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To: Chair & Members of the Executive

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Friday 19th July 2024

Dear Councillor

EXECUTIVE

You are hereby summoned to attend a meeting of the Executive of the Bolsover District Council to be held in the Council Chamber, The Arc, Clowne on Monday 29th July 2024 at 10:00 hours.

Register of Members' Interests - Members are reminded that a Member must within 28 days of becoming aware of any changes to their Disclosable Pecuniary Interests provide written notification to the Authority's Monitoring Officer.

You will find the contents of the agenda itemised on page 3.

Yours faithfully



Solicitor to the Council & Monitoring Officer

Equalities Statement

Bolsover District Council is committed to equalities as an employer and when delivering the services it provides to all sections of the community.

The Council believes that no person should be treated unfairly and is committed to eliminating all forms of discrimination, advancing equality, and fostering good relations between all groups in society.

Access for All statement

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- **Visiting** one of our [offices](#) at Clowne, Bolsover, Shirebrook and South Normanton

EXECUTIVE

AGENDA

*Monday 29th July 2024 at 10:00 hours taking place in the Council Chamber,
The Arc, Clowne*

Item No.		Page No.(s)
1.	Apologies For Absence	
2.	Urgent Items of Business	
	To note any urgent items of business which the Chairman has consented to being considered under the provisions of Section 100(B) 4(b) of the Local Government Act 1972.	
3.	Declarations of Interest	
	Members should declare the existence and nature of any Disclosable Pecuniary Interest and Non Statutory Interest as defined by the Members' Code of Conduct in respect of:	
	a) any business on the agenda	
	b) any urgent additional items to be considered	
	c) any matters arising out of those items	
	and if appropriate, withdraw from the meeting at the relevant time.	
4.	Minutes	4 - 11
	To consider the minutes of the last meeting held on 29 th June 2024	
	<u>MATTERS REFERRED FROM SCRUTINY</u>	
5.	Review of Effectiveness of Council's Waste Collection and Disposal Education	12 - 91
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	<u>KEY DECISION</u>	
9.	Award of Housing Stock Condition Survey Contract	174 - 177

EXECUTIVE

Minutes of a meeting of the Executive of the Bolsover District Council held in the Council Chamber, The Arc, Clowne, on Monday 24th June 2024, at 1000 hours.

PRESENT:-

Members:-

Councillor Steve Fritchley in the Chair

Councillors Anne Clarke, Duncan McGregor, Clive Moesby, Sandra Peake, and John Ritchie (to Minute No. EX16-24/25).

Officers:- Karen Hanson (Chief Executive Officer), Jim Fieldsend (Monitoring Officer), Theresa Fletcher (Section 151 Officer), Steve Brunt (Strategic Director of Services), Pam Brown (Service Director Executive, Corporate Services and Partnerships), Victoria Dawson (Assistant Director Housing Management and Enforcement), Joanne Wilson (Housing Strategy and Development Officer), Chris Fridlington (Director Economic Development), and Alison Bluff (Governance).

Also in attendance at the meeting observing, were Junior Cabinet Members, Councillors Duncan Haywood, Jeanne Raspin, and Phil Smith.

EX10-24/25. APOLOGIES FOR ABSENCE

An apology for absence was received on behalf of Councillor Mary Dooley.

EX11-24/25. URGENT ITEMS OF BUSINESS

There were no urgent items of business.

EX12-24/25. DECLARATIONS OF INTEREST

Minute No.	Member	Level of Interest
EX19-24/25	Steve Fritchley	Other registerable interest due to being a Director of Dragonfly Development Ltd

EX13-24/25. CHANGE TO ORDER OF BUSINESS

The Chair consented to a change in order of business to that stated on the agenda. Agenda item 7: Tax Site Gateway Policy for the East Midlands Investment Zone would be considered after the Minutes of the last meeting held on 20th May 2024.

EXECUTIVE

EX14-24/25. MINUTES – 20TH MAY 2024

Moved by Councillor Duncan McGregor and seconded by Councillor Sandra Peake
RESOLVED that the Minutes of an Executive meeting held on 20th May 2024 be approved as a true and correct record.

NON KEY DECISIONS

EX15-24/25. TAX SITE GATEWAY POLICY FOR THE EAST MIDLANDS INVESTMENT ZONE

Executive considered a detailed report, presented by the Portfolio Holder for Growth, which provided an update on the proposals for a Tax Site Gateway Policy for the East Midlands Investment Zone (EMIZ) in the context of proposals for a Tax Site within the Council's administrative boundary.

Following its formal constitution in March 2024, the East Midlands Mayoral County Combined Authority (EMMCCA) became the accountable body for the EMIZ and were the responsible body for obtaining Government approval for the EMIZ proposals.

In April 2024, Executive resolved to support the proposals for the East Midlands Investment Zone on behalf of the Council noting the opportunities that would arise from this significant amount of inward investment planned for the region.

The report allowed Members to consider whether the Council should approve, and thereby, become a signatory to the proposed Tax Site Gateway Policy to allow the Tax Site to proceed. It outlined how the draft Tax Site Gateway Policy ('the Policy') would be used to ensure that Tax Sites in the EMIZ and the associated tax incentives would promote and encourage the growth of the advance manufacturing sector and green industries within the region.

Moved by Councillor John Ritchie and seconded by Councillor Duncan McGregor
RESOLVED that the Tax Site Gateway Policy be approved and delegated authority be given to officers to sign the policy on behalf of the Council to allow the Tax Site within the District's administrative boundary to proceed.

Reasons for Recommendation

In summary, the report outlined how the draft Tax Site Gateway Policy ('the Policy') would be used to ensure that Tax Sites in the EMIZ and the associated tax incentives would promote and encourage the growth of the advance manufacturing sector and green industries within the region.

Therefore, the Policy was considered likely to facilitate the creation of higher skilled, higher paid jobs at two large employment sites within the local area with an associated rise in living standards and improved quality of life for those employees. Moreover, the Tax Site at Explore Park was already operational, had plans for further development in the near term and was closely related to settlements and housing allocations within the District.

EXECUTIVE

In those respects, the focus in the Policy on green industries and advance manufacturing at Explore Park supported the growth in the District's housing supply alongside the opportunity to transform the District's local economy through accelerating the growth of existing businesses in those sectors and by securing investment from those sectors to develop employment sites in the District to provide more high quality, high value jobs to local people.

As proposed, the draft Policy did not give rise to any significant 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 at Explore Park if that were to be applied to any future occupants of any new buildings on the part of the site within Bolsover. Reliefs would be appropriately reimbursed by Government under a principle of no detriment.

Consequently, approval of the draft Policy 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 appropriate to recommend that the Executive endorse approval of the Tax Site Gateway Policy and for the Council to thereby become a signatory to the Policy and in doing so allow the Tax Site at Explore Park, Steetley to proceed

Alternative Options and Reasons for Rejection

The Executive could choose not to support the current Policy 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 continued active involvement with EMMCCA and 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 Policy and associated Tax Sites fail to get approval.

Councillor John Ritchie left the meeting.

EX16-24/25. OUTSIDE BODIES APPOINTMENTS (EXECUTIVE FUNCTIONS) 2024/25

Executive considered a detailed report, presented by the Portfolio Holder for Corporate Performance and Governance, in relation to Executive Members representing the Council on external organisations (Outside Bodies) (Executive Functions) for the 2024/25 Municipal Year.

The Leader of the Council had determined the appointments to the Outside Bodies, which were set out in an appendix to the report. The term of office for each appointment would be for the 2024/25 Municipal Year, unless otherwise specified by the Leader

EXECUTIVE

The Portfolio Holder for Corporate Performance and Governance advised the meeting that the Strategic Leadership Board would be added to the list of appointments and the Leader of the Council would be the representative on the Strategic Leadership Board.

Moved by Councillor Duncan McGregor and seconded by Councillor Clive Moesby

RESOLVED that 1) the appointment of Executive Members to serve as representatives on the organisations (Outside Bodies) (Executive Functions) for the 2024/25 Municipal Year, as attached at Appendix 1 to the report, be received,

2) the Strategic Leadership Board (SLB) be added to the list of Outside Bodies (Executive Functions) 2024/25, and that Councillor Steve Fritchley be the nominated representative on the SLB.

Reasons for Recommendation

To appoint representatives to ensure the effective representation of the Executive on external organisations (Outside Bodies) (Executive Functions) for the 2024/25 Municipal Year.

Alternative Options and Reasons for Rejection

Executive could choose not to appoint to the Outside Bodies; however, this was not recommended as it would fail to provide a representative of the Executive to these organisations.

EX17-24/25. ANNUAL COMPLAINT HANDLING AND SERVICE IMPROVEMENT REPORT 2023-2024

Executive considered a detailed report, presented by the Portfolio Holder for Housing, which provided an overview of the complaints received for the Housing Service during 1st April 2023 to 31st March 2024.

The report also presented the Council's performance against the Housing Ombudsman Complaint Handling Code in the form of the Annual Complaint Handling and Service Improvement Report.

The Housing Ombudsman Complaint Handling Code, after a period of consultation, became a statutory requirement from 1st April 2024, with the Housing Ombudsman having a duty to monitor compliance with the Code. In addition, the Regulator for Social Housing had also, after a period of consultation, published its new set of consumer standards and regulatory approach to deliver a "well-governed social housing sector", which provided quality homes and services for tenants, also effective from 1st April 2024. All Registered Providers were expected to meet the standards.

The Housing Ombudsman intended to monitor compliance with the Code by way of an annual submission. This would ensure that all landlords provided information in a consistent way that allowed effective analysis and insight into compliance with the Code.

The required documents needed to be submitted by 30th June 2024, and this date aligned with the Regulator of Social Housing's requirements for the publication and submission of Tenant Satisfaction Measures (TSM) outcomes, of which complaint handling was included.

EXECUTIVE

The Annual Complaint Handling and Service Improvement Report 2023-2024, was attached as an appendix to the report and provided an analysis of the complaints and compliments received by the Housing Department for the period 1st April 2023 – 31st March 2024 and included the services delivered on behalf of the Council by Dragonfly Management (Bolsover) Ltd. It also noted the performance against the Council's own Compliments, Comments and Complaints Policy, which during 2023-24, had different time frames to the Ombudsman. This was updated in April 2024, so were both now aligned.

The Assistant Director Housing Management and Enforcement circulated a proposed 'Forward' to Members to be included in the Annual Complaint Handling and Service Improvement Report 2023-2024.

Moved by Councillor Sandra Peake and seconded by Councillor Duncan McGregor **RESOLVED** that 1) the Annual Complaint Handling and Service Improvement Report 2023-2024, and Annual Self-Assessment against the Housing Ombudsman Complaint Handling Code be approved,

2) the proposed 'Forward', circulated at the meeting, to be included in the Annual Complaint Handling and Service Improvement Report 2023-2024, be approved.

Reasons for Recommendation

It was a statutory requirement that the Council complied with the Housing Ombudsman Complaint Handling Code, and the requirements to provide an annual submission, including an Annual Complaint Handling and Service Improvement Report, and annual self-assessment.

Alternative Options and Reasons for Rejection

If the Council was unable to provide the annual submission by 30th June 2024, the Council may be issued with a Type 3 Complaint Handling Failure Order. If there was non-compliance with the order, the Housing Ombudsman had the option of making a referral to the governing body or the Regulator of Social Housing as required.

KEY DECISIONS

EX18-24/25. SALE OF PROPERTIES – COTTON STREET BOLSOVER

Executive considered a detailed report, presented by the Portfolio Holder for Housing, which sought Members' approval to sell 17 and 19 Cotton Street, Bolsover, by way of auction.

The two properties were of limestone construction under pitched pantile roofs. They were thought to have been built in the late 17th century with works carried out in 1762 and 1968.

These were general fund properties which had recently had some improvement works carried out, however, the properties were suffering from damp, needed significant investment to be made lettable, and given the age and conservation requirements, were likely to be an ongoing financial burden to the Council with little return.

EXECUTIVE

The Council's Housing Stock Management Group had recommended disposal of the properties which the Council's Assessment Management Group had considered and agreed with.

The Council's Valuer recommended that the guide price for 17 and 19 Cotton Street should be £60,000 and £70,000 respectively, with a reserve price to be as recommended by the Valuer.

Moved by Councillor Sandra Peake and seconded by Councillor Duncan McGregor **RESOLVED** that the sale of 17 and 19 Cotton Street Bolsover by auction be approved.

Reasons for Recommendation

Significant investment was required to raise the properties to a lettable standard and given age and conservation requirements, were likely to be an ongoing financial burden to the Council with negligible return.

Alternative Options and Reasons for Rejection

Not to sell 17 and 19 Cotton Street, Bolsover. This was rejected due to the significant investment required to make the properties lettable.

The Council could undertake extensive refurbishment works to the properties to raise them to a lettable standard. However, due to the age and type, further investment would be likely in a relatively short period of time and they may not be suitable to longer term tenancy.

EX19-24/25. UPDATE ON BOLSOVER DISTRICT REGENERATION FUND

The detailed report provided an update on the £15million Regeneration Fund allocation and sought Members approval for a range of recommendations regarding project management and delivery including the acquisition of properties within the proposals.

The Leader of the Council advised the meeting that the East Midlands Mayor, Claire Ward, had been clear that district authorities would be the delivery mechanism for EMMCCA.

The Leader advised the meeting that he had recently resigned as a Director of Dragonfly Management (Bolsover) Ltd and Dragonfly Development Ltd. and would soon be making changes to Executive Members' portfolios.

At this point, as his resignation was very recent, the Leader declared an interest in this item and left the meeting.

Councillor Duncan McGregor in the Chair

The Regeneration Fund was allocated to the Council in the Autumn Statement of 2023. The Government guidance was received on 16th January 2024, requesting an initial outline of projects be submitted by 31st January 2024, and an initial Investment Plan was submitted to DLUHC in accordance with this deadline.

EXECUTIVE

On 27th February 2024, positive feedback was received from DLUHC and this contained additional, more comprehensive guidance. It also requested that further extensive project information be submitted by 29th March 2024, to set out how the Fund would be directed to best meet the strategic priorities for regeneration of the place across the District.

Following extensive correspondence and discussions with the Levelling Up Team at DLUHC, the MP for Bolsover and the Minister for Levelling Up, the Council's submission was finally approved on 22nd May 2024.

The Council was currently awaiting the Memorandum of Understanding (MOU) in relation to the administration of the Fund, however, further to enquiries made, the Chief Executive had been advised that this was being looked into by the Funding Team at DLUHC.

In response to Members' questions, the Chief Executive advised the meeting that the Council would be the Accountable Body for the funding and would remain responsible for meeting all the outcomes and reporting back to Council. The recommendations would enable Dragonfly to deliver the required outcomes on the Council's behalf via a service level agreement. The Monitoring Officer added that Dragonfly Management already provided services to the Council via a service level agreement and the arrangement would be looked at to ensure it was appropriate to deal with the funding. The Deputy Leader further added that the time factors were crucial and update reports would be presented to Members as the schemes progressed. If some projects were unable to be carried out in time, the Chief Executive advised Members that the Council would discuss this with DLUHC. She added that an internal commissioning group had been set up to monitor the arrangements and there was also Scrutiny and the Shareholder Board to provide performance information to Members.

Moved by Councillor Duncan McGregor and seconded by Councillor Sandra Peake
RESOLVED that 1) the update on the £15million Regeneration Fund provided within the report be noted,

2) receipt of the Regeneration Fund by the Council (subject to the terms of the Memorandum of Understanding) be approved,

3) responsibility for any amendments to the Memorandum of Understanding be delegated to the Council's Chief Executive,

4) that the Council is the 'Accountable Body' for the Regeneration Fund in accordance with the requirements of the Fund, be noted,

5) that the Council's wholly owned company, Dragonfly Management (Bolsover) Ltd can deliver the required outcomes of the Regeneration Fund on the Council's behalf, be approved,

6) that Dragonfly Management (Bolsover) Ltd, acting on the Council's behalf, will procure a range of contractors and suppliers, including Dragonfly Development Ltd to deliver the required outcomes of the Regeneration Fund, be approved,

7) the purchase of the three properties outlined in paragraph 2.3 of the report, following receipt of the Memorandum of Understanding, within the funding limits for each project and subject to appropriate valuations, value for money and conditions of the Regeneration Fund, be approved,

EXECUTIVE

8) that responsibility for the negotiations for the purchase of the three properties outlined in paragraph 2.3 of this report, be delegated to the Council's Chief Executive.

Reasons for Recommendation

The purpose of the report was to update Members on the delivery of the £15million Regeneration Fund and seek appropriate approvals to deliver the projects within the tight timescales stipulated by DLUHC for the Fund.

Alternative Options and Reasons for Rejection

Members could decide not to proceed with the approvals and property acquisitions outlined within this report, however, this could jeopardise delivery of the projects and ultimately, receipt of the Fund by the Council

The meeting concluded at 1035 hours.

Bolsover District Council

Meeting of the Executive on 29th July 2024

Review of Effectiveness of Council's Waste Collection and Disposal Education

Report of the Chair of Customer Services Scrutiny Committee

Classification	This report is Public
Contact Officer	Thomas Dunne-Wragg, Scrutiny Officer

PURPOSE/SUMMARY OF REPORT

To present to Executive the completed report for the recent Review of Effectiveness of the Council's Waste Collection and Disposal Education.

REPORT DETAILS

1. Background

- 1.1 The Customer Services Scrutiny Committee agreed to undertake a review of effectiveness of the Council's waste collection and disposal education as part of the 2023-24 Work Programme.
- 1.2 The issue was initially raised due to concerns of contamination rates within recycling waste collections, creating additional costs to the Authority through contamination charges. Committee Members believed that the main cause of this issue was due to residents not knowing how to use their bins correctly and effectively.
- 1.3 Under Public Sector Bodies Accessibility Regulations 2018, the Council has a duty to ensure its website is 'perceivable, operable, understandable and robust'. The UK accessibility legislation states public sector bodies must comply with the accessibility requirements; councils must include and update an accessibility statement on their website.

2. Details of Proposal or Information

2.1 The aim of the review was:

- To ensure that the Council's approach to waste disposal advice and education is reaching all target audiences to reduce current contamination rates and improve recycling rates by way of increased resident participation.

2.2 The objectives agreed were:

- Assess the current approach of the Council to waste disposal advice and education and the channels used.
- Examine the accessibility and reach of current communications on waste disposal/education
- Assess current levels of performance and action taken to ensure this is controlled within expected limits.

2.3 The key issues identified for investigation were as follows:

- Impact of current contamination rates on recycling targets, additional costs to the Council.
- Usage of Household Waste Recycling Centre in Bolsover and whether there is clear messaging as to what can and can't be taken to the site.
- Reduction in size of black residual waste bins. Costs associated with recycling by way of burgundy bin, with second available on request.
- Potential use of skip collections in problem wards or Freighter Days – this does not always encourage correct recycling and results in bulky type waste collection. This further increases residual waste which may normally be taken to a household waste recycling centre and therefore increases the amount of residual waste collected by the Council. This then lowers the overall combined recycling rates due to the amount recycled being calculated as the percentage diverted from the residual waste stream and not increasing as skip collections do.

2.4 The Committee met on six occasions in total and sought evidence by way of:

- Internal enquiries to assess the Council's existing policies and approach to waste disposal advice and education and the Council's existing waste collection procedures
- An analysis of the current educational material and channels used by the Communications Team
- An evaluation of the current accessibility and reach of the Council's communication services
- An audit of participation statistics and data regarding public engagement with the communication channels used by the Council
- A public survey through the Citizens' Panel to assess service users' thoughts and opinions on the accessibility of waste disposal education and information provided by the Council. This survey assessed resident's knowledge of waste disposal and recycling, examined how residents access information on waste disposal through the various communication channels that are available, and gave opportunity for feedback on the Council's approach to waste disposal education.
- An analysis of current levels of performance and the methods of action taken by the Council to ensure this is controlled within expected limits.

2.5 Following the review the Customer Services Scrutiny Committee agreed the following recommendations:

- That the Council feature recycling information in its quarterly magazine, 'InTouch', at a minimum of twice per year, considering a double page spread devoted entirely to waste disposal and education.
- That the Council feature more waste disposal education/information and recycling themed news stories on Bolsover TV, which will be shared through social media, on a regular basis.
- That the Council increase the frequency of recycling champions attending schools across the District on a regular basis to promote recycling education.
- That the Council promotes the educational waste disposal video by resending it to schools, after school clubs and community youth groups, to be shown to young people.
- That the Council holds a youth competition across the District to design and create recycling posters that encourage and promote the correct ways to recycle. The posters can be posted across the District in public spaces as well as through parish council communication channels (i.e., parish notice boards and magazines).
- That the Council uploads an accessible image of the burgundy bin diagram (as featured in the October 2023 Issue 62 of InTouch) to the Council's website and makes better use of the diagram in public spaces and across the Council's channels of communication as well as through parish council communication channels (i.e., parish notice boards and magazines).
- That the Council publishes educational recycling information, e.g., the accessible burgundy bin poster, across the District on the electronic bulletin boards in the four main market towns.
- That the Council publishes regular waste disposal education through the weekly E-Newsletter service for residents.
- That the Council redesigns the bin calendar/recycling guide booklet and uploads an accessible PDF of the calendar on the Council's website.
- That the Council considers the development of an 'app' as a long-term investment, modelled on systems used by the top performing waste authorities (detailed in Appendix 3 of the report) through benchmarking and comparing business processes and performance metrics.
- That the Council reinforces the established policy on refusing the collection of bins as detailed in section 3.17 of the Council's Waste Collection Policy, and undertakes doorstep education to influence the reduction of contamination in burgundy bins.

3. Reasons for Recommendation

3.1 The Committee have put together 11 recommendations which will hopefully assist the Council in improving recycling rates and reducing rates of waste contamination by improving the effectiveness of the Council's waste collection and disposal education.

3.2 The key findings arising from the review are:

- That there is most confusion over the burgundy bin and which items are supposed to be recycled and which items cannot be recycled.
- That since the COVID-19 Pandemic, the Council has struggled to regenerate school programmes and has not yet returned to the pre-COVID standards of recycling education for young people.
- That the Council acknowledges the introduction of separate weekly food waste collections from 1st April 2026 will influence the next major stepped change in Bolsover's combined recycling performance, by breaking the 50% barrier to head towards the 2035 target of 65%.
- That it is crucial that the Council considers accessibility of communication services and the statutory requirements with regards to education on Council services that affect all residents so that every service user can benefit from the waste collection services that the Council provides.
- That the Council should look towards the future of Bolsover by considering innovative modern methods of communication to consider ways to engage young people and future residents of the District.
- That some of the Council's communication services are not being fully utilised due to a lack of educational content being received from the relevant specialist officers.
- That the Council must effectively utilise their current methods of communication to the highest standard with efficiency and coherence to frequently remind residents on the importance of recycling, the correct methods of recycling, and the best practice of how to engage with the Council's waste collection services.

