons for Recommendation

BCVS were fundamental during the pandemic and their response to help support local communities was commendable. A State of the Sector Survey has recently been carried out and the top three areas for support identified by the sector are (1) help with funding applications; (2) volunteer development and recruitment; and (3) organisational development.

Bolsover has the lowest number of charities than any other district across the whole of the D2N2; even so, it's still a sector worth £15m so infrastructure support to grow the sector is very important for local communities and the local economy.

BCVS have plans to strengthen the Bolsover CVS identity, as well as increased presence within the District, which will allow for some of the deeper relationship and capacity building work needed within the sector. Strategic links are also made via the Executive Board of the Bolsover Partnership and wider networks such as the Place Alliance.

### Alternative Options and Reasons for Rejection

Going out to an open tender process has already been considered and was not in the council's best interest as BCVS are the only recognised provider for the VCS in the district. They also have also secured funding via DCC and other funding streams. This option has already been discounted and a Delegated Decision has been approved which provides an exemption to the Contract Procedure Rules.

To do nothing would not support our VCS groups and would be detrimental to the sector and affect residents who rely on these local services.

The Contracts and Commissioning Officer left the meeting.

## **EX20-22/23      INSTALLATION OF WET ROOMS IN THE COUNCIL'S HOUSING STOCK.**

Executive's approval was sought to award a contract to Swinstead Enterprises Ltd, (trading as Evendine Utilities), for the installation of wet rooms to Council owned properties across the District.

The detailed report noted that it had been identified that the installation of wet rooms to both void properties and welfare adaptation referrals could be re-tendered as a fixed price average cost per wet room contract rate. This could potentially provide efficiency savings both in respect of actual costs, internal resource and turnaround times, especially for void properties.

The current specification was reviewed along with an analysis of jobs undertaken over the last 12 months to ensure the proposal was feasible.

The estimated contract spend for the works was based on an average of 100 wet room installations per year in voids and welfare adaptations (total = 100). This would be met by existing Capital budgets.

Four submissions had been received and further to a comprehensive evaluation process carried out it was proposed to award the contract to Swinstead Enterprises Ltd (trading as



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Evendine Utilities). The contract would be on a 2+1+1 with the last 2 years subject to approval and two further extensions.

Moved by Councillor Sandra Peake and seconded by Councillor Duncan McGregor

**RESOLVED** that (1) a contract to install wet rooms in Council owned properties, both to voids and Welfare Adaptation Referrals, on a responsive nature, be awarded to Swinstead Enterprises Ltd (trading as Evendine Utilities),

(2) progress on the contract be reported through the Housing Stock Management Group.

(Assistant Director Property Services and Housing Repairs)

### Reasons for Recommendation

The evaluation process identified Swinstead Enterprises Ltd had achieved the highest score for this contact. Their submission provides substantial savings for the duration of the contract not only for the fixed price per wet room but also for turnaround times especially for the void process which is time critical. Swinstead Enterprises Ltd fixed price wet room rate was also lower than the next submission which will achieve significant savings over the 4 year contract.

### Alternative Options and Reasons for Rejection

To continue requesting prices from contractors on the existing framework which will not deliver cost or efficiency savings.

## **EX21-22/23 TO PROVIDE AN AIR SOURCE HEAT SYSTEM TO COUNCIL PROPERTIES AT WHALEY COMMON.**

Executive's approval was sought to award a contract to Aaron Services for the installation of air source heat system and insulation options to a number of Council owned properties at Whaley Common.

The detailed report informed that the Council owned 10 x traditional built 2 bed houses at Whaley Common, a rural remote estate outside of Langwith, in the District.

The properties had cavity wall and lofts completed to modern standards (270mm-300mm). However, the properties were heated by a wet electric system and the Council had received a number of complaints regarding the cost of energy, in particular those which currently had electric boilers.

As there was no possibility of installing a gas main, this ruled out installation of traditional gas combi boilers and it was felt that an air source heat pump would offer more affordable and sustainable heating for these properties.

Two submissions had been received and following an evaluation exercise, Aaron Services were the preferred bidder based on their experience carrying out similar works to other local authorities' properties and costs.

The Leader noted that this was a good solution to address the problems being faced by the tenants.

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Moved by Councillor Sandra Peake and seconded by Councillor Duncan McGregor

**RESOLVED** that Aaron Services be appointed to carry out a programme of works regarding installation of air source heat system and insulation options to a number of Council owned properties at Whaley Common.

(Assistant Director of Property Services & Housing Repairs)

### Reasons for Recommendation

The rising energy bills are putting families at risk of fuel poverty through the use of Electric boilers. Elsewhere in the District we have replaced these unless refused by the existing tenant.

Following a tender exercise with Procurement 2 prices were submitted to BDC to evaluate. An evaluation took place and Aaron Services were the preferred bidder based on their experience with other local authorities carrying out similar works to their properties and costs.

### Alternative Options and Reasons for Rejection

To leave the existing electric heating system in place and not invest in the required insulation and sustainable heating system was rejected as we can't ignore the current trends in energy costs or BDC's commitment to carbon reduction.

