

To: All Members

The Arc
High Street
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Date: 17th April 2024

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Dear Councillor

DECISION NOTICE EXECUTIVE HELD ON MONDAY 15TH APRIL 2024

I have pleasure in enclosing herewith, for your attention, a copy of the Decision Notice of the Executive held on Monday 15th April 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:

WEDNESDAY 24TH APRIL 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:

Governance 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 and Monitoring Officer

**DECISION NOTICE OF THE EXECUTIVE
MONDAY 15TH APRIL 2024**

NON-KEY DECISION

AGENDA ITEM		DECISION
2	<p>Urgent Items of Business:</p> <p>Complaints, Comments & Compliments Policy Review</p>	<p>RESOLVED that the updated Complaints, Comments and Compliments Policy be approved.</p> <p>REASON FOR DECISION: It was considered good practice to have a policy which sets out the Council’s approach to Complaint handling. This updated policy would ensure the Council was compliant with the Local Government & Social Care Ombudsman (LGSCO) and Housing Ombudsman (HO) codes. The policy which sat alongside the Customer Service Standards and Procedures would ensure the Council sets out a good complaint handling process and promoted a positive relationship between the organisation and service users.</p> <p>OTHER OPTIONS CONSIDERED: The updated Policy was considered necessary so that members of the public were aware of the Council’s approach to meeting the LGSCO & HO Code for handling complaints which allowed the Council to resolve complaints quickly, effectively, and fairly, and use the data to drive service improvements, providing a positive culture for complaint handling.</p>
5	<p>KEY DECISION</p> <p>Private Sector Housing Strategy</p>	<p>RESOLVED that in light of the consultation results, the proposed Strategy and Delivery Plan be noted, and the Strategy be approved for implementation.</p> <p>REASON FOR DECISION: The Council needed to take pro-active action following completion of the Private Sector Stock Condition Survey. By adopting the Strategy and delivering the identified actions, this should generate marked improvement in the quality of private sector housing and improved management of the private rented sector.</p> <p>The Government was currently reviewing the Decent Homes Standard and it was expected that</p>

	<p>the new version would apply to the Private Rented Sector which would give further impetus to the improvements the Council was trying to achieve.</p> <p>OTHER OPTIONS CONSIDERED: Members could choose not to support the adoption and delivery of the proposed Strategy, but this would go against the recommendations of the private sector stock condition survey and cease delivery of a key action of the Housing Strategy 2021-24.</p>
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NON KEY DECISIONS

AGENDA ITEM		DECISION
6	Menopause Policy	<p>RESOLVED that the Menopause Policy be implemented.</p> <p>REASON FOR DECISION: The implementation of the policy would foster a more equitable and accommodating work environment for all the Council's employees</p> <p>OTHER OPTIONS CONSIDERED: Not to implement the policy and rely on the Council's existing employment policies.</p>
7	Updated Maternity Leave Policy with Health and Safety Arrangements	<p>RESOLVED that the updated Maternity Policy be implemented.</p> <p>REASON FOR DECISION: To ensure best practice when it came to expectant employees pre and post birth and to comply with equality and health and safety regulations.</p> <p>OTHER OPTIONS CONSIDERED: Continue to utilise the existing policy and health and safety arrangements.</p>
8	Updated/Reviewed Probation Policy	<p>RESOLVED that the updated/reviewed Probation Policy be approved.</p> <p>REASON FOR DECISION: A robust Probation Policy was essential for promoting employee development, maintaining a positive work environment, and safeguarding the interests of both employees and the organisation.</p>

		<p>OTHER OPTIONS CONSIDERED: Not to approve the updated policy and continue to work with the existing joint policy.</p>
<p>9</p>	<p>Pleasley Vale Regeneration Project - Flood Prevention</p>	<p>RESOLVED that the report be noted.</p> <p>REASON FOR DECISION: The purpose of the report was to update Members on the progress of the regeneration project and to highlight the current situation and challenges faced on site following recent flood events.</p> <p>To inform Members of the works being commissioned to inform and be able to set out a clear plan of flood mitigation works and environmental improvements as the basis for protection of operation of the business park as well as exploring options for further regeneration works across the site. Once detailed costs were confirmed, these would be presented to Members for further discussion and approval.</p> <p>OTHER OPTIONS CONSIDERED: <u>Do nothing - business as usual</u> - This option had been rejected. Water management and flood prevention measures underpinned any future plans for the use of Pleasley Vale for economic, social and leisure activities. Extreme storm events and flooding would continue to detrimentally affect ongoing operations at the Business Park. Failure to address this would result in financial losses to the Council and tenants operating on site, a high risk of not being able to insure the site for its current operations, as well as unusable parkland and workspaces leading to further deterioration of the site.</p> <p><u>Do less</u> – This option had been rejected. The works which had been identified were deemed to be a priority and a minimum level of intervention for the site if it was to continue operations, even to continue as a business park with no regeneration intervention.</p> <p><u>Do more</u> – This option had been discounted at the present time. Actual costs and budget shortfalls were currently unknown.</p>