4 Alternative Options and Reasons for Rejection

4.1 Executive could choose not to endorse the recommendations of the review where they feel the course of action recommended is beyond the delivery capacity of the Authority.

RECOMMENDATION(S)

1. That Executive endorses the recommendations of the review outlined in section 2.5 of this report and Section 2 of Appendix 1.
2. That for recommendations approved by Executive, monitoring takes place over a twelve-month period via the PERFORM system with an update report to the Customer Services Scrutiny Committee at the end of the monitoring period.

IMPLICATIONS.

Finance and Risk: Yes No

Details:

None from this report. Suggested action for the service can be contained within existing budgets.

On behalf of the Section 151 Officer

Legal (including Data Protection): Yes No

Details:

In carrying out scrutiny reviews the Council is exercising its scrutiny powers as laid out in s.21 of the Local Government Act 2000 and subsequent legislation which added/amended these powers

On behalf of the Solicitor to the Council

Environment: Yes No

Details:

The review supports the Corporate Ambition of 'Environment' and the Priority of 'Reducing our carbon footprint whilst supporting and encouraging residents and businesses to do the same by increasing rates of recycling across the District'. The review indirectly supports the Corporate Target ENV03: Achieve a combined recycling and composting rate of 65% by 2035, as well as the Corporate Target SS05: To reduce the amount of residual household waste disposed of by way of landfill annually.

Staffing: Yes No

Details:

There are no staffing implications from this report.

On behalf of the Head of Paid Service

DECISION INFORMATION

<p>Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds:</p> <p>Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i></p>	No
<p>Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)</p>	No

District Wards Significantly Affected	None
Consultation: Leader / Deputy Leader <input type="checkbox"/> Executive <input checked="" type="checkbox"/> SLT <input type="checkbox"/> Relevant Service Manager <input checked="" type="checkbox"/> Members <input checked="" type="checkbox"/> Public <input checked="" type="checkbox"/> Other <input type="checkbox"/>	Details: Yes Details: Relevant Service Managers and Portfolio Holder engaged during the review process, and public survey carried out via the Citizens Panel.

Links to Council Ambition: Customers, Economy, Environment, Housing.
The review supports the Corporate Ambition of 'Environment'.

DOCUMENT INFORMATION	
Appendix No	Title
1	Review of Effectiveness of Council's Waste Collection and Disposal Education

Background Papers
<i>(These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Executive you must provide copies of the background papers).</i>



**Review of Effectiveness of Council's
Waste Collection and Disposal
Education**

July 2023 – July 2024

CUSTOMER SERVICES SCRUTINY COMMITTEE

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Chair's Foreword

As Chair of Customer Service Scrutiny, I present this report as a summary of our research and recommendations for improvement.

This review was taken forward as a result of concerns of contamination rates within waste collections, creating additional costs to the authority through disposal charges. Committee members believed that the main cause of this issue was due to residents not knowing how to use their bins correctly and effectively. Therefore, there must be an assessment of the effectiveness of the Council's waste disposal education towards residents. We hope the additional analysis of the Council's communications services and regulations on accessibility will aid in future Council projects.

I would like to take this opportunity to thank the Director of Strategic Services for his guidance and expertise throughout this review; the Communications, marketing and Design Manager and his team for their commitment and contribution towards this review; the Improvement Officer for her assistance in gathering valuable data from residents; to the Scrutiny Committee for their excellent contribution; and our Scrutiny Officer and Governance Officers who have consistently worked effectively throughout the process of this review.

Cllr Donna Hales
Chair of the Customer Services Scrutiny Committee

1. Introduction

In 2021, Parliament set out Britain's plan to reduce Carbon emissions to as close to zero as possible in the *Net Zero Strategy: Build Back Greener*, this strategy sets out clear policies and proposals for a decarbonised society by 2050. This target can only be reached with the cooperation of local authorities to support the national government in making net zero a net win for everyone.

Bolsover District Council has set out a priority to reduce the District's carbon footprint whilst supporting and encouraging residents and businesses to do the same; the current target is to reduce Bolsover District Council's carbon emissions by 300 tonnes.

A major contributor to carbon emissions being released into the atmosphere is through waste being sent to landfill where it is buried in the ground. If less waste is sent to landfill and is instead sent to be reused or recycled, then carbon emissions and carbon footprints can be significantly reduced. A key approach to improving rates of recycling is to reduce contamination of waste that is sent to be recycled.

In 2018, Parliament published the *Resources and waste strategy for England*. This is England's plan to preserve the country's stock of material resources by minimising waste, promoting resource efficiency, and moving towards a circular economy. This strategy aims to minimise the damage caused to the natural environment by reducing and managing waste safely and carefully, and by tackling waste crime. This is England's blueprint for eliminating avoidable plastic waste over 25 years, to double resource productivity, and eliminate avoidable waste of all kinds by 2050. This target can only be reached with the cooperation of local authorities to support the national government in making the 25 year plan a reality for England. Crucial to this strategy is the issue of recycling rates in local areas and issues surrounding waste contamination.

It is important to increase rates of recycling as well as decrease rates of contamination. Waste contamination is when materials that cannot be recycled are put in recycling bins, this results in added costs to Councils through additional contamination charges. Bolsover District Council pays a charge of £122.10 per tonne of waste contamination. For example, in February 2024 Bolsover sent 93.22 tonnes of contaminated waste to H.W. Martin Waste Ltd, costing the Council a total charge of £11,382.49, this is a yearly cost of approximately £120,000.

If residents send incorrect waste for reuse, recycling, and composting by using bins incorrectly, this will impact the Council's rates of recycling and the ability of the Council to meet its recycling and waste targets. Furthermore, this creates an increase in waste sent to landfill which contributes to carbon emissions and environmental pollution and may also have a potential impact on increased fly-tipping levels.

In 2020/21 Bolsover District Council ranked 241 out of 338 authorities nationally in the Recycling League Tables, for the Percentage of household waste sent for reuse, recycling or composting across the District. This put Bolsover in the bottom 28.7% of local authorities with only 36% of Household waste being sent for reuse, recycling, or composting. In 2021/22 Bolsover District Council ranked 215 out of 333 authorities putting Bolsover in the bottom 35.44% of authorities, and recycling rates in Bolsover increased by 2.5%, with a total of 38.5% of Household waste sent for reuse, recycling, or composting. However, this progress was lost in 2022\23 with

recycling rates decreasing by 2.5%; 1,969 tonnes of recyclable and compostable materials were collected, therefore, Bolsover District Council is now back to a recycling and composting rate of 36%, the same rate as 2020/21. Bolsover has therefore made no progress in recycling and composting rates in the last 4 years.

Contamination levels can be reduced by residents putting the correct waste in the correct bin, which will then increase rates of the correct household waste sent for recycling. However, residents will only use their bins correctly if they know how to use their bins correctly, and if they are frequently encouraged and reminded by the Council on how to do this correctly and effectively. It is also important that residents understand why it is so important to do this. Therefore, there must be an improvement in the effectiveness of the Council's waste disposal education towards residents.

If waste disposal education is improved, then waste contamination will be reduced, and recycling rates will increase. Increasing rates of recycling across Bolsover District is essential for the preservation of the environment, for achieving the Council's goal of reducing Bolsover District's carbon footprint, and for the achieving Britain's target of reaching Net Zero.

2. Recommendations

PERFORM Code	Recommendation	Desired Outcome	Target Date	Lead Officer	Resources	Service Response
CSSC23-24 1.1	That the Council feature recycling information in its quarterly magazine, 'InTouch', at a minimum of twice per year, considering a double page spread devoted entirely to waste disposal and education.	Encourage a culture of recycling across the District and educate residents on the correct way to use their bins.	July 2025	Communications, Marketing and Design Manager	Officer time	The Communications, Marketing and Design Manager has confirmed that this recommendation is possible and can be implemented easily.
CSSC23-24 1.2	That the Council feature more waste disposal education/information and recycling themed news stories on Bolsover TV, which will be shared through social media, on a regular basis.	Encourage a culture of recycling across the District and educate residents on the correct way to use their bins.	January 2025	Communications, Marketing and Design Manager	Officer time	The Communications, Marketing and Design Manager has confirmed that this recommendation is possible and can be implemented easily.

PERFORM Code	Recommendation	Desired Outcome	Target Date	Lead Officer	Resources	Service Response
CSSC23-24 1.3	That the Council increase the frequency of recycling champions attending schools across the District on a regular basis to promote recycling education.	Educate young people on the process, importance, and methods of recycling. Encourage a culture of recycling across the District.	July 2025	Strategic Director of Services in consultation with: Recycling Promoter	Partnership Officer time	Schools have been reluctant to invite the Council in to be involved in external education since COVID-19. This may prove difficult.
CSSC23-24 1.4	That the Council promotes the educational waste disposal video by resending it to schools, after school clubs and community youth groups, to be shown to young people.	Educate young people on the process, importance, and methods of recycling. Encourage a culture of recycling across the District.	July 2025	Strategic Director of Services in consultation with: Communications, Marketing and Design Manager Recycling Promoter	Partnership Officer time	Schools have been reluctant to invite the Council in to be involved in external education since COVID-19. This may prove difficult.

PERFORM Code	Recommendation	Desired Outcome	Target Date	Lead Officer	Resources	Service Response
CSSC23-24 1.5	That the Council holds a youth competition across the District to design and create recycling posters that encourage and promote the correct ways to recycle. The posters can be posted across the District in public spaces as well as through parish council communication channels (i.e., parish notice boards and magazines).	Encourage a culture of recycling across the District and educate young people on the importance of recycling.	July 2025	Strategic Director of Services in consultation with: Recycling Promoter Partnership Policy Officer Communications, Marketing and Design Manager	Partnership Officer time	The Strategic Director of Services and the Partnership Policy Officer have agreed that this can be run through the Recycling Education Officer and can be promoted and supported by the Partnership Team and the Improvement Officer via the Youth Council.
CSSC23-24 1.6	That the Council uploads an accessible image of the burgundy bin diagram (as featured in the October 2023 Issue 62 of InTouch) to the Council's	Encourage a culture of recycling across the District and educate residents on the correct way	January 2025	Communications, Marketing and Design Manager	Officer time	The Communications, Marketing and Design Manager has confirmed that this recommendation is possible and can be implemented easily.

PERFORM Code	Recommendation	Desired Outcome	Target Date	Lead Officer	Resources	Service Response
	website and makes better use of the diagram in public spaces and across the Council's channels of communication as well as through parish council communication channels (i.e., parish notice boards and magazines).	to use their bins.				
CSSC23-24 1.7	That the Council publishes educational recycling information, e.g., the accessible burgundy bin poster, across the District on the electronic bulletin boards in the four main market towns.	Encourage a culture of recycling across the District and educate residents on the correct way to use their bins.	January 2025	Communications, Marketing and Design Manager in consultation with: Recycling Promoter	Officer time	The Communications, Marketing and Design Manager has confirmed that this recommendation is possible and can be implemented easily. Due to the fast rotation of the bulletin boards the educational information on the boards must be simple and easy to consume in a short space of

PERFORM Code	Recommendation	Desired Outcome	Target Date	Lead Officer	Resources	Service Response
						time e.g., pictures like the burgundy bin diagram.
CSSC23-24 1.8	That the Council publishes regular waste disposal education through the weekly E-Newsletter service for residents.	To provide regular waste disposal education to residents who have subscribed to the service.	January 2025	Recycling Promoter in consultation with: Communications Officer Communications, Marketing and Design Manager	Officer time	The Communications team have confirmed that if the Recycling Education Officer can provide them with regular content, the team can circulate weekly E-Newsletters for the residents who are subscribed to this service.
CSSC23-24 1.9	That the Council redesigns the bin calendar/recycling guide booklet and uploads an accessible PDF of the calendar on the Council's website.	To provide an available replacement bin calendar that residents can find online and can print if their copy has been damaged/misplaced.	January 2025	Communications, Marketing and Design Manager	Officer time	The Communications, Marketing and Design Manager has confirmed that this recommendation is possible and can potentially be implemented by June. In the meantime, the Communications Team has updated the website to include

PERFORM Code	Recommendation	Desired Outcome	Target Date	Lead Officer	Resources	Service Response
						accessible digital bin calendars for residents to access and some more information on what can and cannot go in burgundy bins.
CSSC23-24 1.10	That the Council considers the development of an 'app' as a long-term investment, modelled on systems used by the top performing waste authorities (detailed in Appendix 3 of the report) through benchmarking and comparing business processes and performance metrics.	To improve the Council's communication services with residents and improve education on waste disposal.	January 2029	Communications, Marketing and Design Manager	Officer time Budget	The Assistant Director of ICT does not think that Bolsover has the capacity to build and run a successful app right now based on the multiple systems the Council is currently running. However, the Communications, Marketing and Design Manager agrees that the consideration of an app can still be a possibility for the Council in the future as a long-term goal when there are more capable system

PERFORM Code	Recommendation	Desired Outcome	Target Date	Lead Officer	Resources	Service Response
						updates available; the Council can research how other councils run their app systems.
CSSC23-24 1.11	That the Council reinforces the established policy on refusing the collection of bins as detailed in section 3.17 of the Council's Waste Collection Policy, and undertakes doorstep education to influence the reduction of contamination in burgundy bins.	Encourage residents to think carefully on what they should put in each bin and educate residents on the correct way to use their burgundy bin.	July 2025	Strategic Director of Services in consultation with: Recycling Promoter	Officer time	The Strategic Director of Services is keen to decrease rates of contamination and agrees that reinforcing the bin refusal policy in section 3.17 of the Waste Collection Policy will be an effective way to achieve this. He has also suggested adding the website link to the policy.

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3. Scope of the review

The Customer Services Scrutiny Committee agreed to undertake a review of the effectiveness of the Council's approach to waste disposal education, as part of the 2023-24 Work Programme.

The issue was initially raised due to concerns of contamination rates within recycling waste collections, creating additional costs to the authority through contamination charges.

The scrutiny review supports the Corporate Ambition of 'Environment' and the Priority of 'Reducing our carbon footprint whilst supporting and encouraging residents and businesses to do the same by increasing rates of recycling across the District'. The review indirectly supports the Corporate Target ENV03: Achieve a combined recycling and composting rate of 65% by 2035, as well as the Corporate Target SS05: To reduce the amount of residual household waste disposed of by way of landfill annually.

The aim of the review was:

- To ensure that the Council's approach to waste disposal advice and education is reaching all target audiences to reduce current contamination rates and improve recycling rates by way of increased resident participation.

The objectives agreed were:

- Assess the current approach of the Council to waste disposal advice and education and the channels used.
- Examine the accessibility and reach of current communications on waste disposal/education
- Assess current levels of performance and action taken to ensure this is controlled within expected limits.

The key issues identified for investigation included:

- Impact of current contamination rates on recycling targets, additional costs to the Council.
- Usage of Household Waste Recycling Centre in Bolsover and whether there is clear messaging as to what can and can't be taken to the site.
- Reduction in size of black residual waste bins. Costs associated with recycling by way of burgundy bin, with second available on request.
- Potential use of skip collections in problem wards or Freighter Days – this does not always encourage correct recycling and results in bulky type waste collection. This further increases residual waste which may normally be taken to a household waste recycling centre and therefore increases the amount of residual waste collected by the Council. This then lowers the overall combined recycling rates due to the amount recycled being calculated as the percentage diverted from the residual waste stream and not increasing as skip collections do.

The Committee comprised the following Members:

Councillor D. Hales (Chair)
Councillor A. Davis
Councillor L. Powell
Councillor L. Fox

Councillor R. Turner (Vice-Chair)
Councillor V. Waplington
Councillor P. Smith

Support to the Committee was provided by the Scrutiny Officer, Thomas Dunne-Wragg

4. Methodology

The Committee approving the review met on 8 occasions to consider the scope of the review, discuss key issues and potential recommendations, and review the evidence gathered.

The Committee sought evidence by way of:

- Internal enquiries to assess the Council's existing policies and approach to waste disposal advice and education and the Council's existing waste collection procedures
- An analysis of the current educational material and channels used by the Communications Team
- An evaluation of the current accessibility and reach of the Council's communication services
- An audit of participation statistics and data regarding public engagement with the communication channels used by the Council
- A public survey through the Citizens' Panel to assess service users' thoughts and opinions on the accessibility of waste disposal education and information provided by the Council. This survey assessed resident's knowledge of waste disposal and recycling, examined how residents access information on waste disposal through the various communication channels that are available, and gave opportunity for feedback on the Council's approach to waste disposal education.
- An analysis of current levels of performance and the methods of action taken by the Council to ensure this is controlled within expected limits.

A Site visit to Bolsover's recycling contractor at HW Martins took place. This was attended by the Director of Governance and Legal Services (Monitoring Officer), the Strategic Director of Services as well as several committee members including Councillor Donna Hales (Chair), Councillor Rita Turner (Vice Chair), Councillor Amanda Davis, Councillor Louise Fox, and Councillor Lisa Powell.

A document review was completed of the following as part of the evidence gathering process:

- Bolsover District Council Waste and Recycling Collection Policy (2023)
- The Public Sector Bodies Accessibility Regulations (2018)

Equality and Diversity

Within the process of the review, the Committee has taken into account the impact of equalities. In particular when consulting with the Communications Team on what content should or could be uploaded to the Council's website there was extensive discussion around ensuring that the Council's approach to waste disposal education was compliant with the government regulations on accessibility.

- Impact on those benefitting from Assisted Bin Collection Service and the ability to remove contamination from bin to enable correct collection.

- Accessibility of key messages by Communications i.e., digital versus print - consideration of the Public Sector Bodies Accessibility Regulations (2018).

The Public Sector Bodies Accessibility Regulations (2018)

On 23 September 2018, new accessibility regulations were established for public sector bodies. The new regulations state that public sector bodies such as local council authorities must make websites and mobile apps publicly accessible by ensuring websites are 'perceivable, operable, understandable and robust'. The UK accessibility legislation states public sector bodies must comply with the accessibility requirements; councils must include and update an accessibility statement on their website.

5. Analysis of evidence and key findings

5.1 Assess the current approach of the Council to waste disposal advice and education and the channels used

Channels of communication used for waste disposal education

The council uses the following methods of communication to educate residents on how to recycle and use their bins correctly as well as when collection days are:

- Bolsover Council Website
- Bin calendars and information guides
- InTouch – Magazine
- Bolsover TV
- Social Media: Instagram, LinkedIn, and X (but not Facebook)
- E-Newsletters and Electronic Billboards
- Recycling Education Officer: attends community and public events and performs door knocking where contamination has been found
- School programmes

Bolsover Council Website

Bolsover Council publishes basic advice and guidance to the public regarding the Council's waste collection system on the Bolsover District Council website. The advice provided outlines the three-bin system:

1. Black Bins (domestic waste)
2. Burgundy Bins (recyclable waste)
3. Green Bins (garden/food waste).

The waste disposal information on the website explains the schedule for collection on a fortnightly basis with the black bin one week and the green and burgundy bins the following week. There is also a Self-Service Portal, where residents can sign up for email bin alerts, as well as a link to the Council's Waste Collection Policy for more information (see pages 40-43 for further detail on the Waste Collection Policy).

Each type of waste has its own web page, these include:

- Burgundy Bins
- Black Bins
- Green Bins
- Clinical Waste
- Composting

These pages provide information and instructions as to what should and should not be put into each bin, the correct methods of depositing various types of household waste and the best practice of how to present your bin on the street for collection.

There are also additional web pages detailing some general information on waste collection, these include:

- Additional bin capacity requests
- Household waste recycling centres
- Assisted Bin Collections

The website features a short educational video to remind and educate residents as to what can be put in the burgundy bin. Since the beginning of this review, following a meeting between the head of Communications, the Head of Services and Scrutiny, some additional information has been added to the website. Since February 2024 the website has featured live calendars for bin collections that are updated on a regular basis as well as some additional information on the burgundy bin page providing specific detail as to what can and cannot be recycled in the burgundy bin (see pages 27, 28 and 29 for further details on the recent updates to the website).

Bin calendars and information guides

Bin calendars are distributed to every household in the District. This is a glossy printed information guide booklet that is placed under resident's bin lids and includes the 12-month rota of bin collections for each type of bin using a colour code system. The calendar has some tips on how residents can use their bins correctly to help the process of refuse collection such as not overloading bins, ensuring the lid is closed (and flat), and how to dispose of bulky household waste as well as how to arrange a bulk collection service (for a small price). The calendar/information booklet also includes a list of what can and cannot be placed in the green bin and the burgundy bin. Furthermore, the booklet advises that additional guidance is available on the Bolsover website and provides a helpline telephone number and QR code to scan that goes directly to an educational recycling video that was produced by the Communications Team demonstrating how to recycle correctly.

InTouch

InTouch is the Council's magazine that is delivered to every household across Bolsover District four times a year usually in January, April, July, and October. The magazine features news about council services, local projects, councillor contact details, community and business projects and information from across the District. This is a useful and effective channel of communication that the Council utilises to educate residents on local issues such as recycling. InTouch has featured various articles on recycling in the past.

For example, Issue 62 from October 2023 featured a cartoon burgundy bin diagram that depicted what items can go in the burgundy bin as well as some information in written text regarding how to use the burgundy bin correctly. This issue also included a short article on bin satisfaction levels and their increase. This article details that 92% of those surveyed are satisfied with Bolsover's bin service – in comparison to the national LGA UK resident satisfaction survey for waste collection which was 81% (11% lower than Bolsover's). Issue 63 of InTouch (January 2024) featured an article on food waste, encouraging residents to look at how much food waste they produced and provided methods to reduce it. This article also included a graph of useful data detailing black bin waste with clear statistics of what is typically thrown in black bins in

Bolsover District on average – this was very useful and easy to understand information for the public.

Ideally the Customer Services Scrutiny Committee would like every issue of InTouch to feature an educational recycling article to remind residents how to use their bins correctly, what they should and should not recycle, and the importance of recycling. However, after discussions with the Communications Team a realistic goal has been agreed that out of the four yearly issues of InTouch, a minimum of two issues should contain an educational article on how to recycle correctly and the importance of recycling.

