

To: All Councillors

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Date: 31st January 2024

Dear Councillor

EXECUTIVE MEETING MONDAY 29TH JANUARY 2024 – DECISION NOTICE

I have pleasure in enclosing herewith, for your attention, a copy of the Decision Notice of the Executive held on Monday 29th January 2024.

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:

7th February 2024

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,

Jim Fieldsend

Monitoring Officer

**DECISION NOTICE OF THE EXECUTIVE
MONDAY 29TH JANUARY 2024**

NON KEY DECISIONS

| AGENDA ITEM | | DECISION |
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| 5 | Safeguarding Policy and Procedures - Protecting Children and Adults at Risk | <p>RESOLVED that the draft Derbyshire wide policy - Safeguarding Policy and Procedures, Protecting Children and Adults at Risk be adopted.</p> <p>REASON FOR DECISION: To adopt the Derbyshire wide Safeguarding policy to enable a consistent partnership approach across the county.</p> <p>OTHER OPTIONS CONSIDERED: An alternative option is not to adopt the Derbyshire wide policy and continue to have two policies in place, this was rejected due to the partnership approach to provide consistency across Derbyshire for Safeguarding.</p> <p>Another reason for rejection is that future staff time will be saved reviewing one policy instead of two.</p> <p>One policy for both adults and children will be more “user friendly” to employees and residents of the District.</p> |
| 6 | Bolsover Local Nature Recovery Champion | <p>RESOLVED that Councillor Anne Clarke be the Local Nature Recovery Champion Member role for the Council.</p> <p>REASON FOR DECISION: To re-select a Member volunteer for the role of Local Nature Recovery Champion, and to appoint a Member to the role.</p> <p>OTHER OPTIONS CONSIDERED: It would be possible to not create a Local Nature Recovery Champion, although this would not achieve the benefits stated in the report. Therefore, officers have not considered this option.</p> |

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| 7 | <p>Medium Term Financial Plan 2023/24 to 2027/28</p> | <p>RESOLVED that all recommendations below be referred to Council on 31st January 2024;</p> <p>1) that in the view of the Section 151 Officer, the estimates included in the Medium-Term Financial Plan 2023/24 to 2027/28, are robust and that the level of financial reserves, whilst at minimum levels are adequate, be accepted,</p> <p>2) that officers report back to Executive and to the Finance and Corporate Overview Scrutiny Committee on a quarterly basis regarding the overall position in respect of the Council's budgets.</p> <p>GENERAL FUND</p> <p>1. A Council Tax increase of £5.89 is levied in respect of a notional Band D property (2.99%).</p> <p>2. The Medium-Term Financial Plan in respect of the General Fund as set out in Appendix 1 to the report be approved as the Revised Budget 2023/24, as the Original Budget in respect of 2024/25, and the financial projection in respect of 2025/26 to 2027/28.</p> <p>3. That any further under spend in respect of 2023/24 is transferred to the Council's General Fund Reserves.</p> <p>4. On the basis that income from Planning Fees may exceed £0.500m in 2023/24, the Head of Paid Service, in consultation with the Leader, is granted delegated powers to authorise such additional resources as necessary to effectively manage the resultant increase in workload.</p> <p>HOUSING REVENUE ACCOUNT</p> <p>1. That Council increases its rent levels by 7.7% to apply from 1st April 2024.</p> <p>2. That the increases in respect of other charges as outlined in Appendix 4, Table 1 to the report be implemented with effect from 1st April 2024.</p> <p>3. The Medium-Term Financial Plan in respect of the Housing Revenue Account as set out in Appendix 3 and 4 to the report be approved as the Revised Budget in respect of 2023/24, as the Original Budget in respect of 2024/25, and the financial projection in respect of 2025/26 to 2027/28.</p> |
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| | | <p>4. That under spends in respect of 2023/24 to 2027/28 are transferred to the HRA Revenue Reserve.</p> <p>CAPITAL PROGRAMME</p> <p>1. That the Capital Programme as set out in Appendix 5 to the report be approved as the Revised Budget in respect of 2023/24, and as the Approved Programme for 2024/25 to 2027/28.</p> <p>REASON FOR DECISION:</p> <p>The report presented a budget for approval by Council. It sought to ensure approval to budgets in respect of the General Fund, the Housing Revenue Account, and the Capital Programme.</p> <p>OTHER OPTIONS CONSIDERED:</p> <p>Alternative options are considered throughout the report.</p> |
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KEY DECISIONS

| AGENDA ITEM | | DECISION |
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| 8 | <p>Dragonfly Service Level Agreements</p> | <p>RESOLVED that 1) the contents of the SLA be noted,</p> <p>2) the Council enters into the service level agreement with Dragonfly Management (Bolsover) Limited,</p> <p>3) delegated power is granted to the Council's Chief Executive Officer to agree any amendments to the service level agreement.</p> <p>REASON FOR DECISION:</p> <p>A formal agreement between the Council and Dragonfly Management (Bolsover) Limited is necessary to clarify the arrangement by which the company will provide services back to the Council.</p> <p>OTHER OPTIONS CONSIDERED:</p> <p>Not to have an agreement. This is rejected as a formal arrangement is important to provide certainty to both parties and to reduce potential areas of dispute.</p> |

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| <p>9</p> | <p>Lease to 2WL Limited at Pleasley Vale Business Park</p> | <p>RESOLVED that 1) the negotiated and agreed heads of terms be approved,</p> <p>2) that the Council enters in to a lease agreement with 2WL Limited.</p> <p>REASON FOR DECISION: Securing a tenancy for 2WL Limited at Pleasley Vale Business Park will provide some certainty on their continued occupation of the site and enable them to make capital investment in the building. This will significantly improve the premises, which are currently in a poor state of repair, and ensure that the Landlord can invest its limited revenue funds into urgent repairs which have already been identified in other areas on site.</p> <p>There are currently no confirmed proposals for the regeneration of Pleasley Vale Business Park and therefore agreeing the tenancy will secure the rental income of at least £93,303 per annum for the 15-year term. In addition, the business rate liability, currently £49,664 per annum, will remain with the tenant.</p> <p>By including the Landlord break, it ensures that accepting these proposals will not compromise redevelopment of Pleasley Mills.</p> <p>OTHER OPTIONS CONSIDERED: To allow the current lease to run its course and continue through to expiry on 30th September 2026. The tenant currently has security of tenure so could be left to hold over at the end of their already agreed contractual term. In addition, the Landlord doesn't currently have the option to break which could negatively impact on future development plans, therefore this option has been discounted.</p> <p>Not to proceed with the new tenancy may result in the tenant choosing to relocate their business to alternative premises and this could potentially fall outside the district. Not only would this result in a loss of revenue income which would be significant loss to the authority, but it could also have an impact on the district in terms of unemployment or a loss of employment as all staff are recruited from the locality and may not be able to travel.</p> <p>Should the business relocate; the authority</p> |
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| | | would need to make a significant investment in the premises to bring it to the required standard for re letting. |
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Only Key Decisions may be called in. All other decisions will be actioned immediately with the exception of those referred to Council