10	Cooperative Arrangements with other local authorities	<p>RESOLVED that 1) the principle of the Council acting as main contractor for other local authorities seeking work and services from Dragonfly Development Ltd be approved,</p> <p>2) delegated authority be granted to the Chief Executive Officer to enter into non-binding cooperation arrangements with other local authorities.</p> <p>REASON FOR DECISION: By agreeing to the proposal Dragonfly Development Ltd would be able to enter negotiations with other authorities to undertake work on their behalf via a contractual agreement with the Council.</p> <p>OTHER OPTIONS CONSIDERED: Not to agree to the proposal. Other local authorities would need to undertake procurement exercises which would mean that Dragonfly Development Ltd would need to compete with other building contractors.</p>
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KEY DECISIONS

	AGENDA ITEM	DECISION
11	East Midlands Investment Zone (EMIZ)	<p>RESOLVED that 1) the EMIZ proposals be supported on behalf of the Council,</p> <p>2) delegated authority be granted to the Council's Chief Executive Officer to accept and nominate officers to represent the Council on the proposed Development Board and nominate officers to represent the Council in any part of the interim or eventual governance structure for the EMIZ as appropriate and when offered,</p> <p>3) to allocate £20,000 from the Transformation Reserve for business case development and other related costs.</p> <p>REASON FOR DECISION: The report outlined the potential benefits to the District arising from the current EMIZ proposals, which would bring £160 million of Government funding into the region that was expected to drive an increase in productivity through the creation of more higher skilled, higher paid jobs at two large employment sites within the local area with an</p>

associated rise in living standards and improved quality of life for those employees.

The proposed future investment in green industries and advanced manufacturing also provided an opportunity to transform the District's local economy through accelerating the growth of existing businesses in these sectors and by securing investment from these sectors to develop employment sites in the District to provide more high quality, high value jobs to local people.

In addition, the flexible funding associated with the EMIZ provides an opportunity to improve local infrastructure and the District's connectivity to ensure the District remained a competitive location and an attractive place to do business.

The flexible funding associated with the EMIZ also provided an opportunity to build on the Council's work with partners to facilitate more training opportunities within the District to upskill the existing workforce and create more opportunities for young people to strengthen their life chances in a stronger, more diversified, and high value economy.

As proposed, the EMIZ proposals do not give rise to any costs to the Council and any future planning decisions or proposals for business rates relief and/or tax incentives, or any other scheme that had a material impact on the District's own statutory responsibilities would need the Council's prior approval.

As the billing authority, the Council would likely administer any business rates relief under the tax incentive policy. Reliefs would be appropriately reimbursed by Government under a principle of no detriment.

In addition, the Council and Laing O'Rourke would be expected to agree to a Tax Policy, committing partners to best endeavours in promoting sector related (green industries and advanced manufacturing) activity on any designated tax site within the District.

Consequently, the establishment of the EMIZ would be highly unlikely to pose any significant negative risk to the Council's own interests or

impact on service delivery but there was a positive risk that the EMIZ would benefit the District's local economy and its local residents.

It was therefore considered wholly appropriate to recommend that the Executive confirm its support for the EMIZ proposals on behalf of the Council.

It was also considered wholly appropriate to recommend that the Executive endorse officers' continued engagement and active involvement with the EMIZ through the Gateway process to approval by Government and then through its subsequent operational lifetime to ensure that the EMIZ, and by extension the EMMCCA, were held accountable to their commitments to levelling up and ensure the District was best placed to realise the benefits of the Government investing £160 million in the region.

In addition, it was recommended that the Executive consider allocating a budget for business case development for projects and programmes with partners that align with the EMIZ proposals and emerging Investment Zone policy to ensure that the Council was best placed to maximise the opportunities that would arise from the future allocation of flexible funding, which may amount to as much as £120 million over the next ten years.