Bolsover TV

Bolsover TV (BTV) is a free local news channel online that is run by the Council. The channel was launched to keep residents informed, promote what is happening within local communities, attract visitors to the area, and encourage businesses to invest in the District. BTV make a weekly programme about what's happening in the area and have featured some educational clips for recycling and waste disposal. BTV receives approximately 1,500 to 2,000 views per episode/video across all the platforms currently used by the Council.

On December 20th, 2023, BTV produced an educational clip focussed on food waste in black bins sent to landfill, urging residents to not waste food over the Christmas period as a recent survey showed that over 26% of black bin contents were food waste which creates methane gas 28 times more potent than carbon-dioxide. BTV is run by the Communications Team who have also produced an educational waste disposal video. This video details what the three different bins are supposed to be used for, the importance of recycling, how to recycle and use the burgundy bin correctly, items that should and should not go in the burgundy bin, where to find the Council's advice and guidance on recycling, and how HW Martin Waste Ltd complete the closed-loop¹ recycling process at their facility based locally near South Normanton.

The educational videos produced by BTV are useful and informative, however, apart from a short video on customer satisfaction for waste collection (September 2023), only two videos have been produced in the last two years on waste collection and recycling education. Considering that BTV produces an episode every week, less than 1% of BTV episodes feature waste disposal advice and guidance; this is a useful educational tool that can be utilised more for waste disposal education. The Council should feature more waste disposal education/information and recycling themed news stories on BTV on a regular basis.

Social Media

Social media has become an integral part of everyone's daily lives, with over 3.6 billion people using online platforms worldwide. Young people in particular (around 83% in 2024 according to Statista.com) typically use social media to access news and information online, therefore this channel of communication cannot be ignored. Social media has transformed the way we communicate and connect with

¹ Closed-loop recycling is the process by which a product or material can be used and then turned into a new product (or converted back to raw material) indefinitely without losing its properties during the recycling process.

each other and has become a powerful tool for local authorities to reach and engage with residents.

In today's digital landscape, social media communication has become an essential component of any successful national campaign. Social media provides Councils with a direct line of communication with their service users. By engaging with followers through comments, messages, and posts, Councils can build a deeper connection with their residents and better understand their needs and preferences. Social media platforms are very useful tools for sharing guidance, advice and educational content on waste disposal and recycling – especially among young people.

The Communications Team update and monitor the Council's social media pages and use these channels of communication to promote similar content that is published on BTV and in InTouch. Bolsover currently has an Instagram page, an X account, and a LinkedIn profile, however, does not have a Facebook account. These pages are essentially extensions of BTV and InTouch magazine and are used to largely promote and share the content that feature on these news channels. Any educational content that is produced for these channels is shared on the social media pages. Therefore, for the Council's social media to be an effective method of waste disposal education and recycling promotion, there must be regular content relating to waste disposal education and recycling produced in InTouch and on BTV. This content can then be shared online to be accessed by social media users.

Recycling Education Officer

To address contamination levels the Council employs a Recycling Education Officer to undertake education and awareness works in areas of environmental despoilment (littering, dog fouling, fly-tipping) and waste reduction and recycling. Their work involves delivering face to face (doorstep) education and awareness raising to residents whose waste collections may have been delayed due to issues of contamination (i.e., incorrect waste in the burgundy or green bin). The Recycling Education Officer also delivers presentations to groups such as The Scouts and Girl Guides, Women's Institute groups and gardening groups. He also delivers presentations at public events on sites such as Langworth Rhubarb Farm (consistently for the last 5 years), and to Parish Council groups such as the members of Whitwell Parish Council. The Recycling Education Officer also runs a recycling education and promotion stand at the Bolsover Contact Centres once per year.

School programmes and young people

Educating young people on the methods, process and importance of recycling is essential as they will soon be the next generation of residents in Bolsover District. It is crucial that Bolsover Council encourages a culture of recycling and care for the environment across the District, and as a long-term solution this begins with young people. Furthermore, if children know how to recycle correctly and understand its environmental importance, they can put these methods into practice at home and encourage their parents to recycle correctly and contribute to the process in their own homes. This will build on a culture of recycling that will ultimately benefit residents, the District, and the planet.

A key channel of communication the Council has with young is through schools. The Recycling Education Officer has managed to visit all of the schools in Bolsover District on behalf of the Council in the last five years except one (Anthony Bek Primary School). However, nearly all of these visits took place pre-COVID (2019), therefore nearly a full new cycle of pupils will now be in primary school in Bolsover who have not received any educational sessions from the Recycling Education Officer.

The Recycling Education Officer visits pupils in school, class by class (20-25 pupils at a time), displays recyclable items on tables, and discusses visually what can and cannot be recycled. This includes items such as plastics, tin cans, bottles, and yogurt pots. He then gives another presentation for items that cannot be recycled or confusing items such as pringles tubes (made up of three different materials). The Recycling Education Officer also occasionally gives assemblies. Sessions are typically around 45 minutes long, including 15 minutes for questions from pupils. This is then followed up by teachers working themes of recycling into the school curriculum. Furthermore, the Recycling Education Officer also leaves teachers recycling educational activity booklets, designed by Northeast Derbyshire District Council.

These programmes stopped during the COVID-19 Pandemic and have struggled to be regenerated. Before COVID-19 the Recycling Education Officer would visit one of the 40+ schools across the District every three to four weeks (40+ schools in the area), but since the Pandemic it has been difficult to get back into regular attendance in schools. Some attempts have been made by the Recycling Education Officer to get into schools by email, through visiting the reception, and by speaking to school governors. However, since COVID-19 the Recycling Education Officer has only visited one secondary and several primary schools. With the COVID-19 Pandemic now over and normal life resumed, it is crucial that the Council considers school visits again on a regular basis to educate the young people of Bolsover on the same messages that are being promoted to adult residents through InTouch and BTV. Attempts should continue to be made; the Council should increase the frequency of recycling champions attending schools across the District on a regular basis to promote recycling education and educate young people on the process, importance, and methods of recycling. This will encourage a culture of recycling across the District and can be led by the Recycling Education Officer as well as Councillors who have school governor roles.

Returning to school programmes is also an opportunity to encourage the educational waste disposal video made by the Communications Team to be shown to students who have not yet seen it (this was previously sent to schools in the past). Attempts have been made by the Recycling Education Officer to send the video out to be used in schools, after school clubs and community youth groups, however it depends on the discretion of the teacher/leader of the group to actually show the video to students/young people. It will be easier to encourage use of the video by the Recycling Education Officer and Councillors who have school governor roles once the Council is able to attend schools again regularly.

In addition to attending schools, the Council can run extra recycling education and promotion programmes through the resources of the Partnerships team. A particular programme that the Customer Services Scrutiny Committee feel passionate about is for Bolsover Council to hold a youth competition (aimed at

primary schools) across the District to design and create recycling posters that encourage and promote the correct ways to recycle. The posters can be posted across the District in public spaces as well as through Parish Council communication channels (i.e., Parish notice boards and magazines). A prize can be offered on behalf of the Council such as 10 free swimming sessions at The Arc. This will encourage a culture of recycling across the District and educate young people on the importance of recycling. The Strategic Director of Services and the Partnership Policy Officer have agreed that this can be run through the Recycling Education Officer and can be promoted and supported by the Partnerships Team and the Improvement Officer via the Youth Council.

Recommendations:

That the Council feature recycling information in its quarterly magazine, 'InTouch', at a minimum of twice per year, considering a double page spread devoted entirely to waste disposal and education.

That the Council feature more waste disposal education/information and recycling themed news stories on Bolsover TV, which will be shared through social media, on a regular basis.

That the Council increase the frequency of recycling champions attending schools across the District on a regular basis to promote recycling education.

That the Council promotes the educational waste disposal video by resending it to schools, after school clubs and community youth groups, to be shown to young people.

That the Council holds a youth competition across the District to design and create recycling posters that encourage and promote the correct ways to recycle. The posters can be posted across the District in public spaces as well as through parish council communication channels (i.e., parish notice boards and magazines).

5.2 Examine the accessibility and reach of current communications on waste disposal/education

Citizens' Panel survey on waste disposal education and recycling knowledge

Purpose and scope of the survey

One of the methods of this review was to assess the responses of residents towards waste disposal through the Citizens' Panel. There are questions and data in the Citizens' Panel summary report (May 2023) regarding resident satisfaction levels with waste collection. However, there is no data regarding residents' knowledge of waste disposal and residents' opinions and views on accessibility to waste disposal information. In February/March (2024), Scrutiny conducted a survey in collaboration with the Improvement Officer to investigate residents' opinions and views on accessibility to waste disposal information that Bolsover currently has available.

The initial scope of the survey was to assess the Council's current approach to waste disposal advice and education and the channels used, and to examine the accessibility and reach of current communications on waste disposal guidance. The two main objectives were to find out if Bolsover District residents know what waste goes in each bin and why and to find out if Bolsover District residents understand the importance of recycling and how the process works. As well as Citizens' Panel members (which made up 84% of participants), the survey was also completed by Councillors (1%), staff members (8%) and various other residents (7%) who live within the District. The survey was live for ten days, closed on Friday 8th March and was completed by a variety of 121 Bolsover District residents.

The survey asked residents how strongly they agree or disagree with the following points:

- *I know what goes in which bin*
- *I know why different items go in different bins*
- *I know how the general waste recycling process work*
- *I am aware of what happens to the District's recycled waste*
- *I understand what happens to waste that is not recycled*
- *I understand why recycling needs to be done*
- *I know how food waste is recycled*
- *I know why food waste is recycled*

- *I find it easy to access information I need about waste disposal/recycling*
- *The information available to me is clear and easy to understand*
- *It's easy for me to obtain a bin calendar*
- *It's easy for me to find out about bin collection days*
- *The council's website is easy to use when looking for information*
- *The council's communications channels are clear and easy to follow*
- *I find it easy to book a bulky waste collection*

The options given were:

- *Strongly agree*
- *Agree*
- *Neither agree nor disagree*
- *Disagree*
- *Strongly disagree*
- *Don't know*

Residents were also asked where they usually obtain information on recycling (more than one option could be selected), the options were:

- *InTouch magazine*
- *I receive a calendar every year*
- *I phone my local contact centre*
- *Council's website*
- *Council's social media platforms*
- *Other (please state below)*

Finally, residents were asked if they had any additional comments about how the Council could improve communications services and information regarding waste disposal and recycling, giving residents an opportunity to give valuable qualitative feedback.

Quantitative results: noteworthy statistics

The survey provided some useful and valuable results. Nearly every resident in Bolsover believes they know what should go in which bin (54% agreed + 41% strongly agreed = 95%) and why (47% agreed and 46% strongly agreed = 93%). The data provided by this survey provides some understanding of Bolsover District residents' thoughts towards recycling and waste disposal.

Nearly four out of ten respondents (37%) do not know how food waste is recycled (31% disagreed + 6% strongly disagreed = 37%), and a quarter of respondents (25%) do not know why food waste is recycled (21% disagreed + 4% strongly disagreed = 25%). This is useful information for residents to learn and be aware of considering the government's plans for Councils to introduce separate food waste collections by 2026 (see page 31 for more details on the 2026 food waste collection regulations).

Over half of the respondents (53%) were not aware of what happens to the District's recycled waste (41% disagreed + 12% strongly disagreed = 53%), and almost a third of the respondents (30%) do not understand what happens to waste that is not recycled (26% disagreed + 4% strongly disagreed = 30%). Furthermore, almost a fifth of respondents (19%) do not know how the general waste recycling process works (17% disagreed + 2% strongly disagreed = 19%). The informative and detailed video was created by the Communications Team to address these issues. If the Council can increase the views of this educational video, then more residents will understand the recycling process, how it works and why it is so important, which will lead to an increase in recycling knowledge, encouraging a culture of recycling across the District. This will lead to a net increase in recycling correctly and will bring contamination rates down.

With regards to where residents typically obtain information on recycling (could choose more than one option), an overwhelming 82% of residents use the bin calendars delivered to households. As this is the most used channel of communication, it is vital the bin calendar is clear, accessible, easy to read, and available online in the event that a calendar is misplaced. The Council website was second with 38% of residents obtaining information from the online web pages and InTouch was third with 27% of residents using the magazine for information on waste disposal and recycling.

Qualitative results: customer feedback and comments

Below are some noteworthy comments from residents on how the Council can improve on providing and communicating information about waste disposal and recycling across the District:

“Stickers on bins. Stronger social media platforms. It’s how to capture the younger generation. Sessions in schools, litter picking events to educate the younger generation.”

“A label in Bold and Large Print could be put in each bin to remind people what should, and should not, go in that particular bin.”

During this review the Scrutiny Committee considered using stickers on bins however after several discussions with the Director of Strategic Services and Streetscene, it was conclusive that this would not be a realistic or beneficial strategy due to logistics and the frequent change and updates to what can and cannot be put in each bin. This idea was attempted in the past however the stickers became damaged on the bins and became untidy and confusing. Nonetheless, the Committee agree that it is important to “capture the younger generation” especially in Schools which is covered on page 20-22 and why recommendations 1.2, 1.3, 1.4 and 1.5 are pertinent.

“Sometimes not very sure about burgundy bin items. I follow info on packaging.”

“I found the ‘Items you can put in your Burgundy Bin’ (and can’t !) leaflet that was issued a little while ago most useful. I wasn’t sure about toothpaste tubes for instance. Perhaps a “reminder” leaflet every so often wouldn’t be amiss?”

The Committee agrees that it is important to provide reminders to residents for what they can and cannot recycle, however, to adhere to budgets it would be more beneficial to utilise services such as InTouch for frequent reminders of how to use bins correctly. This is mentioned on pages 18-19 and covered in recommendation 1.1. It is clear that there is most confusion around the burgundy bins so a frequent reminder in InTouch of what can be recycled is a key scrutiny recommendation.

“My collection calendar for this year blew out of the bin before we even saw it. We did not know what the collection service was over Christmas and when I tried to check on the website the details would not upload”.

It is essential that if residents lose or misplace their bin calendars that are delivered to them that they can find a quick and easy solution to replace it. Ideally there should be

a quick replacement of the calendar online in the form of a PDF that residents can access if they need to.

“A simple phone application that could contain the most important information, such as phone numbers to the police, ambulance, information about bins collection, etc.”

“Improve your website to be better phone app friendly.”

The committee have considered the development of a phone application which is discussed further on pages 26-29.

“More education about what can be recycled, for those people that are not sure.”

“An explanatory leaflet about exactly what happens to everything would be useful. I don't know why we can now put papers in the burgundy bin main compartment when they were separated before. I am not always certain which plastics are ok in the burgundy bin.”

“As already mentioned, plastics are the usual 'doubt' items when it comes to the burgundy / black decision.”

It is clear that waste recycling education needs to be improved in Bolsover. Residents need to be regularly reminded about the correct ways to recycle and correct ways to use the coloured bins through the Council's channels of communication. Furthermore, if more Bolsover residents had watched the educational waste disposal video developed by the Communications Team, there would be less confusion, therefore wider use, and promotion of this video by the Recycling Education Officer will be necessary.

Issues with current waste disposal education on the Council website, recent updates, and accessibility regulations

The current advice and guidance provided to residents in Bolsover through the various channels of communication that the Council employs is useful and detailed. However, there are some areas that require improvement and alteration; it is important to note that during the course of this scrutiny review some action towards these improvements has already been taken due to points being raised during informal meetings and latent issues being acted on.

Access to a digital bin calendar online and recent website updates

A copy of the detailed bin calendar and information leaflet that is provided by the Council and delivered to each household is not available on the Council's website. Instead, is the Self-Service tool where residents can check their bin day using their postcode. Though the Self-Service tool is moderately useful for obtaining basic information as to what days residents should leave bins out, until February 2024 there was no public access to a full bin calendar online.

This created issues for residents who had lost their calendar provided to them (for example, accidentally dropping it in the bin or by throwing it away before realising

what it was). The advice regarding Green Bins on the council website instructed residents to “*please refer to the bin calendar that was delivered to your household in November for your scheduled bin collections*”. If the resident no longer had the printed calendar provided, there was no digital copy available online.

The Customer Services Scrutiny Committee believed a PDF of the bin calendar that is provided to all households should be uploaded to the website to be opened and accessed by any resident via an internet device. In the case of a resident misplacing their bin calendar and not having access to the weekly rotas and bin guidance, they should be able to go online either by a PC, smartphone, or tablet, and open the PDF to get a second copy easily which they can either print off, screenshot, or keep open in a tab etc. The Communications Team explained that this would be difficult due to the accessibility statutory requirements from the government, however, this was still an issue that needed addressing and a solution needed to be found.

Since the beginning of this scrutiny review there has been some updates to the Council website. In February 2024 the Communications Team uploaded accessible, easy to read, interactive calendars for bin collection rotas to the website on the named bin web pages. According to the Communications Team these calendars adhere to the statutory requirements for accessibility of information on local government websites. Furthermore, additional information on what can and cannot be recycled in the burgundy bin was also uploaded to the burgundy bin page below these new interactive bin calendars including an extensive bullet point list that is clear and easy to read. It is important to acknowledge the chronology of events as the issue of access to online bin calendars was addressed before the end of this scrutiny review which furthermore raised the matter of the 2018 *Public Sector Bodies Accessibility Regulations* (see pages 32-35 for further details).

One of the comments left by a resident in the February Citizens’ Panel Survey was feedback on the new updates to the Council website:

“I note that you have recently changed how I can find out which bin is being collected each week. I like the list of towns/villages for each calendar, but it would be far easier and clearer, as far as I am concerned, if the calendar which was given to us was reproduced on the website rather than using a different layout.”

Though these website updates have improved access to bin calendars digitally, there is still no PDF copy of the bin calendar information booklet that is delivered to households for residents to open online and download, screenshot, or make a hard copy of if they wish to, to replace their misplaced copy. Due to *The Public Sector Bodies Accessibility Regulations (2018)*, the current glossy bin calendar that is sent to households is not able to be uploaded to the Bolsover website as a PDF. Therefore, the glossy bin calendar that is distributed to households needs to be redesigned for the next municipal year to adhere to the government’s statutory requirements for accessibility so that it can be uploaded to the Bolsover website to be accessed easily by residents.

The Public Sector Bodies Accessibility Regulations (2018)

As this scrutiny review has developed, there have been several instances where the committee have discussed with the Communications Team various ways the waste disposal education and information available to residents on the Council website could

be improved. Ideas such as uploading more colour, pictures, documents, and engaging images to the website have been frequently suggested, however the issue of accessibility and the 2018 statutory requirements continued to be a recurring topic of debate, very relevant to this review. Therefore, it is important to acknowledge what these regulations are to provide some contextual clarification on what the committee are able to put forward as reasonable and pragmatic scrutiny recommendations, to make the Council website more interesting for service users.

On 23 September 2018, new accessibility regulations were established for public sector bodies. The new regulations state that public sector bodies such as local council authorities must make websites and mobile apps publicly accessible by ensuring websites are 'perceivable, operable, understandable and robust'. The UK accessibility legislation states public sector bodies must comply with the accessibility requirements; councils must include and update an accessibility statement on their website. Bolsover's Accessibility Statement declares:

- *Bolsover District Council is committed to making its website accessible, in accordance with the Public Sector Bodies Accessibility Regulations 2018.*

Making a website or mobile app accessible means making sure it can be used by as many people as possible. This includes those with:

- Impaired vision
- Motor difficulties
- Cognitive impairments or learning disabilities
- Deafness or impaired hearing

At least 1 in 5 people in the UK have a long-term illness, impairment, or disability. Many more have a temporary disability. Accessibility essentially means making online content clear and simple enough so that people can use it without needing to adapt it, while supporting those who do need to adapt things.

For example, someone with impaired vision might use a screen reader (software that lets a user navigate a website and 'read out' the content), braille display or screen magnifier. Or someone with motor difficulties might use a special mouse, speech recognition software or on-screen keyboard emulator. If council services do not meet these standards, they may be breaking the law.

If the impact of fully meeting the requirements is too much for an organisation to reasonably cope with, this may be what the accessibility regulations call a 'disproportionate burden'. This ensures that accessibility regulations are reasonable and achievable without becoming too much a burden to councils. If an organisation wanted to declare that making particular content accessible is a disproportionate burden, they are legally required to carry out an assessment.

A disproportionate burden assessment should weigh up the burden that making those things accessible places on the organisation and the benefits of making those things accessible. Councils can claim that it is not reasonable to make certain things accessible because it is a disproportionate burden. However, councils are less likely to be able to claim disproportionate burden for services that enable people to participate in society. This includes rights such as registering to vote, finding a job, or learning about how to recycle and dispose of waste correctly. It is possible for Bolsover to get around the statutory restrictions on uploading 'accessible' documents by

justifying that limiting content is a disproportionate burden. However, as recycling and disposal of waste is something that 'enable[s] people to participate in society' the Council cannot claim a disproportionate burden in this case.

Nonetheless, though it is important to acknowledge the statutory accessibility regulations, there is a key balance between one extreme of the scale of what is considered accessible and what is not. For example, a balance between a website being completely stripped of all colours, images, and diagrams to safely conform to regulations, compared to a website covered in complicated content that is completely inaccessible for someone with impaired vision who might use a screen reader.

Considering that this issue may be relevant again in future scrutiny reviews, some training on accessibility regulations and website content would be useful for both Councillors and Officers.

Further recent updates to the burgundy bin page

The Council must find the correct balance between these two extremes so that no laws are being broken and the statutory regulations are followed, but also so that residents are kept engaged and interested in the content of the website to encourage them to find the relevant information they need. The Council's website is currently working within the regulations of the statutory requirements. At the beginning of this review the website was arguably at one extreme side of the scale as there were no helpful and engaging pictures or diagrams to make the information more interesting to read. The website was quite unengaging and unrelieved. However, since the beginning of this review some action towards these improvements has already been taken due to points being raised during informal meetings with the Communications Team.

Issue 62 of InTouch (October 2023) featured an excellent cartoon diagram of the burgundy bin which depicted what should and should not be recycled by Bolsover residents. This diagram had colour, images, and easy to understand information. This educational resource was interesting, engaging, and very useful. The scrutiny committee believed the diagram would be perfectly suitable to feature on the Bolsover website to provide some more vibrant and eye-catching educational content for residents looking to find out information on how to recycle using their burgundy bin. Scrutiny recommendation 1.6 in this report is that the Council should upload an accessible image of the burgundy bin diagram (featured in the October 2023 Issue 62 of InTouch) to the website and makes better use of the diagram in public spaces and across the Council's channels of communication as well as through Parish Council communication channels.