The Asset Management Inspector left the meeting.

## **EX22-22/23          APPROVAL OF EXTENSION OF CONTRACT WITH PROPTech SUPPLIER - THE FUTURE FOX**

Executive considered a detailed report which sought approval to extend the Council's contract with the Future Fox to cover the extension of the Council's PropTech project using the Round 2 funding award from the Government's PropTech Engagement Fund.

In October 2021, the Council had been selected as one of the pilot authorities for the Government's PropTech Engagement Fund, securing an initial £100,000 for plan-making consultation work through Round 1 of the Fund.

This funding was to test a new and innovative method of public engagement on plan-making, which included a sizeable social media advert campaign to encourage greater numbers of people getting involved in how their settlement could grow. The Council had run a tender exercise and the Future Fox had been identified as the Council's preferred contractor.

Officers had been working closely with the Department for Levelling Up, Homes and Communities to provide feedback on the pilot and to explore further opportunities that would benefit the District.

A further funding bid was submitted to Round 2 of the PropTech Engagement Fund, and the Council had again been successful, receiving a further £95,800

As a result, proposals for the Council's plan-making work had been developed and an

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updated fee proposal had been secured from the Future Fox to deliver the Council's exciting digital consultation proposals. The updated fee proposal would see the cost of the contracted works increase to £170,315.

Moved by Councillor Duncan McGregor and seconded by Councillor Steve Fritchley  
**RESOLVED** that the value of the contract with the Future Fox be extended to £170,315.

(Assistant Director Development)

### Reasons for Recommendation

The Council's success in securing funding from the Government's PropTech Engagement Fund is a benefit for Bolsover District and the Authority and should see innovative digital consultation proposals being developed and rolled out. As such, enabling the Round 2 proposals to proceed in the manner described above is desirable.

### Alternative Options and Reasons for Rejection

It would be possible to not extend the Future Fox's contract value, although this would not achieve the benefits of the project for the District and would potentially create reputational problems for the Council. Therefore, officers have not considered alternative options.

## EX23-22/23      EXCLUSION OF THE PUBLIC

Moved by Councillor Duncan McGregor and seconded by Councillor Deborah Watson  
**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

## EX24-22/23      HOME LOSS PAYMENT CHANGES.

Executive considered a report which provided an update on future and existing development constraints around current Home Loss payments. The report also sought Executive's approval to earlier Home Loss payments where demolition would be required and scheme agreed in principle.

Further to a discussion in relation to direct matching of properties, the Leader proposed an amendment to the recommendation as follows;

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*To authorise the Assistant Director of Housing Management & Enforcement and the Assistant Director of Property Services & Housing Repairs to approve Home Loss payment and **direct matching** on existing and future schemes prior to the statutory trigger for such payments.*

Moved by Councillor Sandra Peake and seconded by Councillor Deborah Watson

**RESOLVED** that the Assistant Director of Housing Management & Enforcement and the Assistant Director of Property Services & Housing Repairs be authorised to approve Home Loss payment and direct matching on existing and future schemes prior to the statutory trigger for such payments.

(Assistant Director of Property Services & Housing Repairs)

### Reasons for Recommendation

As detailed in the report.

### Alternative Options and Reasons for Rejection

As detailed in the report.

## **EX25-22/23      BOLSOVER HOMES SCHEME - MOORFIELD LANE, WHALEY THORNS, LANGWITH.**

Executive considered a detailed report which sought approval for the Authority to enter into a contract to deliver the Moorfield Lane, Whaley Thorns, scheme through the existing Bolsover Homes framework.

One of the Council's ambitions was to build 150 new social housing homes by March 2024. Members had already approved 37 properties in Whitwell, some of which were completed and others were currently under construction. In Shirebrook, 28 new properties had been approved and were due to start construction in July.

In Whaley Thorns, 19 properties were under construction at The Woodlands, with a further 5 due to start in August. If approved, the scheme would deliver an additional 7 new homes in Whaley Thorns, bringing the total number of properties approved/delivered to 96. This equated to more than 60% of the new build ambition target.

Moved by Councillor Sandra Peake and seconded by Councillor Duncan McGregor

**RESOLVED** that (1) an expenditure budget as outlined in the report to deliver the Moorfield Lane, Whaley Thorns, social housing building scheme be approved,

(2) the recommendation to enter into a contract for the development of a further 7 properties in Whaley Thorns as outlined in the report be approved.

(Assistant Director of Property Services & Housing Repairs)

### Reasons for Recommendation

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To deliver the Council's aspirational target of building a minimum of 150 new Council properties by March 2024, it is recommended that Executive utilise the previously agreed development fund to bring forward this scheme.

### **Alternative Options and Reasons for Rejection**

Executive could choose not to support the development but this would not help to achieve the Council's agreed ambition of building 150 social housing properties. This would not help to meet the current demand for social housing in Whaley Thorns.

The meeting concluded at 11:00 hours.