In this case, it was recommended that investment is made in the multi-user trail proposals because the money would pay for the design drawings that were needed for a crossing over the A617 at Doe Hill, and the planning application drawings for the associated lengths of tracks that would close a gap in the multi-user trail network.

This was significant because the track would then properly link the former Coalite site and Markham Vale with Bolsover and Shirebrook and other parts of the District. Onward links then connect with Staveley and Clowne Greenway with a further onward link proposed from Creswell to Worksop.

Therefore, this work had a close link with the combined authority's key priorities and the Investment Zone, and the Council may be able to draw additional funding from Sustrans and the Heritage Lottery Fund because this link would

		<p>also improve connectivity to Hardwick Hall.</p> <p>OTHER OPTIONS CONSIDERED: The Executive could choose not to support the current EMIZ proposals and withdraw officers from any future involvement in its governance arrangements or decisions making. This option was rejected because of the potential benefits to the District of active involvement with the EMIZ, the risk of not realising benefits for the District if officers disengaged from the process, and the disbenefits of the loss of inward investment should the EMIZ fail to get approval.</p> <p>The Executive could choose to decline to endorse a budget for business case development for the multi-user trail network, but this option would further reduce the likelihood of any projects and programmes in development being included in the EMIZ Investment Plan.</p>
12	<p>Award of Three-Year Idox Software Maintenance Contract</p> <p>Please Note that this item is exempt from Scrutiny Call-In as the Council would be out of contract and support which could have a negative impact on the performance of the Planning and Environmental Health departments).</p>	<p>RESOLVED that the three-year software support and maintenance contract be awarded to Idox for its planning and environmental health software.</p> <p>REASON FOR DECISION: This software was essential for the Planning and Environmental Health departments to continue to provide services. A move to an alternative product would take many months of planning, staff resource and additional implementation costs, therefore it was not in the interest of the Council to go out to market.</p> <p>The new contract was available via the Crown Commercial services procurement framework RM6259.</p> <p>By entering into a three-year agreement, the prices were fixed.</p> <p>OTHER OPTIONS CONSIDERED: None.</p>
13	<p>Extension of Contract with Mobysoft for RentSense Data Analytical Services</p>	<p>RESOLVED that the contract extension of 2 years to Mobysoft for the RentSense software be approved.</p> <p>REASON FOR DECISION: Mobysoft were identified as the best supplier through a tender procurement exercise, the</p>

		<p>existing contract allowed for an option to extend for a further 2 years. This system was ensuring that the Council achieved a better rent collection rate, and the Council was seeing a reduction in arrears. To extend the contract for a further 2 years would ensure the Council continued to reduce arrears and improve the Housing Revenue Account.</p> <p>OTHER OPTIONS CONSIDERED: To not extend the contract would mean the Council would lose the benefit of the RentSense system. Income Management Officers would need to look through all the Council tenant's rent accounts and individually decide how to prioritise recovery, this was time consuming and unnecessary and did not allow for other activities to be undertaken. The analytics of Rent Sense reduce the amount of rent arrears cases each officer had to work on thereby ensuring they could carry out other duties within their role</p>
14	<p>Lease of Premises at 9 Church Street, Clowne</p>	<p>RESOLVED that the Council enters in to a lease agreement with Jessica Hobson on the terms agreed with the Council's agent.</p> <p>REASON FOR DECISION: Securing the tenancy for Jessica Hobson would ensure a continued occupation of the premises and avoid it falling into disrepair.</p> <p>Agreeing the tenancy would secure rental income of at least £12,000 per annum for the 10 year term. In addition, the business rate liability, currently £4,790 per annum would be passed onto the tenant.</p> <p>The Council was currently supporting the growth of the arts/culture sector through both a Woman's Creative Network and through an Arts Council England (ACE) Cultural Development Fund application for a Creative Hub in the district to support the creative sector. The Council would engage with the tenant to support her to flourish in the District and the local community that she would engage with</p> <p>OTHER OPTIONS CONSIDERED: Not to proceed with the new tenancy may result in the interested party choosing to relocate their business to alternative premises and this could potentially fall outside the District. Not only</p>

would this result in a loss of revenue income which would be a loss to the Authority until an alternative tenant was identified, it could have an impact on the young people in the District who currently benefitted from this much needed creative activity.

Should the Authority not proceed with the tenancy they would need to complete dilapidation works to the premises to bring it up to the required standard for letting, this could delay the occupancy of a new tenant and the revenue income being received

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).