However, like the updates to the online bin calendars, the Communications Team have already acted on these improvements. In March (2024) the Team updated the website to include an interactive page showing what can be put into the burgundy bin. The Team has essentially improved the burgundy bin diagram to adhere to accessibility regulations (e.g., made text easier to read) and has uploaded it to the burgundy bin page. This has made a significant difference to the visual aesthetic of the website page, adding engaging and sensory colour, educational images, and easy to understand clear and concise information. Therefore, recommendation 1.6 is also almost already achieved.

The current reach of communications services for waste disposal education and statistics of channels used

Bolsover Council Website

The Council website is a frequently accessed resource for residents trying to find out information regarding waste disposal and bin information. Below are the statistics of the hits to the different pages on the Council website between 2022 and 2023:

- Burgundy bins – 297,269
- Black Bins – 35,995
- Green bins – 52,308
- Assisted bins – 244,127
- Household Recycling Sites -18,111

The Burgundy bin page has nearly six times more hits than the hits for the green bin page or the black bin page. Therefore, it is evident that there is a lot more interest as to what goes in the burgundy bin as people are trying to find out more information about it. However, on a positive note this also shows that residents are interested in recycling correctly and are attempting to look for the relevant information.

The burgundy bin page was visited by residents over a quarter of a million times. Considering the population of Bolsover being only 80,475 (October 2023), the website has extremely high frequencies of interest. Therefore, this shows that residents are clearly trying to find more information on how they should be using their bins correctly and effectively.

Between 2022-2023, the website had a combined total of 647,810 hits across the various named web pages for waste disposal information. This figure is higher than the participation data for any other channel of communication that the Council employs. Furthermore, the high frequency of hits to the website is supplementary evidence that residents easily lose, misplace, or throw away their bin calendars, resulting in residents needing to find out waste disposal information by some other means. As the website is the most frequently used method of communication this has been a major focus of scrutinization with regards to waste disposal education for the Council.

The website is one of the most important channels that the Council has at its disposal for public communication so it must have the clearest and most useful information that the Council can offer. Therefore, the recently added waste disposal information added to the burgundy bin page in February and March (2024) which has made a great improvement to the Council website, will hopefully have a positive effect on residents accessing the website to obtain waste disposal information.

Social Media

Social media is used on average a lot less than the Council website by residents. The hits on average per post are:

- X – 150 (2022-23)
- Instagram – 200 (2022-23)
- LinkedIn – 20 (2023-2024)

The number of followers (2024) for each channel are:

- X – 7026
- Instagram – 1178
- LinkedIn – 1654

Social media is clearly not the most popular channel of communication that the council utilises. This method of communication has a maximum average of only 200 hits per post out of a population of over 80,000 people (October 2023). This may be due to 20% of Bolsover residents being aged 65+ and not having use of/interest in social media, as well as 17% of Bolsover residents being aged 15 and below with little or no interest in council services and waste disposal.

InTouch

InTouch magazine is one of the most far-reaching channels of communication that the Council has at its disposal for waste disposal education. The residents' magazine is delivered to every household across Bolsover District four times a year usually in January, April, July, and October. It is delivered to approximately 40,000 households (the Communications Team estimates a 95% delivery success rate). Some residents may not have access/willingness to use the internet to access the Council website, BTV, and social media platforms. However, every household receives an issue of InTouch, therefore this is one of the Council's strongest methods of communication with residents and must be utilised as effectively as possible.

In 2023 InTouch cost a total of £30,161.28 (4 issues per year), compared to the bin calendar/guide booklets which cost approximately £4,500 per annum for design, production, and delivery (per household per year). Therefore, InTouch is considerably more expensive to produce on a yearly basis. However, the magazine is usually around 16 pages long and contains multiple local news stories and educational articles and so serves as a multi-purpose communication channel, whereas the bin calendars only serve one function.

Bolsover TV

BTV receives 1,500 to 2,000 views per episode/video across all the platforms currently used by Bolsover Council. BTV produced a useful video providing guidance on what waste should be put into burgundy bins and follows the journey of recyclable material from supermarket shelf to recycling plant. However, this video currently has less than 1000 views so has not made a significant impact to the District yet. Nevertheless, with the action of the Recycling Education Officer sharing the video to young people in schools and youth groups as well as through other community events and public opportunities, it will hopefully begin to have more of a net impact on the District as more people view it and receive the detailed information and guidance.

The Communications Team also manage digital adverts. Bolsover Council uses the town centre screens and screens in the contact centres to advertise recycling messages, however this is not frequent or utilised to full potential with regards to waste disposal education. There are four electronic bulletin boards in the main market towns across Bolsover District, these include: Clowne, Bolsover, South Normanton, and Shirebrook. These Bulletin boards can be used to promote recycling education to residents. As the bulletin boards have a fast rotation speed it would not be practical to try to promote detailed advice and guidance such as long paragraphs of text, however

the bulletin boards could feature educational images such as the burgundy bin diagram and encouraging recycling slogans.

E-Newsletters

The Council has an E-Newsletter service where residents can subscribe to weekly topics such as *News and Events* (3,948 subscribers), *Environment* (2,811 subscribers), and *Waste and Recycling* which has over 3000+ subscribers. There are also currently 1334 people signed up to the weekly bin reminder email service which sends residents electronic bin reminders for waste collection days. If residents subscribe to the *Waste and Recycling* E-Newsletter they should also receive updates, information, news, and recycling education relating to waste disposal. Ideally these should be sent weekly, but at a minimum they should be sent to residents monthly. However, this service is currently not being utilised at all – it is the responsibility of the Recycling Education Officer to provide the Communications Team with regular waste disposal advice, guidance, and education. There are currently over 3000 residents subscribed to this service who are not receiving any recycling information or waste disposal advice or guidance at all. This service must be utilised more effectively, and the Recycling Education must start sending the communications Team regular content for them to send out in the E-Newsletter subscription service.

Recycling guides and bin calendars

The bin calendars and waste disposal guides are delivered to every household in the District; 40,000 calendars are delivered once per year. There is a QR code at the bottom of the calendar which links directly to the educational waste disposal video. Some residents may not have access/willingness to use the internet to access the council website, BTV, and social media platforms, however, every household receives a recycling calendar/guidance leaflet therefore it is crucial the guide is clear, concise, accessible, and useful to residents. As previously mentioned, the bin calendar/guidance leaflet should be uploaded to the Council Website in PDF format so that residents can easily access a replacement copy. The bin calendar will need to be redesigned to meet Accessibility Regulations standards.

Potential Benchmarking: A Bolsover District Council 'App'

Why consider an 'app'?

Since 2020, Bolsover has been in the bottom 30% of local authorities in the national Recycling League Tables for the percentage of household waste sent to reuse, recycling, or composting. Nearly all of the higher-ranking authorities in England in the top 10 of these league tables have a council app to communicate to residents and educate them on key issues. This is potentially an extremely useful educational tool that Bolsover Council could utilise in multiple ways for numerous departments and strategies.

The Council should Consider the development of an app as a long-term investment for Bolsover District. This can be modelled on systems used by higher ranking authorities through benchmarking and comparing business processes and performance metrics such as East Devon District Council. East Devon's app also connects to an *Alexa* portal where customers are able to ask *Alexa* questions such as '...when is my next recycling collection?', '...how do I recycle my leftover food?' and '...what can I recycle?'. If Bolsover District had an app, all of the information that

the Council has relating to waste disposal across the various methods of communication (i.e., the website, the printed recycling guide/bin calendars, the information and articles issued in InTouch, educational videos made by the Communications Team, relevant features from Bolsover TV, social media posts etc.) could all be accessed in one place on an application on Bolsover residents' smart phones.

According to recent surveys on Statista.com: *“the number of smartphone users in the United Kingdom was forecast to continuously increase between 2024 and 2029 by in total 2.6 million users (+4.34 percent). After the ninth consecutive increasing year, the smartphone user base is estimated to reach 62.53 million users and therefore a new peak in 2029”*. Considering the UK population is currently approximately 67 million people, and the smartphone user base is estimated to reach approximately 62 million people in the UK within the next 5 years, it is safe to assume that the majority of residents in Bolsover will own a smart phone and know how to use it between now and 2030 (a key date to consider regarding the Council's Carbon Reduction Plan goals). Therefore, the consideration of the development of a council app to be used by residents is a relevant and important path to consider for the future of the Council.

Council app: uses and functions (waste disposal)

From a waste disposal education perspective, a council app could be used for multiple functions. For example, sending out bin reminders to residents for collection days; posting information about changes to bin collections e.g., changes to schedules during the Christmas period; providing advice and information on what items can and cannot be recycled; and providing advice and information on what items should go in each bin and why. An app could also be used to provide an image of the burgundy bin diagram, and to provide educational information on the recycling process, explaining how and why waste gets recycled and disposed of in Bolsover District and the importance of recycling waste correctly.

The Council could use an app as a streaming platform to view any educational videos made by BTV, located in one easy to find accessible place; the Council could use an app to promote recycling and local environmental campaigns. An app could include the *self-service* search tool that is featured on the Council website so that residents can search for their own postcode and find information specific to them (e.g., collection days etc.).

Furthermore, an app could feature a search tool where residents could search for a certain item to throw away and it tells them which bin they can put it in. For example, there is a common misunderstanding of items like soft plastics and crisp packets that people think cannot be recycled, a resident could search 'crisps' and the search tool would say a crisp packet can go in the burgundy bin but any food waste i.e., the crisps can be recycled in the food caddy or green bin. This could be a far-reaching platform to promote and achieve the Council's Net Zero targets set out in the *Council's Carbon Reduction Plan* through waste disposal education.

Council app: uses and functions (council wide perspective)

If the Council developed an app, it could be used for sharing and delivering a wide range of services, with multi departmental functions. The development of an app would go further than this customer services scrutiny review on waste disposal education. Future scrutiny reviews and council strategies could also benefit from the Council

having a public app as a communication channel and local news platform. Other departments and committees could use a public app to share information on their relevant work such as Housing, Revenues and Benefits, and Electoral Services.

Other council communications services could also benefit from a Bolsover Council app. Issues of InTouch could also be uploaded in a reading format to open in an app through a phone or a tablet. This would expand the reach of the magazine to younger people who don't typically read magazines that come through the mail, or teenagers who wouldn't typically read a magazine for their household that they assume is intended for their parents. PDFs of InTouch already exist on the BDC website so this would not be a difficult transition to also upload the magazine issues to an app. Issues of accessibility are already answered by the fact that the Council already features these issues on the website.

BTV would greatly benefit from a Council app which could be an easily accessible platform to expand the viewership of the Council's most consistent and regular communications service. Each episode only receives approximately 1500-2000 views, which compared to Bolsover District's population of over 80,000 people, is only around 0.025% of residents. However, a public app could be an easily accessible place that residents (especially younger residents) can watch BTV on their tablet or smart phone. Residents could receive an update on their phone that a new episode is available, and they can watch it immediately in their hand whether they are on the bus, out at the gym, or sat in the park, rather than having to put the effort into typing Bolsover TV into a search engine on a computer, find the correct page, open it up and then sit and watch it. This would exponentially increase the reach of BTV's viewership and could improve the performance of the Council's communications and public education towards important local news and issues.

The development of an app by the Council would be a long-term investment in the modernisation and general development of Bolsover District from a 'bigger picture' perspective. For reference consider the transition from paper systems to computer systems during the 1990s, where there may have been resistance and opposition at first to the world becoming digital however society has proven that it is able to adapt and move forward with technological competency. A Bolsover District app could benefit the Council in numerous ways across multiple departments and committees. Investigation into the possibility of an app is a way that the Customer Services Scrutiny Committee can look towards the future of the Council. The fact that the top-ranking authorities already use apps as a channel and platform for district wide communication and education is evidence that Bolsover may soon have to do the same to avoid getting left behind. This could be an opportunity for Bolsover Council to become an exemplar local authority in communications and customer service.

Council app: potential opposing questions and answers

A technological step forward as radical as an app will receive concerns. It is important to recognise that an app would not replace the paper methods of communication (InTouch, Bin calendars etc) which could lead to excluding certain age groups that may not wish to engage with an app or residents who do not have access to the internet or a smartphone/tablet. Instead, an app would ideally expand the attention of interest to include and consider the younger generation. With regards to budget, the Section 151 Officer briefly considered the potential cost and scope of a project on this scale and acknowledged that after deeper and more thorough research and with the

approval and support of Council Members and the Executive, the Council could potentially afford the investment of a council app in the next municipal year. This would however be considered over a longer time scale of approximately 5 years.

Council app: reality, logistics and conclusions

Bolsover District Council does not currently have the capacity to build and run a successful app right now based on the ICT systems the Council is currently running. There are currently multiple systems the Council uses that will not work if channelled through one application. This will mean that for certain services an app will only be able to provide a link to the website, which will make an app redundant. For example, the Customer Services team uses Granicus CRM and integrates with another department for forms relating to waste collection and bin disposal, therefore this system does not have an interface to an app right now. Council tax is also operated by a different company/system so this would also need a separate app system or link to the website, making the app redundant.

Customers will need a reward to download an app, therefore it must feature multiple services and functions, not just for waste disposal but for all aspects of the council. Currently the Council does not have the capacity to provide users with this service/reward. However, the consideration of an app could still be a possibility for the Council in the future as a long-term goal when there are more capable system updates available; the Council should research how other councils run their app systems. One approach could be to ask residents in a survey or a focus group: 'If there was an app, would you download and use it?'. A recommendation for an app relating to this scrutiny review will not be for the Council to start developing an app, but for the Council to consider the possibility of an app over the course of the next several years.

The importance of improving waste disposal advice and education

The knock-on effect to the improvement of waste disposal education will lead to improved knowledge of waste disposal and recycling among residents, which will bring down contamination levels, improve rates of recycling between individual households, and will ultimately improve Bolsover's net rate of recycling. Furthermore, this will contribute towards the Council's Net Zero Target of "Reducing [Bolsover's] carbon footprint whilst supporting and encouraging residents and businesses to do the same" by reducing the Districts carbon emissions through less waste sent to land fill.

Recommendations:

That the Council uploads an accessible image of the burgundy bin diagram (as featured in the October 2023 Issue 62 of InTouch) to the Council's website and makes better use of the diagram in public spaces and across the Council's channels of communication as well as through parish council communication channels (i.e., parish notice boards and magazines).

That the Council publishes educational recycling information, e.g., the accessible burgundy bin poster, across the District on the electronic bulletin boards in the four main market towns.

That the Council publishes regular waste disposal education through the weekly E-Newsletter service for residents.

That the Council redesigns the bin calendar/recycling guide booklet and uploads an accessible PDF of the calendar on the Council's website.

That the Council considers the development of an 'app' as a long-term investment, modelled on systems used by the top performing waste authorities (detailed in Appendix 3 of the report) through benchmarking and comparing business processes and performance metrics.

5.3 Assess current levels of performance and action taken to ensure this is controlled within expected limits

Current waste disposal system

The Council currently operates a three-bin system. Residual waste is predominantly sent for incineration, the green bin can be used for food waste (which has proved unpopular with residents due to perception of increased risk of flies) and the burgundy bin can be used for an extensive range of recyclable material which goes beyond the minimum core material requirement placed on councils. On a typical collection day there are 12 wagons and 36 refuse operatives at work. The Council collects over 2.9 million bins every year.

Rates of recycling in Bolsover District

In 2020/21 Bolsover District Council ranked 241 out of 338 authorities nationally on the Recycling League Tables, for the Percentage of household waste sent for reuse, recycling or composting across the District. This put Bolsover in the bottom 28.7% of local authorities with only 36% of household waste being sent for reuse, recycling, or composting. In 2021/22 Bolsover District Council ranked 215 out of 333 authorities putting Bolsover in the bottom 35.44% of authorities, and recycling rates in Bolsover increased by 2.5%, with a total of 38.5% of Household waste sent for reuse, recycling, or composting. However, this progress was lost in 2022\23 with recycling rates decreasing by 2.5%; 1,969 tonnes of recyclable and compostable materials were collected, therefore, Bolsover District Council is now back to a recycling and composting rate of 36%, the same rate as 2020/21. Bolsover has therefore made no progress in recycling and composting rates in the last 4 years.

There are several reasons behind the lack of improvement in contamination rates in Bolsover. Pre-COVID recycling rates in Bolsover were approximately 41%, however, during the COVID-19 Pandemic the Burgundy bin service suffered from issues with the refuse contractor which resulted in the service being brought back under the control of the Council. Other social side effects of the pandemic affected recycling rates such as people spending more time at home and producing more household waste on a regular basis. This is why rates dropped to around 36% during this time. Though performance picked up in the 2021\22 period to 38.5%, rates the following summer were affected by the extended drought period which saw garden waste collection drop significantly. This caused the overall rate to drop back to 36%. This is an ongoing issue as the weather will impact levels of growth and therefore green waste is created. Furthermore, performance was negatively affected by Ward Recycling going bankrupt, however since the Council has moved waste collections in-house performance has raised back to 40.30%.

Several environmental and economic factors affect the combined recycling rate. For example, hot summers or cold springs lead to extended periods impacting the levels of garden waste that is collected. Other factors include periods of economic downturn (i.e., cost of living crisis), the impact on household disposable income which then has an impact on produce purchases and recyclable packaging waste.

The Council’s recycling performance is achieved by two key areas. Firstly, through mixed dry recycling (MDR) from burgundy bin collections which (excluding the COVID-19 period) has remained relatively static over the past several years contributing approximately 21% performance. Secondly, through organic (garden/food) waste from green bin collections which contributes between 20% to 23%. However, this can fluctuate depending on seasonal conditions such as extended cold periods and/or hot drought periods throughout summer which reduces vegetative growth, impacting the combined recycling performance.

Residual waste composition and national food waste collections by 2026

Some initial preparatory work has been undertaken to understand the Council’s residual waste composition which consists of 26.42% putrescible (organic) waste and 18.40% mixed dry recyclables. Together this represents a combined 44.86% potential diversion for composting/recycling equivalent to 9,462 tonnes. This provides a stepped change opportunity to increase Bolsover’s combined recycling rate from 38.53% (2021/22 baseline) to 66% (approximately). This is illustrated in the table below:

Waste Diversion Potential (tonnes)	Baseline	9,462 tonnes					
	2021/ 22	50%	60%	70%	80%	90%	100%
Waste sent for recycling/composting	13,235	17,966	18,912	19,859	20,804	21,751	22,697
Total Waste Collected	34,347	34,347	34,347	34,347	34,347	34,347	34,347
Potential % Combined recycling rate increase	38.53	52.31	55.06	57.82	60.57	63.33	66.08

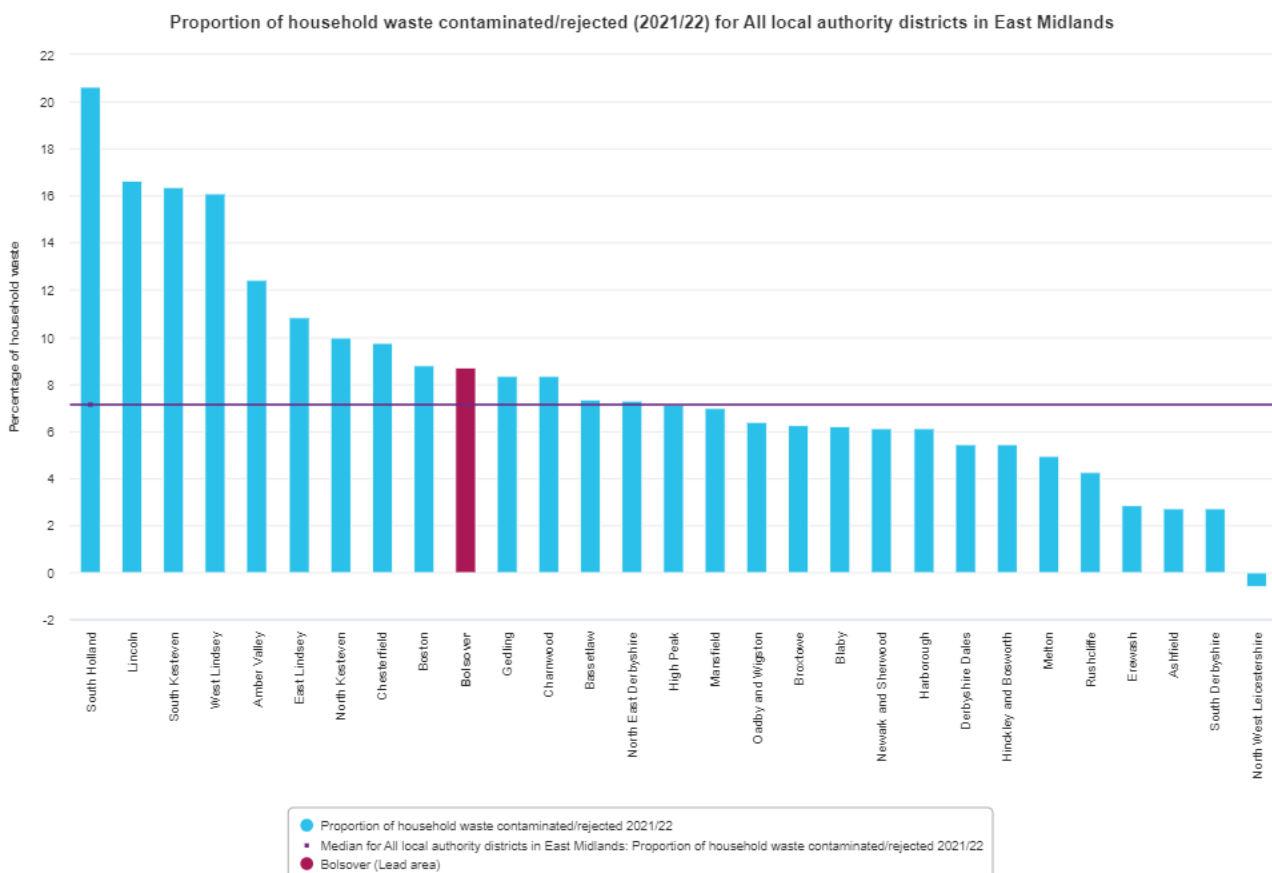
Following Brexit, the Government decided to repeal the EU-derived waste collection requirements and introduce improved and simplified requirements through the *Environment Act* (2021). As a part of this act waste collection authorities will be required to introduce weekly food waste collections to all households in England, including flats, by 31 March 2026. Councils will have to collect food waste separately. The government will provide local authorities with New Burdens funding to meet agreed reasonable new burdens arising from this policy, including up-front transition costs and ongoing operational costs. Central government will be working with waste collection authorities to allocate funding to local authorities to implement separate food waste collections. However, at the time of writing this report, capital New Burden funding has fallen short of the Council’s expectations.

From analysis of residual waste, around 48% is either organic food waste or dry recyclables that could be put in the red or green bins. If all of this waste could be diverted, it would drive Bolsover’s combined recycling rate to 66% which will greatly assist the Council in meeting the government target of target of 65% combined recycling rate by 2035. This is a key issue that the council will have to consider moving forward with waste management. This also coincides with the Council’s ambition for 2024-2028 to plan for the future.

Residents will be informed in the months before the new statutory duty is introduced via the Council’s usual media channels. As the requirements have been pushed back from 2025 to 2026 there is not yet an implementation plan in place. However, the Strategic Director of Services has suggested that the Council will begin promoting the new regulations around autumn 2025 across the various communication channels such as leaflets, the website, electronic bulletin boards, social media, and E-Letters, and more detailed information about the new regulations will be distributed circa January 2026. This information will be delivered alongside the bin calendars inside the new food waste bins by the refuse workers on a separate information pack. Similar information will also likely feature in InTouch magazine and Bolsover TV.

Household recycling waste contamination

Contamination is the action of polluting a waste stream with anything that shouldn't be there. This includes general waste items going into a recycling bin (placing a glass bottle into a mixed paper recycling bin for example), or when materials are not properly cleaned, such as when food residue remains on a plastic yogurt container. The chart below shows the estimated amount of household recycling that is rejected, as a percentage of all waste intended to be recycled. Waste intended to be recycled is the sum of household waste sent for recycling plus estimated rejects. Household estimated rejects is calculated from total household waste not sent for recycling minus household waste collected not with the intention for recycling (the difference between total unrecycled waste and waste that was



not intended to be recycled). In 2021/22, the proportion of household waste contaminated/rejected for Bolsover was 8.71%, which was above the median for local authorities in the East Midlands (7.12%).

Furthermore, it is important to acknowledge that contamination comes from more than just food waste and nappies; within the contaminants is small glass fines (like dust) that cannot be separated, as well as fibres from bottles/containers (i.e., labels etc.). Following the Council's decision in March 2021 to start in-sourcing kerbside recycling services for burgundy bins, contamination levels have remained between approximately 15% and 16.5%. This is considered low in comparison to more densely urbanised councils, such as City, Metropolitan, and Borough Councils which can range between 25% and 40% due to the impact of other types of properties and transient communities such as students.

The Council's Waste Collection Policy

To address contamination levels, the Council employs a Recycling Education Officer to undertake education and awareness work in areas of environmental despoilment (littering, dog fouling, fly-tipping) and waste reduction and recycling. The Recycling Education Officer's work involves delivering face to face, doorstep education to raise awareness to residents whose waste collections may have been delayed due to issues of contamination (i.e., incorrect waste in burgundy/green bins). The Recycling Education Officer should also deliver presentations to groups, public events, and Parish Councils (see page 12 for further details). The Recycling Education Officer must continue to deliver these services to continue to educate residents and bring down rates of contamination. These Council services are detailed in the Council's Waste Collection Policy, which also provides the Council's approach towards addressing contamination levels and delivering waste disposal education to households that are causing contamination.

The Waste Collection Policy is a 22-page document which contains detailed information on the Council's waste collection and recycling policies including the Council's service functions, principles, statements of waste classifications and delivery/implementation of policies. These policies cover the Council's approach to advice, guidance, education, and communication towards waste disposal. Section 3.5 (i), 3.17, and 4 (a) of the policy quoted below are critical for the recycling education and awareness of residents to successfully reduce rates of contamination.

Section 3.5 (i)

"The Council will provide advice to householders on reducing/recycling their waste upon request or where issues arise from collection difficulties, e.g. reports of overloaded bins, raised lids or contamination (incorrect placement of waste in 3 coloured bin system) reported by collections teams. Should a householder continue to present residual side waste, the Council may undertake a waste analysis of their presented waste and provide educational advice and guidance."

Section 3.17

“Education, Awareness Raising and Enforcement:

The Council provides a wide range of information to inform residents and households of arrangements for the collection of their waste...The Council believes that building awareness and having an educational approach is important to help residents understand their role in reducing the amount of waste they produce and increase recycling”.

Section 4 (a):

“Communication:

Central to our policy will be the need to change attitudes and behaviour in some members of our community, both residents and businesses. Whilst many people are already committed to recycling and waste reduction, there are still some that see waste as “someone else’s” problem and that their responsibility ends with depositing waste in the bin. The Council will look to engage with the wider community and, in particular, hard to reach members of the community, through education and awareness campaigns to encourage them to improve how they manage and recycle their own waste arisings”.

The Council must follow through with the policies it has published to ensure that public services are being delivered successfully, effectively, and efficiently. If residents continue to contaminate their recycling waste and have already been visited by the Recycling Education Officer, then the Council can refuse to collect the bin. Where wheeled bins are rejected for collection, the Council’s collection operatives will place a ‘bin hanger’ on the residents wheeled bin advising of the reason, explained in section 3.6 of the policy:

Section 3.6

“Bin hangers with tick boxes are used by collection teams to advise residents of a variety of things, including ajar/raised lids which are incorrectly presented. These are only used in cases where residents have not presented bins in line with the Council requirements”.

Where bin hangers still have not worked, section 3.17 of the policy states that the Council can refuse to take a household’s bins:

Section 3.17

“Bin hangers may be used as educational prompts to advise residents of incorrect placement of waste in wheeled bins; rather, than reject a bin for collection. However, after repeated prompts (bin hanger placement) collection teams may reject bins for collection where advice has been ignored.

The Council’s waste collection operatives are empowered to reject collection of residual and recyclable waste wheeled bins if they do not meet the standards, including: ... contamination of recyclable materials (incorrect waste types placed in burgundy or green bins)”.

Cross contamination in recycling bins may result in the whole vehicle’s load being rejected at the material delivery point and the Council incurring costs of up to £200 per tonne. Therefore, the Council may withdraw on a permanent or temporary basis

recycling bins (burgundy\green) from households who fail to meet the Council's requirements to segregate waste into the correct coloured bin. The Council further recognises that when education and awareness initiatives have not achieved their desired outcomes to encourage residents to participate correctly in the Council's waste collection arrangements (in particular, where a residents actions result in environmental despoilment or anti-social behaviour), then the Council may, as a last resort, undertake enforcement activities in accordance with the Council Enforcement Policy.

It is essential that the Council enforces these policies to ensure that contamination rates are reduced, which will save the Council money in decontamination charges and will increase the rate of recycling as residents will be recycling the correct materials. Therefore, the Committee recommends that that the Council reinforces the established policy on refusing the collection of bins from section 3.17 of the Waste Collection Policy and undertakes doorstep education to influence the reduction of contamination in burgundy bins.

The Council's engagement with national campaigns

There are various national campaigns that Bolsover occasionally engages with such as WRAP campaigns. WRAP (Waste & Resources Action Programme) is a British registered charity and NGO that works with businesses, individuals and communities to achieve a circular economy, by helping them reduce waste, develop sustainable products and use resources in an efficient way. The Council engages with some national programmes depending on each campaign and how it is run as it can be difficult to join every campaign as each authority runs processes and waste collection systems differently. Bolsover Council engages with campaigns where and when it can, depending on costs and logistics. For example, The *Food Waste Action Week 2024* took place in March (2024), and the Strategic Director of Services worked with the Communications Team to run publicity to promote the campaign across the District. The Council promoted the campaign on the website and through social media. The campaign aimed to encourage citizens to 'Choose What You'll Use', highlighting the benefits of buying loose fruit and vegetables and inspiring people to do this wherever they can.

Furthermore, during March (2024) several officers at the Council attended a litter pick at Pleasley Vale Business Park on 23 March 2024. The litter pick was part of the *Keep Britain Tidy* initiative: 'The Great British Spring Clean 2024'. 25 people turned up to help out and the team collected around 100 bags of rubbish in just 2.5 hours.

Current waste collection satisfaction levels

According to the Citizens' Panel summary report in May 2023, bin satisfaction rates are very high in Bolsover district:

- Burgundy Bin Satisfaction: Remains high at 93%.
- Green Bin Satisfaction: Remains high at 90%.
- Black Bin Satisfaction: Remains high at 93%.

Regarding rapport with residents and satisfaction levels, InTouch magazine Issue 62 (October 2023) included a short article on bin satisfaction levels and their increase. The article detailed that 92% of those surveyed are satisfied with Bolsover's bin

service – in comparison to the national LGA UK resident satisfaction survey for waste collection which was 81% (11% lower than Bolsover's). According to this article, since Bolsover took over management and collection of the Burgundy bin scheme after the contractor went into administration in 2021, satisfaction levels with the service have increased considerably. Bolsover have received comments such as *“less items falling off the lorry and landing in the street”*, *“earlier and more friendly”*, and *“better staff and no broken glass on the road”*. Therefore, despite contamination levels and recycling rates not being at their ideal targets, customer satisfaction levels in Bolsover district are at the moment very high. It is important customers are satisfied with the waste collection and disposal services that the Council has to offer; if customers believe that the Council are doing a good job, it will encourage residents to put in the extra effort and cooperate with the Council and hopefully recycle properly, which will improve recycling rates, bring down rates of contamination across the District and ultimately reduce the amount of residual waste placed in black bins

Recommendation:

That the Council reinforces the established policy on refusing the collection of bins as detailed in section 3.17 of the Council's Waste Collection Policy, and undertakes doorstep education to influence the reduction of contamination in burgundy bins.

6. Conclusions

The Committee have put together 11 recommendations which will hopefully assist the Council in improving the effectiveness of the Council's approach to waste disposal education.

The key findings arising from the review are:

- That there is most confusion over the burgundy bin and which items are supposed to be recycled and which items cannot be recycled.
- That since the COVID-19 Pandemic, the Council has struggled to regenerate school programmes and has not yet returned to the pre-COVID standards of recycling education for young people.
- That the Council acknowledges the introduction of separate weekly food waste collections from 1st April 2026 will influence the next major stepped change in Bolsover's combined recycling performance, by breaking the 50% barrier to head towards the 2035 target of 65%.
- That it is crucial that the Council considers accessibility of communication services and the statutory requirements with regards to education on Council services that affect all residents so that every service user can benefit from the waste collection services that the Council provides.
- That the Council should look towards the future of Bolsover by considering innovative modern methods of communication to consider ways to engage young people and the future residents of the District.
- That some of the Council's communication services are not being fully utilised due to a lack of educational content being received from the relevant specialist officers.
- That the Council must effectively utilise their current methods of communication to the highest standard with efficiency and coherence to frequently remind residents on the importance of recycling, the correct methods of recycling, and the best practice of how to engage with the Council's waste collection services.

Appendix 1: Stakeholders

Stakeholders engaged during the Review:

- Cllr Anne Clarke – Environment
- Strategic Director of Services
- Director of Governance and Legal Services (Monitoring Officer)
- Communications, Marketing and Design Manager
- Improvement Officer
- Partnership Policy Officer
- Service Director Executive

Stakeholders impacted by the Review:

- Bolsover DC tenants
- Recycling Promoter
- Strategic Director of Services
- Chief Executive Officer
- Partnership Policy Officer

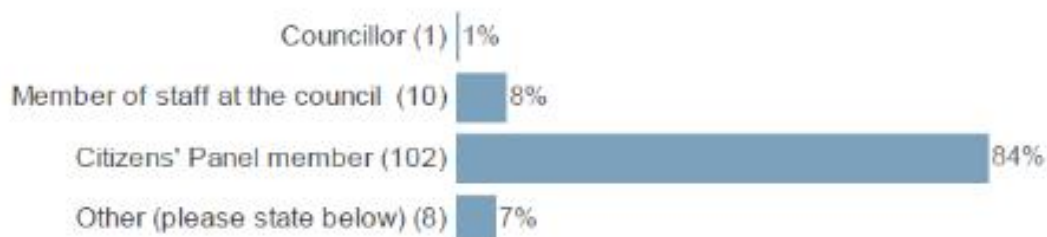
Appendix 2: Citizens' Panel survey on waste disposal education and recycling knowledge - Results

BDC Waste Disposal

This report was generated on 07/03/24. Overall 121 respondents completed this questionnaire. The report has been filtered to show the responses for 'All Respondents'.

The following charts are restricted to the top 12 codes. Lists are restricted to the most recent 100 rows.

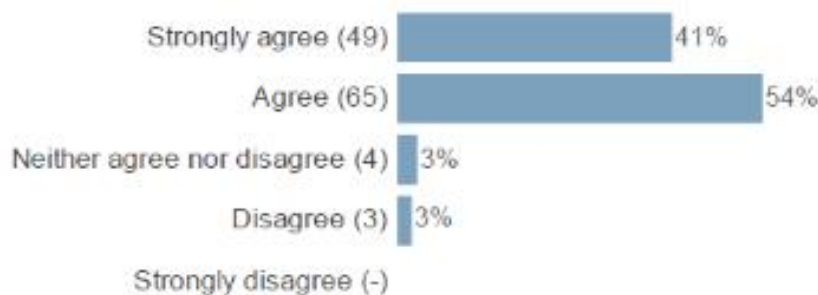
Which of the following best describes your interest in responding to this survey:



Box 1

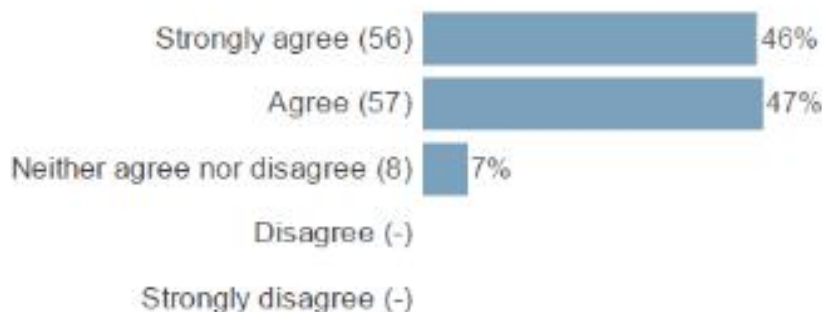
Can't remember	Tibshelf resident
Resident	Member of the public
Council house tenant	Recycling info
PARISH COUNCILLOR	Resident

How strongly do you agree or disagree with the below points... (1. I know what goes in which bin)



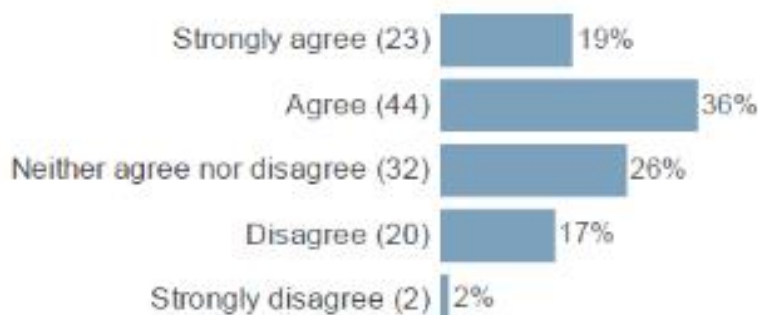
How strongly do you agree or disagree with the below points...
items go in different bins)

(2. I know why different



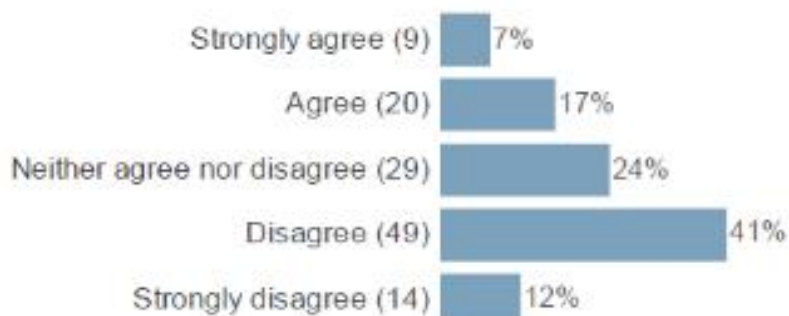
How strongly do you agree or disagree with the below points...
waste recycling process works)

(3. I know how the general

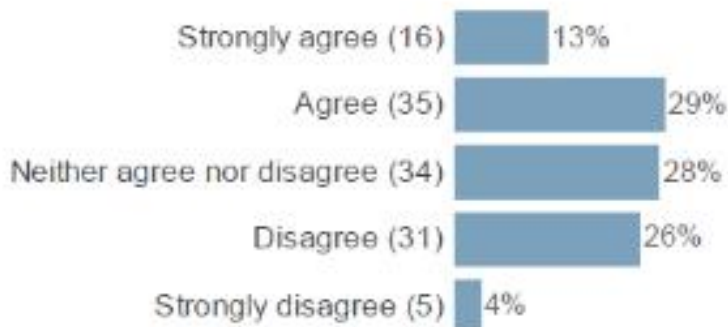


How strongly do you agree or disagree with the below points...
happens to the district's recycled waste)

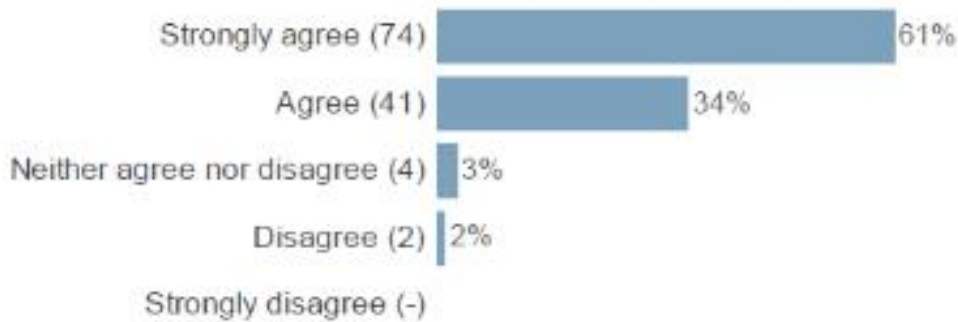
(4. I am aware of what



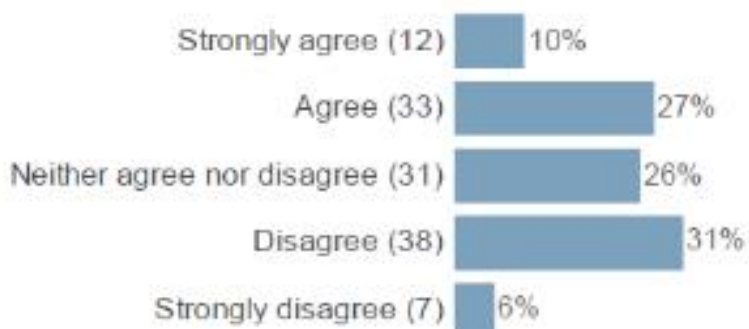
How strongly do you agree or disagree with the below points... (5. I understand what happens to waste that is not recycled)



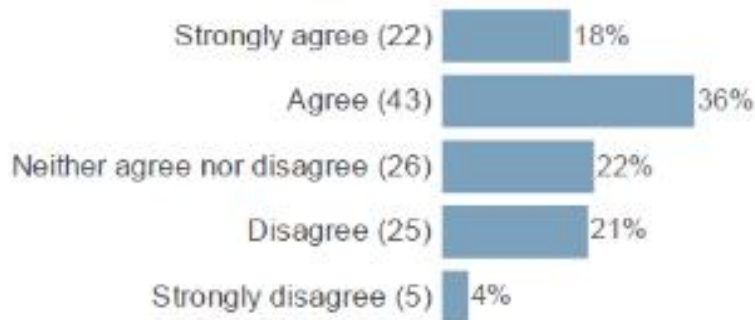
How strongly do you agree or disagree with the below points... (6. I understand why recycling needs to be done)



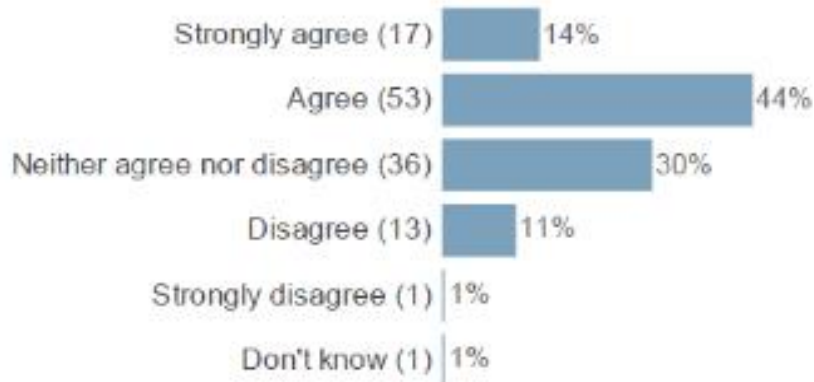
How strongly do you agree or disagree with the below points... (7. I know how food waste is recycled)



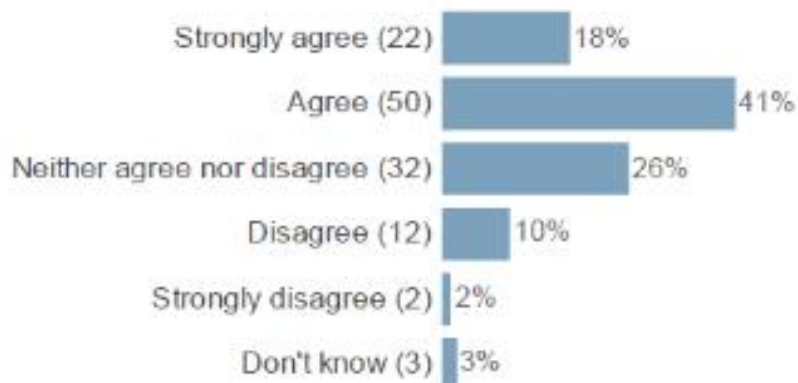
How strongly do you agree or disagree with the below points... (8. I know why food waste is recycled)



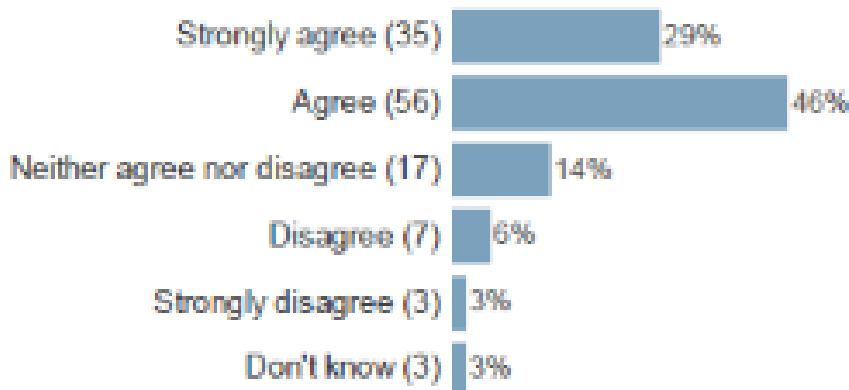
How strongly do you agree or disagree with the following points... (1. I find it easy to access information I need about waste disposal/recycling)



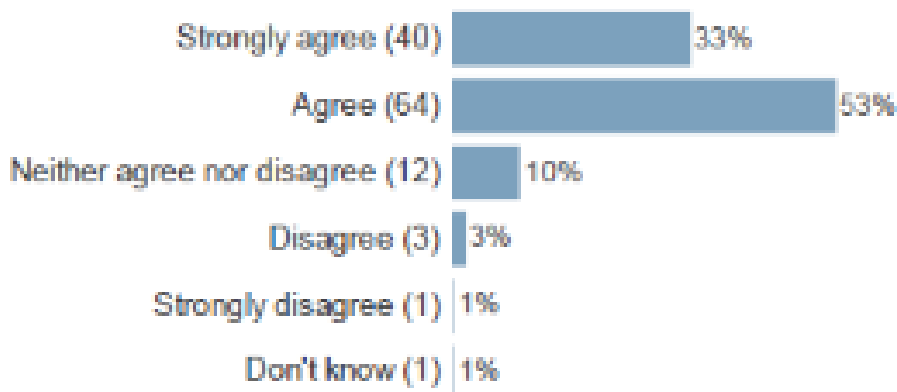
How strongly do you agree or disagree with the following points... (2. The information available to me is clear and easy to understand)



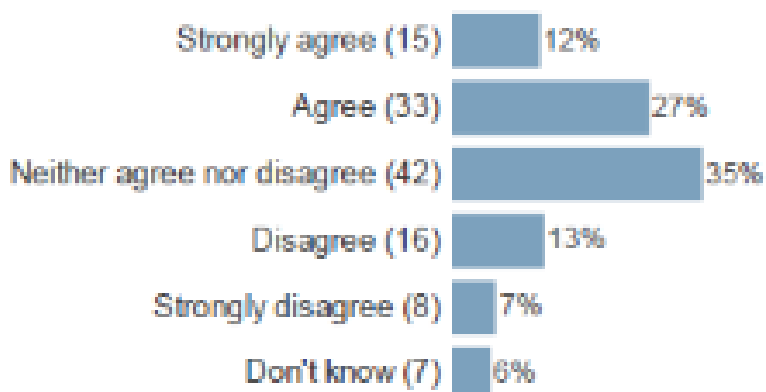
How strongly do you agree or disagree with the following points... (3. It's easy for me to obtain a bin calendar)



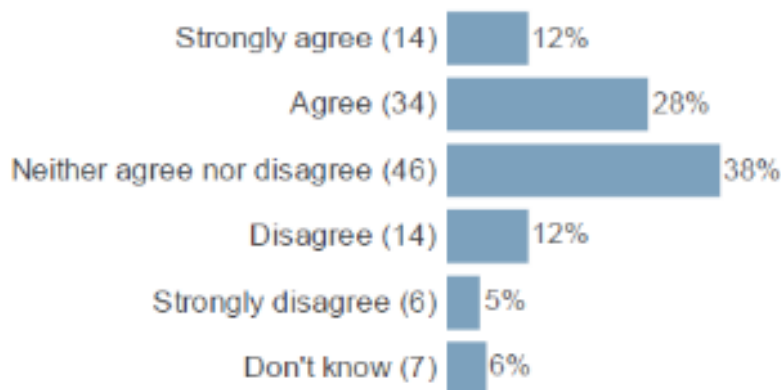
How strongly do you agree or disagree with the following points... (4. It's easy for me to find out about bin collection days)



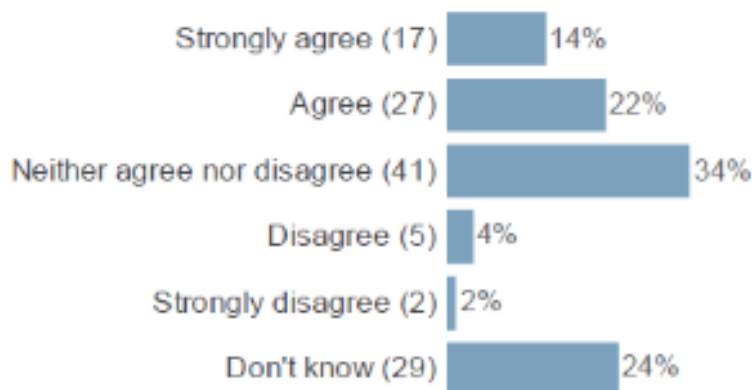
How strongly do you agree or disagree with the following points... (5. The council's website is easy to use when looking for information)



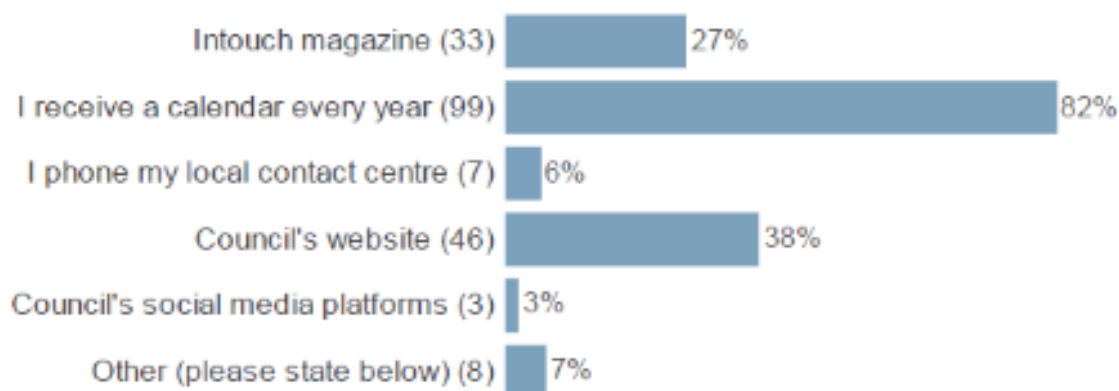
How strongly do you agree or disagree with the following points... (6. The council's communications channels are clear and easy to follow)



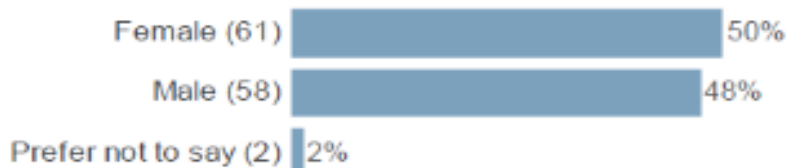
How strongly do you agree or disagree with the following points... (7. I find it easy to book a bulky waste collection)



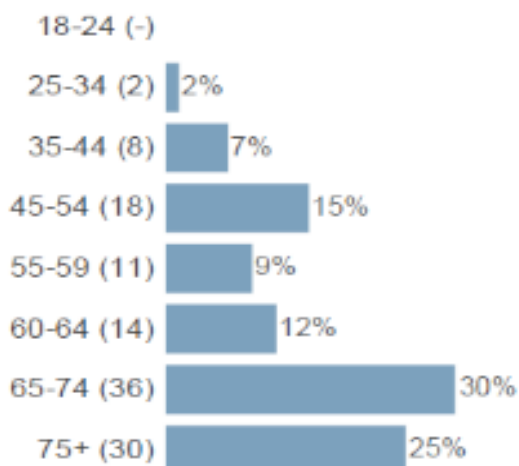
Where do you usually obtain your information on recycling? (More than one option can be selected)



Are you:

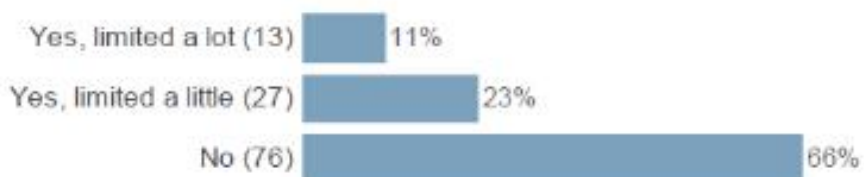


What is your age group?

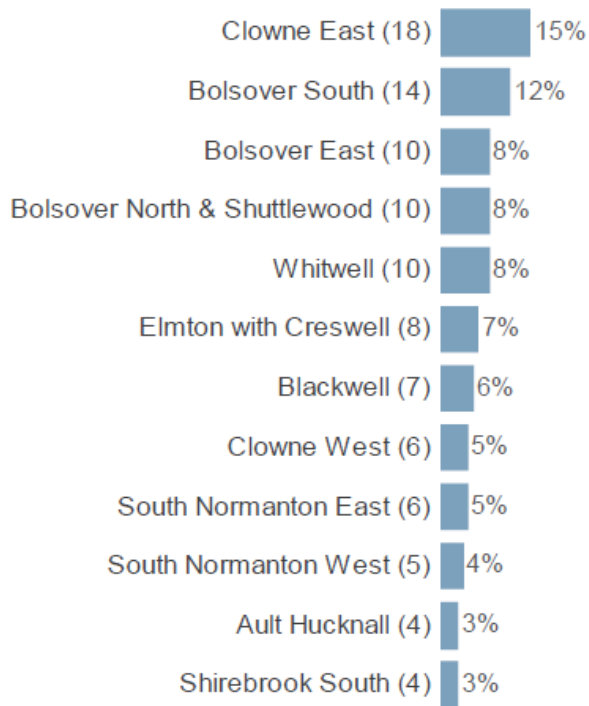


Banana

Are your day-to-day activities limited because of a health problem or disability which has lasted, or is expected to last, at least 12 months?



Please select which ward you live in:



Carr Vale
pleasley

Appendix 3: Top performing Waste Authorities

Top 10 performing Waste Authorities 2020-21 in comparison to Derbyshire Authorities

2020_21 Recycling League Table		
Rank	Authority	Percentage of household waste sent for reuse, recycling or composting (Ex NI192)
1	St Albans City and District Council	64.20%
2	South Oxfordshire District Council	63.60%
3	Three Rivers District Council	63.10%
4	Vale of White Horse District Council	62.60%
5	Surrey Heath Borough Council	61.30%
6	East Riding of Yorkshire Council	60.80%
7	North Somerset Council	60.40%
8	Dorset Council	60.10%
9	East Devon District Council	60.00%
10	Tandridge District Council	59.90%
31	Derbyshire Dales District Council	55.60%
67	High Peak Borough Council	50.80%
116	South Derbyshire District Council	46.10%
125	Derbyshire County Council	45.10%
169	Erewash Borough Council	41.80%
195	Chesterfield Borough Council	40.20%
203	North East Derbyshire District Council	39.80%
241	Bolsover District Council	36.00%

Rank	Authority	Percentage of household waste sent for reuse, recycling or composting (Ex NI192)	Number of bins/containers	Types of collection	Links
1	St Albans City and District Council	64.20%	6 (7 if pay for garden waste)	<ul style="list-style-type: none"> • Textiles – weekly in clear bags • Small electricals – weekly in clear bags • Black bin – dry recyclables – fortnightly • Green/Black box – paper and card fortnightly • Kerbside green caddy/communal bin for food waste (also smaller in-house caddy) – weekly • Green bin for garden waste (optional) – fortnightly 12mth collection period • GARDEN WASTE CANNOT GO IN RESIDUAL BIN • Brown bin/ purple sacks (up to 3 sacks per 	https://www.stalbans.gov.uk/recycling-and-rubbish

Rank	Authority	Percentage of household waste sent for reuse, recycling or composting (Ex NI192)	Number of bins/containers	Types of collection	Links
				fortnight)– residual waste – fortnightly Flats have more weekly collections than houses.	
2	South Oxfordshire District Council	63.60%	3 (4 if pay for garden waste)	<ul style="list-style-type: none"> • Green bin for dry recyclables/textiles/batteries – fortnightly • Brown bin for garden waste (optional) - fortnightly (9mth with extra waste taken at beginning and end of period) • Black bin for residual waste/ small electricals - fortnightly) • Green food bin for food recycling- weekly 	BINZONE app created. https://www.southoxon.gov.uk/south-oxfordshire-district-council/recycling-rubbish-and-waste/
3	Three Rivers	63.10%	3 (4 if pay for garden waste)	<ul style="list-style-type: none"> • Green Bin – residual waste fortnightly 	https://www.threerivers.gov.uk/services/waste-and-recycling

Rank	Authority	Percentage of household waste sent for reuse, recycling or composting (Ex NI192)	Number of bins/containers	Types of collection	Links
	District Council			<ul style="list-style-type: none"> • Black bin/green lid – recycling bin weekly • Food waste (silver pod) weekly • Chargeable Garden Waste Brown Bin fortnightly (full year collection) • Free Home textile collection service 	
4	Vale of White Horse District Council	62.60%	3 (4 if pay for garden waste)	<ul style="list-style-type: none"> • Green bin for dry recyclables/textiles/batteries – fortnightly • Brown bin for garden waste (optional) - fortnightly (9mth with extra waste taken at beginning and end of period) 	BINZONE app created. https://www.whitehorsedc.gov.uk/vale-of-white-horse-district-council/recycling-rubbish-and-waste/

Rank	Authority	Percentage of household waste sent for reuse, recycling or composting (Ex NI192)	Number of bins/containers	Types of collection	Links
				<ul style="list-style-type: none"> • Black bin for residual waste/ small electricals - fortnightly) • Green food bin for food recycling- weekly 	
5	Surrey Heath Borough Council	61.30%	6 (7 if pay for garden waste)	<ul style="list-style-type: none"> • Recycling (changing bin colour) Blue lid/black body or green bin - fortnightly. • Garden waste in brown lid/black body or brown bin – subscription service fortnightly. GARDEN WASTE MUST GO TO HWRC IF NOT IN SCHEME. • Residual waste in Black bin - fortnightly • Green outdoor food waste bin/smaller silver kitchen caddy – weekly 	https://www.surreyheath.gov.uk/bins-recycling-and-waste https://www.jointwastesolutions.org/bin-collections/your-bins/which-bin-is-which/which-bin-is-which-surrey-heath/

Rank	Authority	Percentage of household waste sent for reuse, recycling or composting (Ex NI192)	Number of bins/containers	Types of collection	Links
				<ul style="list-style-type: none"> Textile – 1 standard size plastic bag – weekly Small electricals/batteries – 1 standard size plastic bag - weekly 	
6	East Riding of Yorkshire Council	60.80%	3	<ul style="list-style-type: none"> Green bin residual waste - fortnightly Blue bin dry recyclables - fortnightly Brown bin – food and garden waste inc. small brown kitchen caddy (transfer to brown bin) - fortnightly <p>Waste sacks for sack collection properties</p>	<p>https://www.eastriding.gov.uk/environment/bins-rubbish-recycling/</p> <p>Waste app created for Apple and Google</p> <p>Lots of videos on website explaining what can/cannot be recycled.</p> <p>Council provides caddy liners.</p>
7	North Somerset Council	60.40%	5 (6 if pay for garden waste)	<ul style="list-style-type: none"> Garden waste (subscription) – 12mth service - fortnightly 	<p>https://n-somerset.gov.uk/my-services/bins-recycling</p>

Rank	Authority	Percentage of household waste sent for reuse, recycling or composting (Ex NI192)	Number of bins/containers	Types of collection	Links
				<ul style="list-style-type: none"> • Black bin/grey sacks residual waste – fortnightly • Small kitchen caddy/lockable larger kerbside container for food waste – weekly • Recycling boxes (green and black) (inc. small electricals/batteries/textiles) - weekly 	Recycling box nets available to buy to help with separation/containment
8	Dorset Council	60.10%	5 (6 if pay for garden waste)	<ul style="list-style-type: none"> • Kitchen caddy and larger kerbside caddy for food waste – weekly • Black bin residual waste or 2 blue sacks – fortnightly • Green bin dry recyclables or 2 green boxes – fortnightly • Green box for glass – fortnightly 	<p>https://www.dorsetcouncil.gov.uk/bins-recycling-and-litter/bins-recycling-and-litter</p> <p>Tags and stickers to flag contamination issues</p> <p>Garden waste must go to HWRC if not subscribed – not residual waste.</p>

Rank	Authority	Percentage of household waste sent for reuse, recycling or composting (Ex NI192)	Number of bins/containers	Types of collection	Links
				<ul style="list-style-type: none"> Household Battery bag – fortnightly Brown bin garden waste (subscription 12mth) – fortnightly 	
9	East Devon District Council	60.00%	4 (5 if pay for garden waste)	<ul style="list-style-type: none"> Recycling Box and Recycling sack (small electricals/textiles in separate clear bags) - weekly Food waste caddy – weekly Green bin - Green waste subscription service – fortnightly (11mth collection) Black bin residual waste – NOT GARDEN WASTE – every 3 weeks 	https://eastdevon.gov.uk/recycling-and-waste/
10	Tandridge District Council	59.90%	4 (5 if pay for garden waste)	<ul style="list-style-type: none"> Black residual bin or green rubbish sacks fortnightly. 	Recycling and rubbish - Tandridge District Council

Rank	Authority	Percentage of household waste sent for reuse, recycling or composting (Ex NI192)	Number of bins/containers	Types of collection	Links
				<ul style="list-style-type: none"> • • Blue lidded recycling bin (or Clear recycling sacks where access restricts bin use) – fortnightly. • Food Waste – 2 caddies for weekly collection. Small Silver caddy for in house, larger green lockable caddy for outside. • Garden Waste Club – limited capacity, currently a waiting list. • Offer home compost bin at reduced price. Must take to community site if not in the Club. 	

Rank	Authority	Percentage of household waste sent for reuse, recycling or composting (Ex NI192)	Number of bins/containers	Types of collection	Links
31	Derbyshire Dales District Council	55.60%	4 (5 if pay for garden waste) More if no wheeled access	<ul style="list-style-type: none"> • Blue lid bin or Blue box/2 blue bags (inc. household batteries in clear bag) - fortnightly • Black sack/grey bin for residual waste - fortnightly - MUST NOT INCLUDE GARDEN WASTE - HWRC • Green lid bin (subscription – 12mth service) for garden waste - fortnightly • Food caddies (internal kitchen and larger lockable kerbside) – weekly collection with a free kitchen liner per week <p>NOT textiles at kerbside</p>	https://www.derbyshiredales.gov.uk/bins-and-recycling

Rank	Authority	Percentage of household waste sent for reuse, recycling or composting (Ex NI192)	Number of bins/containers	Types of collection	Links
				All Electricals at Bulky waste or HWRC	
67	High Peak Borough Council	50.80%	5	<ul style="list-style-type: none"> • Brown bin dry recyclables - fortnightly • Green lidded bin– Food and garden waste - fortnightly • Black bin residual waste - fortnightly • Red textile sack – fortnightly • Small electrical items – free bookable collection fortnightly <p>Sacks provided where wheeled access not possible</p>	https://www.highpeak.gov.uk/hp/bins
116	South Derbyshire District Council	46.10%	6 (7 if red sack exists)	<ul style="list-style-type: none"> • Green bin dry recyclables (paper/card in Black inner caddy) - fortnightly • Brown compost bin for garden and food waste. 	https://www.southderbyshire.gov.uk/our-services/recycling-bins-and-waste

Rank	Authority	Percentage of household waste sent for reuse, recycling or composting (Ex NI192)	Number of bins/containers	Types of collection	Links
				Green kitchen caddy for food – fortnightly <ul style="list-style-type: none"> • Black residual waste bin – fortnightly • Podback recycling bags - weekly 	
125	Derbyshire County Council	45.10%		Provide 9 Household Waste Recycling Centres	https://www.derbyshire.gov.uk/environment/rubbish-waste/recycling-centres/centre-locations/recycling-centre-locations.aspx
169	Erewash Borough Council	41.80%	3 or 4 depending if Blue bin used alongside green bags	<ul style="list-style-type: none"> • Black bin residual waste – fortnightly • Green recycling bags (provided free) – fortnightly. • Blue recycling bin (chargeable but free to those with assisted collections) - fortnightly • Brown bin for garden waste fortnightly 	https://www.erewash.gov.uk/pages-within-bins-and-recycling/bins-and-recycling.html

Rank	Authority	Percentage of household waste sent for reuse, recycling or composting (Ex NI192)	Number of bins/containers	Types of collection	Links
				No separate food waste – part of residual collection Textiles and small electricals at main HWRC.	
195	Chesterfield Borough Council	40.20%	3	<ul style="list-style-type: none"> • Blue bin dry recyclable waste – fortnightly (inc. small electricals) • Black bin residual waste – fortnightly • Green bin – food and garden waste – fortnightly (inc. small grey kitchen caddy) 12mth collection 	https://www.chesterfield.gov.uk/bins-and-recycling.aspx
203	North East Derbyshire District Council	39.80%	3	<ul style="list-style-type: none"> • Black Bin – residual waste fortnightly • Burgundy Bin – Dry Recyclable waste fortnightly • Green Bin – Garden and food waste fortnightly for 9mth period 	https://www.ne-derbyshire.gov.uk/bins-and-recycling

Rank	Authority	Percentage of household waste sent for reuse, recycling or composting (Ex NI192)	Number of bins/containers	Types of collection	Links
241	Bolsover District Council	36.00%	3	<ul style="list-style-type: none"> • Black Bin – residual waste fortnightly • Burgundy Bin – Dry Recyclable waste fortnightly • Green Bin – Garden and food waste fortnightly for 9mth period 	Waste and Recycling

Top 10 performing Waste Authorities 2021-22 in comparison to Derbyshire Authorities

2021_22 Recycling League Table			
Rank	Authority	Percentage of household waste sent for reuse, recycling or composting (Ex NI192)	Collected household waste per person (kg) (Ex BVPI 84a)
1	Three Rivers District Council	63.50%	359.6
2	South Oxfordshire District Council	62.70%	360
3	St Albans City and District Council	62.40%	356.8
4	Vale of White Horse District Council	61.90%	347.2
5	East Devon District Council	61.00%	324.7
6	Stockport MBC	60.30%	352.7
7	East Riding of Yorkshire Council	60.10%	518.6
8	Rochford District Council	59.90%	407.3
9	South Gloucestershire Council	59.90%	420.8
10	Tandridge District Council	59.90%	383.7
62	Derbyshire Dales District Council	51.50%	368
97	High Peak Borough Council	47.70%	387.5
104	Derbyshire County Council	47.30%	484.2
108	South Derbyshire District Council	46.70%	406.8
124	North East Derbyshire District Council	45.30%	402.7
156	Chesterfield Borough Council	43.00%	400.2
177	Erewash Borough Council	41.80%	414.8
215	Bolsover District Council	38.50%	426.8
225	Derby City Council	37.30%	394.4

Rank	Authority	Percentage of household waste sent for reuse, recycling or composting (Ex NI192)	Number of bins/containers	Types of collection	Links
6	Stockport MBC	60.30%	4	<ul style="list-style-type: none"> • Black bin for residual waste - fortnightly • Blue bin or bag for paper/card - fortnightly • Brown bin/Black box for glass/tins/some plastics – every 4wks • Green bin and food waste caddies for garden and food waste – weekly <p>NOT TEXTILES</p>	https://www.stockport.gov.uk/topic/bins-and-recycling https://www.stockport.gov.uk/what-you-can-put-in-your-bins
8	Rochford District Council	59.90%	3 (4 if using the Textile bags regularly)	<p>Green bin/yellow lid for Compostables garden and food – weekly Grey dry recyclables bin – fortnightly. Extra side waste in blue box from previous scheme. Textiles in Blue sacks</p>	https://www.rochford.gov.uk/bins-and-collections

Rank	Authority	Percentage of household waste sent for reuse, recycling or composting (Ex NI192)	Number of bins/containers	Types of collection	Links
				<p>Grey bin/purple lid for residual waste – fortnightly</p> <p>No longer accept carrier bags in residual bin – encourage use of supermarket schemes.</p> <p>Batteries to supermarkets and small electricals to designated bins at libraries.</p>	
9	South Gloucestershire Council	59.90%	5 (6 if pay for garden waste)	<ul style="list-style-type: none"> • Green recycling boxes x2 for dry recyclables (or old bag and box system) - weekly • Food recycling bin and kitchen caddy - weekly 	https://beta.southglos.gov.uk/environment-and-waste/waste-and-recycling

Rank	Authority	Percentage of household waste sent for reuse, recycling or composting (Ex NI192)	Number of bins/containers	Types of collection	Links
				<ul style="list-style-type: none"> • Black residual waste bin - fortnightly • Green bin /garden waste sack collection. Subscription for green bin – fortnightly, or one-off collections via waste sacks. 	

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Bolsover District Council

Meeting of Executive on 29th July 2024

Disposals and Acquisitions Policy

Report of the Portfolio Holder for Growth

Classification	This report is Public
Report By	Jim Fieldsend Director of Governance and Legal Services & Monitoring Officer

PURPOSE/SUMMARY OF REPORT

To consider changes to and adopt a revised Disposals & Acquisitions Policy.

REPORT DETAILS

1. Background

- 1.1 The Council’s Disposals and Acquisitions Policy sets out the processes that should be followed when the Council intends to either sell or purchase property, whether that be land or buildings. This includes the grant of a lease for a period of more than 7 years.
- 1.2 The policy sets out the requirements for issues such as site investigation, valuation, methods of disposal, negotiation, disposal at less than market value, approval, and completion.
- 1.3 The policy further requires that all proposed disposals and acquisitions are referred to the Council’s Asset Management Group. This is a consultation group consisting of Members and officers whose main purpose is to make recommendations to Executive or to officers with delegated powers.

2. Details of Proposal or Information

- 2.1 The Asset Management Group has undertaken a review of the Disposals and Acquisitions Policy and has recommended a number of changes. These are shown as tracked changes on Appendix 1, and as the proposed policy without tracked changes at Appendix 2.
- 2.2 The changes have been made to reflect organisational and legislative changes, to make the process more efficient and to reflect current practice.

2.3 Local Growth Scrutiny Committee considered the proposed policy changes at its meeting on 25th June 2024.

3. Reasons for Recommendation

3.1 In order to make sure the Council’s Disposals & Acquisitions Policy is up to date and relevant to current practices and legislation.

4 Alternative Options and Reasons for Rejection

4.1 To not adopt the proposed updated policy. This is not recommended as it would leave the Council with an out-of-date policy.

RECOMMENDATION(S)

To adopt the revised Disposals & Acquisitions Policy.

<u>IMPLICATIONS:</u>	
<u>Finance and Risk:</u>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Details: There are no financial or risk implications arising from this report.	
On behalf of the Section 151 Officer	
<u>Legal (including Data Protection):</u>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Details: The updated policy reflects changes in legislation.	
On behalf of the Solicitor to the Council	
<u>Environment:</u>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Please identify (if applicable) how this proposal/report will help the Authority meet its carbon neutral target or enhance the environment. Please speak to the Climate Change lead officer for further advice.	
Details: There are no environmental implications arising from this report.	
<u>Staffing:</u>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Details: There are no human resource issues implications arising from this report.	
On behalf of the Head of Paid Service	

DECISION INFORMATION

<p>Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds:</p> <p>Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i></p>	No
<p>Is the decision subject to Call-In? <i>(Only Key Decisions are subject to Call-In)</i></p>	No

<p>District Wards Significantly Affected</p>	None directly
<p>Consultation: Leader / Deputy Leader <input checked="" type="checkbox"/> Executive <input type="checkbox"/> SLT <input type="checkbox"/> Relevant Service Manager <input checked="" type="checkbox"/> Members <input checked="" type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/></p>	<p>Details: Local Growth Scrutiny Committee</p>

<p>Links to Council Ambition: Customers, Economy, Environment and Housing.</p>

DOCUMENT INFORMATION	
Appendix No	Title
1	Disposal & Acquisition Policy (tracked changes)
2	Disposal & Acquisition Policy (proposed final version)

<p>Background Papers <i>(These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Executive you must provide copies of the background papers).</i></p>
None



DISPOSALS & ACQUISITIONS POLICY

~~May 2020~~ Jan June 2024

We speak your language

Polish

Mówimy Twoim językiem

French

Nous parlons votre langue

Spanish

Hablamos su idioma

Slovak

Rozprávame Vaším jazykom

Chinese

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CONTROL SHEET FOR [policy title here]

Policy Details	Comments / Confirmation (To be updated as the document progresses)
Policy title	DISPOSALS & ACQUISITIONS POLICY
Current status – i.e. first draft, version 2 or final version	Version 32
Policy author (post title only)	Commercial Property & Developments Manager
Location of policy (whilst in development) – i.e. L-drive, shared drive	S Drive
Relevant Executive Cabinet Member (if applicable)	Cabinet Member People and Places <u>Executive Member for Growth</u>
Equality Impact Assessment approval date	
Partnership involvement (if applicable)	N/A
Final policy approval route i.e. Joint Strategic Alliance Committee, Cabinet/Executive/Council	Cabinet /Executive
Date policy approved	May 2017 <u>TBC</u>
Date policy due for review (maximum three years)	May 2020
Date policy forwarded to Improvement (to include on Intranet and Internet if applicable to the public)	June 2017

RECOMMENDED STRUCTURE OF POLICY

1. Introduction

The policy provides detailed guidance of the process which should be followed for disposal of surplus/under-used Council owned land/property. For ease of reference, Annex 1 contains a flowchart which outlines the process of disposal. The policy is split in to and deals with disposals and acquisitions in turn.

For the avoidance of doubt this policy does not apply to acquisitions through Compulsory Purchase Order (CPO). If a CPO is anticipated, advice from the Council's legal section should be obtained.

- 1.1 Government advice recommends that local authorities have a document describing their strategy, policy and guidance for disposing of land/property.
- 1.2 The purpose of this document is to make the Council's approach transparent and open. It is intended for use by Council Officers, its partners and to inform developers and members of the public.
- 1.3 It is important that each land disposal is treated on its own merits and nothing in this document will bind the Council to a particular course of action in respect of a land disposal. Alternative methods of disposal, not specifically mentioned in this document, may be used where appropriate, subject to obtaining the necessary authority, in line with the constitution.
- 1.4 The Council's actions in disposing of land are subject to statutory provisions; in particular, to the overriding duty on the Council, under section 123 of the Local Government Act 1972, to obtain the best consideration that can be reasonably obtained for the disposal of land. This duty is subject to certain exceptions that are set out in the 'Local Government Act 1972: General Disposal Consent (England) 2003'.

Where there are wider public benefits, consistent with the principles of Best Value, disposing bodies may consider disposal of assets at less than Market Value taking into account wider value considerations such as economic, environmental and social value factors.

Where an asset is being disposed at less than Market Value, a market valuation is needed as part of the process of considering the wider public benefits alongside any financial implications. A market valuation will enable accurate accounting and reporting.

Where less than Market Value is proposed, the ['Circular 06/03: Local Government Act 1972 general disposal consent \(England\) 2003 disposal of land for less than the best consideration that can reasonably be obtained'](#) should be referred to with

particular attention to paragraphs 14 (~~State Aid~~) and 17 (Valuation). The State Aid rules in paragraph 14 have been replaced by subsidy control rules. These rules will need to be considered when seeking to dispose of land at less than market value

- 1.5 This document sets out, in sequence, the general procedure to be adopted in connection with the disposal of surplus/under-used land/property.
- 1.6 It should be noted that this document does not provide guidance on budgetary issues such as sources of funding or how any capital receipts are utilised. If proposals for capital receipts (e.g. investing receipts into defective housing stock, etc) are recommended, these should be detailed in the appropriate report.
- 1.7 The Council's Asset Management Group (AMG), facilitated by the Property and Estates team Director of Corporate and Legal Service and Monitoring Officer, will consider and make recommendations concerning all Council property/land transactions prior to disposal. This may be either by making recommendations to Council committees Executive or recommending approval through existing delegated powers. The group is made up of key departmental heads from the Council and from Dragonfly Management (Bolsover) Ltd. (the Councils wholly owned company) and appropriate Portfolio Holders. Where AMG makes a recommendation to Executive or Council the relevant committee, the recommendation from AMG should be included in any report.

2. **Scope**

This document is in accordance with Government guidelines and details Bolsover District Council policies relating to the disposal of land and property. For the purpose of this document, a disposal of land means any freehold disposal (General Fund or Housing Revenue Account), by sale or exchange, of Council owned land or buildings and any disposal by the granting of a lease for a period greater than 7 years. Leases of 7 years or less are not covered by this document.

3. **Principles**

The principles of the policy is to ensure transparency and compliance ~~to~~ with statutory provisions; in particular, to the overriding duty on the Council, under section 123 of the Local Government Act 1972, to obtain the best consideration that can be reasonably obtained for the disposal of land.

4. **Definition of Surplus/Under-used property/land**

- 4.1 A site (or part of the site) is deemed to be surplus to the Council's requirements if:
 - (a) it makes no contribution to the delivery of the Council's services or strategic objectives, nor generates any income, and
 - (b) it has potential for future regeneration/redevelopment purposes and/or surplus to the Councils operational requirements or an alternative site can be identified.

- (c) an alternative site has been identified which would achieve more cost effective service delivery.

4.2 A site (or part of the site) is deemed to be under-utilised if either:

- (a) the income being generated from the site is below that which could be achieved from:
 - (i) an alternative use
 - (ii) disposing of the site and investing the income
 - (iii) intensifying the existing use, or
- (b) part of the site is vacant and is likely to remain vacant for the foreseeable future.
- (c) The site is unviable due to long-term repair and maintenance liabilities.

5 Site Identification

5.1 Sites for possible disposal may be identified in the following ways:

- (a) Through Local Plan designation
- (b) Through service Departments declaring specific sites as being surplus to requirements or uneconomical*
- (c) Through continually reviewing Council owned assets to ensure the asset is facilitating service delivery or generating an appropriate income.
- (d) Through approaches by third parties.

(*where an **under-utilised** asset is generating an income, a Cost/Benefit analysis should be carried out by the appropriate Assistant Director, in consultation with AMG, to establish whether it is in the Councils best interests to dispose of the site)

6 Site Investigations

6.1 Once a potential site has been identified, the lead department will consult with AMG, ~~Dragonfly Management (Bolsover) Ltd Property & Estates~~, Legal Services, and Planning Services to establish whether there are any development constraints on the site or restrictions to disposal such as designation as Public Open Space, Housing legislation, etc.

6.2 ~~Early notification (before AMG) should be given to ensure local members are aware of the intent to dispose of the site. This is not consultation but more advanced notice that activity (officer visits, surveys, etc), may raise questions from the local community. Formal member consultation will take place prior later in the process.~~

~~It is recommended that an email containing the wording below is sent to local members and the relevant portfolio holder:~~

~~"I write to inform you that officers are considering options with regards the future use of (Description of land and address if available). Officers and possibly contractors may visit site during this time to fully understand the site details. This is~~

~~not consultation at this stage, your opinion on any officer recommendations will be sought prior to any decision”~~

- 6.3 Limited survey works (e.g. services, desktop site investigation) and desk studies into previous land use history will also be carried out where appropriate to inform the proposed use.

7 Valuations

- 7.1 In all-most circumstances, the valuation of sites will be undertaken by the Council's Valuer. However, independent valuation advice by a Royal Institute of Chartered Surveyors (RICS) registered Valuer, should be obtained in the following circumstances:
- Where a disposal is in respect of a major or complex site
 - ~~Where the Council has a commercial interest in the purchaser (e.g. housing companies, development companies, Dragonfly Management (Bolsover) Ltd, Dragonfly Development Ltd arms-length management organisations~~
 - ~~(ALMO's), etc)~~
 - Where a member or ~~senior officer~~ a member of the Council's Senior Leadership Team has an interest in the purchaser or property (e.g. Councillor making a Right to Buy (RTB) application)
 - ~~Where the site is considered for disposal at less than best consideration.~~
 - Where the site is considered to be of a specialist nature eg agriculture etc

8 Method of Disposal

- 8.1 The Director of Corporate and Legal Service and Monitoring Officer Commercial Property and Developments Manger ~~advised~~ by the Council's Senior Valuer will recommend to AMG the most appropriate method of disposal e.g. auction, Private Treaty etc.
- 8.2 Unless a “special purchaser” has been identified i.e. one who is prepared to pay a premium for the site (over and above market value), all potential purchasers are to be given an opportunity to tender/submit an offer, according to the method of disposal recommended. Where AMG decide to pursue a sale with a single party, a Valuation report to confirm best consideration must be obtained.
- 8.3 Where the disposal is by way of a long lease, the Assistant Director of Finance & Revenues and Benefits will be consulted to assess the implications regarding VAT, Capital Accounting and Treasury Management.
- 8.4 The Council will usually use one of the disposal methods identified below as appropriate. Further guidance upon when it will be appropriate to use any particular means of disposal is contained in Annex 24. The means of disposal are:-
- **Private Sale** – a sale of land negotiated with one or a small number of purchasers. The land may or may not have been marketed as available for sale. A binding legal agreement is created on ‘exchange of contracts’

between the Council and the purchaser. [Annex 3 sets out the procedure to be followed.](#)

- **Public Auction** – a sale of land by public auction available to anyone. The sale will be publicly advertised in advance. The auctioneer creates a binding legal agreement upon the acceptance of a bid.
- **Formal Tender** – a sale of land by a process of public advertisement and submission of tenders by a given date in accordance with a strict procedure. The Council creates a binding legal agreement upon the acceptance of a tender.
- **Exchange of Land** – a transaction involving the exchange of Council owned land with another land owner. The land acquired by the Council will meet at least one of its corporate objectives and will be of 'equal' value (land and cash) to the land exchanged.
- **Informal Negotiated Tender** – a sale of land after a public advertisement that requests informal offers or bids that meet a given need. The Council may then negotiate further or more detailed terms with one or more individuals submitting the most advantageous bid or bids. A binding legal agreement is not created until the exchange of contracts between the authority and the chosen bidder.
- **Development Partner/Agreement** – a private sector partner who have been established through appropriate means, to jointly deliver and benefit from redevelopment/regeneration schemes.

8.5 [European Union \(EU\) procurement rules](#) [Public Contract Regulation](#) list public bodies which are “contracting authorities”. Government Departments are contracting authorities and subject to EU procurement legislation. If a disposal involves works or services then [EU-UK](#) procurement rules may apply. The department leading the disposal should seek professional advice [from the Council's Procurement Team](#) as to whether the disposal will be considered to involve a procurement of Works and may be subject to the Public Contract Regulations 2015 [or the Council's Procurement Rules](#).

Works or services may for example include where:

- A developer provides professional services to the contracting authority. ● There is a requirement to deliver a certain number of dwellings on a site by certain time or to a certain standard.
- New facilities are provided for the contracting authority.
- There is an obligation to provide infrastructure (e.g. construct a road before development can begin).

~~If procurement rules apply then the disposal should be undertaken via a standalone OJEU procurement or an OJEU procured framework such as the Homes and Communities Agency's "Delivery Partner Panel" (DPP2 or later versions) – see section 4.3.4.~~

~~For advice on whether EU procurement rules apply, departments should the shared procurement unit.~~

~~8.6 Since 2016 the Council engaged with both Sheffield City Region and D2N2 Local Enterprise Partnership's (LEP's) on the 'One Public Estate' programmes. Through this work land swaps, disposals, and any other such property transactions will be considered to promote growth in the region through a collaborative approach to public owned land.~~

9 Investment Prior to Disposal

9.1 Investment prior to disposal (or de-risking) can help to provide more certainty for potential purchasers for a property and deliver an increased receipt. This is particularly the case when releasing land for housing delivery. The case for investment prior to disposal should be considered as early as possible and clearly set out during the decision making process.

De-Risking activity prior to disposal could include:

- Planning: pre-application engagement offers significant potential to improve both the efficiency and effectiveness of a Departments planning application. The approach should be tailored to the nature and potential of the proposed development and the issues to be addressed.
- Planning: preparing a development brief, securing a planning allocation or securing outline planning approval. Any decision on planning investment will be influenced by the size of the land offered to the market.
- Technical: producing technical reports and surveys such as ecology, topography and ground investigations.
- Prior works: works such as remediation, decontamination and demolition.
- Legal: the resolution of title issues.
- Infrastructure: providing physical or social infrastructure (e.g. roads or community facilities).

The level of investment should be appropriate to the size and nature of the site and be driven by the key disposal objectives. Consideration should also be given to whether investment will reduce the conditionality of bids and increase the certainty of receipt. The final decision to invest should be based on a robust analysis of the 'return on investment' of a range of options and a clear understanding of the sites viability. Where appropriate staff costs, legal costs, marketing costs, consultants costs etc. associated with any potential disposal of an asset (even where such costs do not lead to an actual disposal) will be re-charged to the cost centre where the Capital Receipt is, or would be, placed.

10 Timing

10.1 The timing of any marketing/disposals will be considered against the background of the Council's budgetary requirements, together with the current state of the property market. Before recommending that a disposal is to proceed, the following factors should be taken into consideration:

- The Council's requirement for capital income (receipts) to fund its Approved Capital Programme.
- Current property market conditions
- Potential for the site value to increase in the future
- Regional Planning Guidance and the Local Plan (or other such Planning Policy documents) – this will influence decisions on the disposal (and acquisition) of land, as well as the future use of individual sites.

11 Approval for Disposal

- 11.1 The ~~Director of Development~~ relevant Director or Assistant Director (in conjunction with any other relevant Director or Assistant Director) and following presentation and consideration at AMG, will prepare a report for the next Executive ~~(BDC)~~ unless the disposal can be dealt with under delegated authority. The report will recommend the most appropriate method for marketing and disposing of the property, the AMG recommendation, Valuation advice, written responses to member consultation and the terms of the agreement. If the disposal falls within existing delegations, and AMG deems it appropriate **not** to refer the matter to the Executive/~~Cabinet~~, the relevant consultations will be undertaken and a Delegated Decision (Officer recommendation with approval through a delegated process) may be signed by the relevant officer.
- 11.2 Prior to the disposal of open space and housing land, legal advice should be sought on approvals and the need to be advertise, to enabling comments received to be considered, **before** a decision is made.
- 11.3 Where there is a disposal of a small development plot suitable for residential development, the Council should have regard to the demand for custom and self build (as defined in the Self-build and Custom House building Act 2015) by reviewing the Custom and Self Build Register.
- 11.4 ~~Following a recommendation from AMG to dispose of a site and before a decision is made to dispose; local ward Members should be given the opportunity to comment on the proposals in writing via email. If the local members comment on the disposal, their comments should be included in the committee report.~~

12 Negotiations

- 12.1 The capital receipt from any disposal is to be maximised unless there are overriding factors identified in the Corporate Plan that take precedence over the receipt of capital income (~~see also 120.2 below~~). Consideration should be given to any opportunities for realising latent value, perhaps through a merger of interests or by obtaining planning consent for a change of use.
- 12.3 Where a property is being sold with the benefit of the best planning permission reasonably obtainable, or market conditions or other factors indicate that it would be beneficial to do so, Departments should consider making provision to share in development profit through overage or clawback clauses.

'Overage' means claiming back an element of improved development value where, for example, there is a general uplift in the market, or where the market value of the end development is not known at the time of sale.

'Clawback' refers to claims for all or part of windfall gains resulting from, for example, the purchaser obtaining planning permission for a change of use, or a greater volume of development than anticipated by the planning permission obtained prior to disposal.

Examples where these might be used, include:

- Where it is difficult to gauge the commercial potential of a property.
- Where a particular type of purchaser may have a better chance of obtaining consent for a development than the Department.
- Where a developer can improve upon a planning permission obtained by the disposing department.
- The disposal of a listed building.

12.2 Where AMG consider that a site should be disposed of at a price below open market value, the matter is to be reported to the Executive/~~Cabinet~~ for approval, prior to the disposal. A disposal of land at a price below open market value may require the consent of the Secretary of State under the provisions of the Local Government Act 1972. The ['Circular 06/03: Local Government Act 1972 general disposal consent \(England\) 2003 disposal of land for less than the best consideration that can reasonably be obtained'](#) should be referred to with particular attention to paragraphs ~~14 (State Aid)~~ and 17 (Valuation). [Subsidy control rules should also be considered.](#)

12.3 If possible during negotiations, a timescale for the development of any land will be agreed with the prospective purchaser. If the land is not developed in this timescale then the Council will have the opportunity to repurchase the land at the original sale price or the current market value whichever is the lower. This is to prevent purchasers 'land banking' and benefiting from any future increases in land values. This may not be possible on large regeneration schemes where significant upfront investment from the buyer is required to enable development (e.g. planning consent, archaeology, etc).

13 Instructions

13.1 Consultation with ~~L~~legal ~~S~~services will be undertaken both prior to any proposed disposal or acquisition and throughout the process of completing the transaction. Once a potential purchaser has been identified and all the terms of the disposal have been agreed [and received the relevant authorisation via Executive or delegated powers](#) (or earlier if appropriate), ~~Property & Estates~~[the relevant department](#) will instruct Legal Services to ~~prepare the relevant legal documentation~~[undertake the conveyancing work](#).

14 Completion

- 14.1 Once the disposal has been completed, Legal Services will advise the ~~Director of Development, Assistant Director of Development,~~instructing officer relevant Members and such others as are appropriate.

15 Method for Acquisition of Land and Property

15.1 This part of the strategy sets out, in sequence, the procedure to be adopted in connection with the acquisition of land and property.

16 Reasons for the acquisition of Land or Property

16.1 Unless there are exceptional circumstances, the Council will only acquire land or property for the following reasons:

- to enable the provision of more effective Council services and deliver wider corporate aims
- economic development
- revenue income generation
- strategic acquisition for regeneration or redevelopment purposes.

17 Market Research

17.1 Once a need to acquire property has been identified by the interested department, market research will be carried out by the relevant [Director or](#) Assistant Director, in consultation with the [Director of Development](#) [Senior Valuer](#), to establish whether suitable land or property is available on the market to fulfil this need.

17.2 Where a number of potentially suitable properties exist in the marketplace, robust comparisons will be made to establish which is the most suitable for the Council's needs. Criteria against which such decisions will be made include: -

- Price
- Condition of property (Inc lifetime costs)
- Availability (in terms of timing)
- Nature of tenure being offered (freehold or leasehold)
- Locational advantages (where a strategic acquisition is under consideration)
- Return on investment (where a revenue generating asset is being considered).

18 Site investigations

18.1 Once a potential site has been identified, the lead department will consult with AMG, [Dragonfly Management \(Bolsover\) Ltd](#) ~~Property & Estates~~, Legal Services, and Planning Services to establish whether there are any development constraints on the site or restrictions to the proposed use.

~~18.2 Early notification (before AMG) should be given to ensure local members are aware of the intent to acquire the site. This is not consultation, more advanced notice that activity (officer visits, surveys, etc), may raise questions from the local community.~~

18.3 Limited survey works (e.g. services, desktop site investigation) and desk studies into previous land use history will also be carried out where appropriate to inform the proposed use.

19 Financial Appraisal

19.1 When a suitable property has been identified, a financial appraisal will be carried out to establish the financial/budgetary implications of acquiring the property at the negotiated asking price. ~~The advice of the Assistant Director of Finance & Revenues and Benefits will be sought regarding current rates of interest on capital invested, to enable the opportunity cost of the acquisition to be fully assessed.~~ The financial appraisal will take into account the following matters:

- The capital cost of acquisition
- The borrowing costs (financial team to advise)
- Any revenue, or potential revenue, generated from the property, both short and long term
- Availability of external funding sources
- Possibility of joint ventures
- The cost, in asset management terms, of owning the property, including:-
 - immediate maintenance/refurbishment requirements
 - demolition costs, if appropriate
 - ongoing maintenance/life cycle costings, national
 - non-domestic rates and insurance.
- The overall effect of the expenditure on the Council's budgetary position.
State Aids subsidy control compliance and best consideration should also be addressed.
- Where the acquisition is to be by way of a long lease, the Director of Finance & Section 151 Officer will be specifically consulted to assess the implications regarding VAT, Capital Controls and Treasury Management.

20 Independent Valuation

20.1 In all circumstances, the valuation of sites will be undertaken by the Council's Valuer. However, independent valuation advice by a RICS registered Valuer, should be obtained in the following circumstances:

- Where an acquisition is in respect of a major or complex site
- Where the Council have an interest the seller (e.g. housing companies, development companies, Dragonfly Development Ltd or Dragonfly Management (Bolsover) Ltd -ALMO's, etc)
- Where a member or senior officer has an interest in the seller or property
- Where the site is considered for purchase at above best consideration.

Where such advice suggests that the market value of the property is below the negotiated price and there are overriding factors which justify the purchase, a report shall be prepared for the Executive/Cabinet by the relevant Director or Assistant Director, ~~in consultation with the Executive Director of Operations~~, seeking approval to continue with the proposed acquisition.

20.2 ~~Where the acquisition is to be by way of a long lease, the Assistant Director of Finance & Revenues and will be specifically consulted to assess the implications regarding VAT, Capital Controls and Treasury Management.~~

21 Negotiation

21.1 Once the principle of an acquisition has been agreed, detailed negotiations will be commenced with the vendor by the Council's Senior Valuer in consultation with the relevant Director or Assistant Director. Where the sale is by auction or tender, bids will be formulated as appropriate.

22 Approval

22.1 Any offer to the vendor will be made "subject to contract, Council approval. Where a survey of the premises/site has not been possible prior to an offer "Subject to survey" may also be appropriate. Where the decision to acquire the premises is a Key Decision Aa report will be prepared for ~~the next~~ Executive/~~Cabinet~~, by the relevant Director or Assistant Director ~~in consultation with the Executive Director of Operations~~, recommending acceptance of the acquisition and detailing the broad terms. This is subject to any specific delegated authority granted to an officer authorising approval of certain Key Decisions

22.2 Where the decision is below Key Decision threshold the approval can be authorised by the relevant Director or Assistant Director under delegated powers

~~Where the decision is below key decision threshold the approval can be authorised by WHO under delegated decision.~~

22.32 Where circumstances dictate that an urgent decision is required (and where resources have not been set aside and the principle of the acquisition has not already been agreed) the ~~Leader of the Council~~ Chief Executive Officer and the Director of Development will be consulted as to whether the use of ~~the Director of Development's~~ Chief Executive's delegated powers is possible/appropriate after taking advice on the financial and any legal implications arising. Any decisions made in accordance with this condition will be 'Key Decisions' (as defined in the Council's constitution) and must be reported in accordance with the relevant procedures.

23 Instructions

23.1 Once Executive/~~Cabinet~~ approval has been received, and any surveys satisfactorily carried out (or earlier if appropriate), Legal Services will be instructed to complete the documentation undertake the conveyancing work associated with the acquisition. The instruction should include the Heads of Terms (HOTs) agreed between the Council and the vendor and the relevant approval.

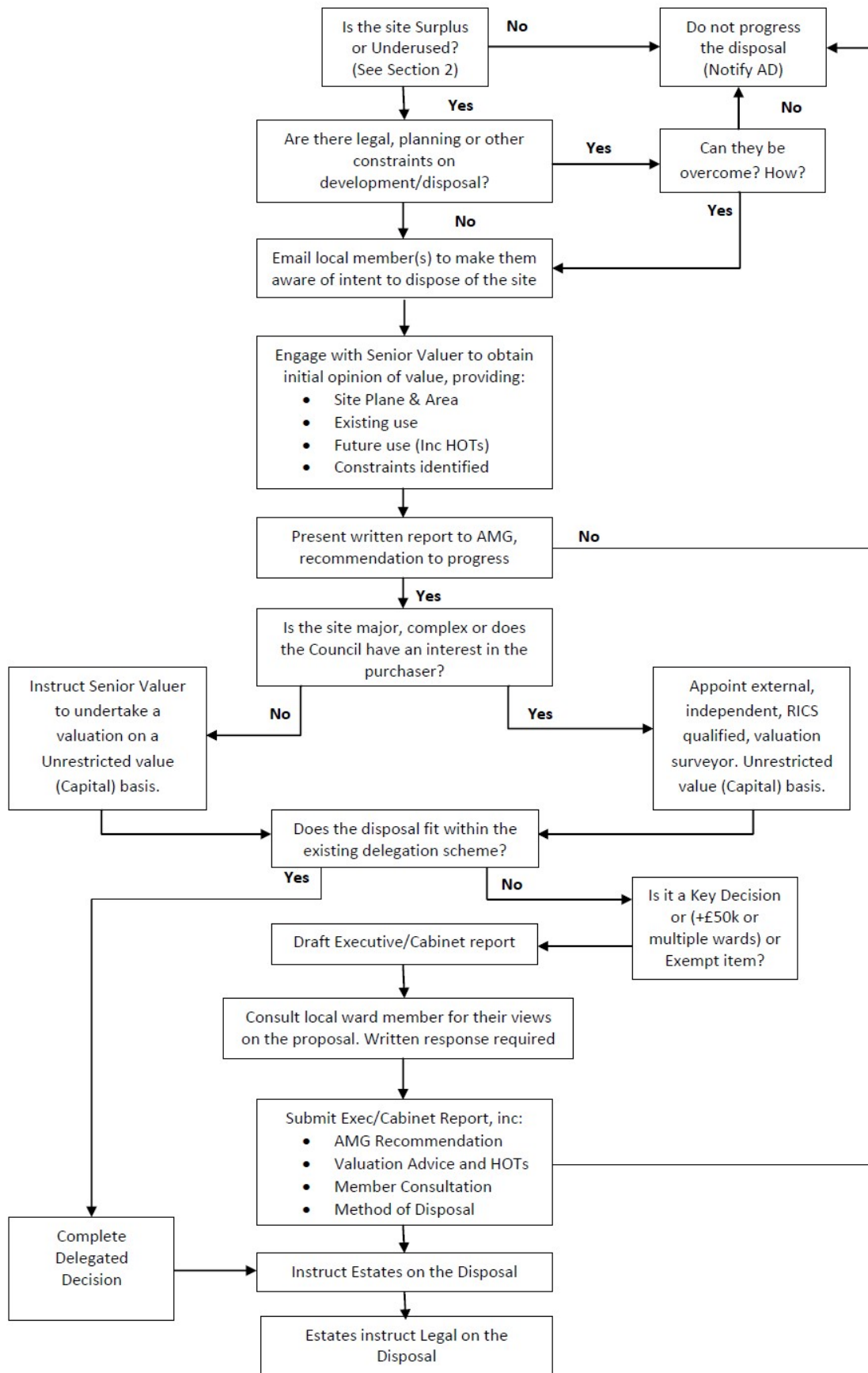
24 Completion

- 24.1 Once the acquisition has been completed, Legal Services will advise the [Director of Development, Assistant Director of Development](#)~~instructing officer~~, relevant Members and such others as are appropriate.

25 Responsibility for Implementation

- 25.1 All parts of the Council, ~~including any arms-length organisations~~, who are proceeding with the disposal and acquisition of Council owned assets are responsible for the implementation of this policy.

Annex 1 – Disposal General Flowchart



Note: Key decision value £17505k correct at the time of writing. The delegation scheme and key decision criteria may change from time to time.

ANNEX 2 - DESCRIPTION OF LAND DISPOSAL METHODS

DISPOSAL BY PRIVATE SALE

- 1.1 A disposal by Private Sale may take place after a period during which the land is put on the market including advertising and generally making known that it is available for sale. In this case, the Council will be able to consider the highest bid as representing the best consideration that can be reasonably obtained.
- 1.2 If land is to be sold by Private Sale without being marketed, then the reasons justifying a private sale must be recorded in writing. In some circumstances the Council may seek an additional independent valuation to verify that 'best consideration' is being obtained.

A private sale without the land being marketed may be justified where:

- (a) the land to be disposed of is relatively small in size and an adjoining or closely located landowner is the only potential or likely purchaser.
 - (b) the nature of the Council's land ownership and that of the surrounding land ownership is such that the land must be sold to adjoining or surrounding landowners if best consideration is to be obtained.
 - (c) the Council's land is part of a larger area of land that is proposed for development, redevelopment or regeneration where the nature and complexity of the proposed development of the overall site is such that the Council's corporate objectives and best consideration can only be achieved by a sale to a purchaser with an existing interest in land in the area.
 - (d) the land to be disposed of has been identified suitable for custom and self-build referred to at 11.3 in this policy
- 1.3 A legally binding agreement will not be reached until either contracts for the lease or sale of land are exchanged or a development agreement is signed.

DISPOSAL BY PUBLIC AUCTION

- 2.1 Sale by public auction may be appropriate where there is no obvious potential purchaser and where speed and the best price can be obtained by auction.
- 2.2 The authority from the Council's Executive/~~Cabinet~~ must record in writing
 - (a) the reasons justifying a sale by public auction;
 - (b) delegated powers to agree the reserve price, if any, for the auction;
 - (c) the authority for a Council officer, if required, to attend the auction and to act on behalf of the Council on the sale.

- 2.3 The contract for sale or lease must be ready for exchange at the auction.
- 2.4 A binding contract will be made on the acceptance of the highest bid providing it has reached the reserve price. Contracts for the sale or lease will immediately be signed on behalf of the Council and exchanged with the purchaser.

DISPOSAL BY FORMAL TENDER

NB: Disposal by this method is not straightforward and careful consideration as to why it is necessary to use this method should be recorded. This should only be considered if no other disposal options are available.

- 3.1 A sale of land by formal tender may be appropriate where the land ownership is not complex and the Council is seeking obligations to be placed on the successful tenderer which are clear and capable of specification in advance. For example; the disposal of land to a developer with an obligation to build industrial units for lease, or the conservation of a listed building. In such instances, a process of formal tender may be appropriate in gaining best consideration.
- 3.2 Formal tenders will not be appropriate where the land ownership position is complex or the development proposals for the land are insufficiently identified or otherwise incapable of detailed specification at the pre-tender stage.
- 3.3 The reasons justifying a sale by formal tender must be recorded in the Executive/~~Cabinet~~ report. The Council's rules for tender offers contained in the Contract Procedure Rules contained within the Council's constitution will be followed.
- 3.4 The nature of the formal tender process is that a legally binding relationship is formed when the Council accepts a tender in writing by exchanging contracts. It is essential therefore, that every aspect of the disposal is specified in the tender documents. The tender documents should include a contract for sale or lease which should be completed with the tenderer's details, the tender price and be signed by the tenderer. It will be released unconditionally to the Council on submission of the tender. If the tender is acceptable the Council will complete and sign its part of the contract, date both parts and send its signed contract to the buyer, at which point a binding contract will be created
- 3.5 Sale of land by formal tender will require a detailed specification to be drawn up. This will specify the land to be sold, any requirements to be met by the tenderer and any obligations that must be met.
- 3.6 The Council will place a public advertisement seeking expressions of interest and publicise the selection criteria by which it will assess tenders. Those individuals selected will then be invited to submit their tender bids. When the intention is to dispose of land for custom and self-build the land will only be advertised to those on the custom and self-build register.

- 3.7 Legal Services will always be consulted before tender the Council seeks to dispose of land by formal tender

DISPOSAL BY EXCHANGE OF LAND

- 4.1 Disposal by exchange of land will be appropriate when it is advantageous to the Council and other parties to exchange land in their ownerships and will achieve best consideration through equal value (Land and cash) for the Authority.
- 4.2 A binding legal agreement will be created when a contract is exchanged.
- 4.3 The exchange will usually be equal in value. However, an inequality in land value may be compensated for by other means where appropriate. For example, where the Council in exchange for a larger piece of land receives a smaller piece of land but the recipient of the larger plot agrees to build industrial units on the Council's smaller area to equalise the consideration. In such circumstances the Council may seek an independent valuation to verify that 'best consideration' will be obtained.

DISPOSAL BY INFORMAL/NEGOTIATED TENDER

- 5.1 A disposal by informal/negotiated tender differs from a formal tender in that neither the Council nor the successful bidder is legally obliged to enter into a contract for the disposal of the land. The informal/negotiated tender process allows the Council to identify one preferred bidder or a group of preferred bidders, with whom it may then negotiate further detailed terms or proposals for the development of the land concerned.
- 5.2 The Council uses a public advertisement to request informal development proposals for land that meet a given specification. This process is particularly useful for large or complex development or regeneration sites requiring development and where the proposals may need to be developed in co-operation with the preferred bidder to meet the Council's corporate objectives and to achieve the best consideration that can be reasonably obtained.
- 5.3 The Council's rules for tender offers contained in the Contract Procedure Rules, contained within the Council's constitution, will be followed in respect of the receipt of tenders. Any exceptions to that process must be authorised and recorded in accordance with these rules.
- 5.4 A binding legal agreement is not created until the exchange of contracts for sale or lease or the signing of a development agreement.

DEVELOPMENT PARTNER/AGREEMENT

A private sector partner who have been procured through appropriate means to jointly deliver and benefit from redevelopment/regeneration schemes. Examples of such Public/Private partnerships can be found in the RICS/Local Partnerships Paper 'Local

Asset Backed Vehicles - A success story or unproven concept?' which can be found on the link below:

<http://www.localpartnerships.org.uk/images/PDFs/2012/LocalAssetBackedVehicles.pdf>

EXCEPTIONS

6.1 Other methods of disposal may be used where circumstances warrant them.

LATE BIDS AND OTHER CONSIDERATIONS

7.1 Guidance from the Local Government Ombudsman recognises the problem caused to local authorities by 'late bids'. The Guidance states that difficulties are less likely if Councils ensure that exchange of contracts take place as quickly as possible after the decision to sell (or lease) is made. It suggests that local authorities should be allowed to sell at an agreed price within a reasonable period of reaching a 'subject to contract' agreement.

7.2 In the context of the methods of land disposal dealt with in this document, a late bid may occur:-

- (a) in the case of a private sale, after a sale or lease has been agreed, but before exchange of contracts
- (b) in the case of a public auction, after the auction has been closed, but the reserved price not having been met.
- (c) in the case of a formal tender, after the closing date for tenders, but before selection of the successful tender.
- (d) in the case of an informal or negotiated tender, after receipt of bids, but before exchange of contracts or signing of a development agreement.
- (e) in the case of disposal by exchange after, a sale or lease has been agreed, but before exchange of contracts.

7.3 Each 'late bid' must be considered in the context of the individual circumstances at the time. The Council's approach to 'late bids' will vary depending upon the method of land disposal used. In each case, its overriding duty will be to obtain best consideration that it can reasonably obtain (subject to any exceptions in the General Disposal Consent, see 1.4). The Council's approach to late bids is as follows:

- (a) The Council discourages the submission of late bids in all cases when it is disposing of land. It will attempt to minimise problems by aiming for early exchange of contracts.
- (b) Late bids cannot be considered where land is being disposed of by public auction after a successful bid has been accepted.

- (c) Except as provided herein, until the Council has entered a legally binding contract or agreement with another person it will consider late bids unless there are good commercial reasons for not doing so. This should be explained to any purchaser when a disposal of land by private sale or negotiated/informal tender is agreed.
 - (d) Consideration of a late bid does not mean that it will necessarily be accepted even if it is the 'highest' bid. The Council will take into account the likelihood of the late bid proceeding to completion in a timely manner and the possibility of late bids used as a spoiling or delaying tactic.
 - (e) Subject to the above, the Council may, in appropriate circumstances, as both the late bidder and the person to whom the land was previously to have been sold, invite both parties to submit their last and final bids in a sealed envelope by a set deadline.
 - (f) A decision on whether to accept a late bid for a private sale, informal tender or by exchange are to be made either by the Executive/Cabinet or delegated powers.
- 7.4 A last minute bid may be rejected for sound commercial reasons. These may include a consideration regarding the certainty of the transaction reaching conclusion, or if there are legitimate grounds for suspecting a spoiling bid.
- 7.5 The Council will not take into account any issues or views regarding what is commonly referred to as "gazumping" – the overriding duty, with certain exceptions as mentioned in the General Disposal Consent, is to obtain best consideration.
- 7.6 In considering what amounts to 'monetary value' in terms of best consideration to be obtained, the creation of jobs or desirable social outcomes, will be considered by the Council as part of its general powers of wellbeing under the Local Government Act 2000

ANNEX 3 – SMALL LAND SALES (E.G. GARDEN LAND)

One to One Sales e.g. garden land.

On an approach from an interested party the Council will:

1. Send holding reply.
2. Carry out consultation exercise with other departments (particularly Housing [and Dragonfly Management \(Bolsover\) Ltd /sALMO](#) where Housing Revenue Account land is involved) and AMG.
3. Respond to applicant detailing what the decision making process is and when a decision will be made.
4. If sale is supported by AMG, send out heads of terms on without prejudice and subject to contract basis and await the applicant to confirm acceptance of terms in writing.
5. Assuming the value is below the key decision criteria and in line with the delegation scheme (Hence, small land sales); complete a Delegated Decision supporting the proposed disposal, assuming it sits within the delegation scheme.
6. Notify applicant of the decision, confirm HOTs and request details of Solicitor.
7. Instruct Legal based upon the HOTs to draft a sale agreement.
8. Prior to completion undertake a measured survey referring to the title plan and GIS mapping and peg out site if necessary.
9. Complete sale and notify the Finance Department and other Departments within the Council and amend their records.



**DISPOSALS &
ACQUISITIONS POLICY**

June 2024

Equalities Statement

Bolsover District Council is committed to equalities as an employer and when delivering the services it provides to all sections of the community.

The Council believes that no person should be treated unfairly and is committed to eliminating all forms of discrimination, advancing equality and fostering good relations between all groups in society.

Access for All statement

You can request this document or information in another format such as large print or **language** or contact us by:

- Phone: 01246 242424
- Email: enquiries@bolsover.gov.uk
- **BSL Video Call:** A three-way video call with us and a BSL interpreter. It is free to call Bolsover District Council with Sign Solutions, you just need WiFi or mobile data to make the video call, or call into one of our Contact Centres.
- Call with Relay UK - a free phone service provided by BT for anyone who has difficulty hearing or speaking. It's a way to have a real-time conversation with us by text.
- **Visiting** one of our offices at Clowne, Bolsover, Shirebrook and South Normanton

Policy Details	Comments / Confirmation (To be updated as the document progresses)
Policy title	DISPOSALS & ACQUISITIONS POLICY
Current status – i.e., first draft, version 2 or final version	Version 3
Policy author (post title only)	Director of Governance and Legal Services & Monitoring Officer
Location of policy (whilst in development) – i.e., L-drive, shared drive	S Drive
Relevant Executive Member (if applicable)	Executive Member for Growth
Equality Impact Assessment approval date	
Partnership involvement (if applicable)	N/A
Final policy approval route i.e., Joint Strategic Alliance Committee, Cabinet/Executive/Council	Executive
Date policy approved	TBC
Date policy due for review (maximum three years)	
Date policy forwarded to Improvement (to include on Intranet and Internet if applicable to the public)	

RECOMMENDED STRUCTURE OF POLICY

1. Introduction

The policy provides detailed guidance of the process which should be followed for disposal of surplus/under-used Council owned land/property. For ease of reference, Annex 1 contains a flowchart which outlines the process of disposal. The policy is split in to and deals with disposals and acquisitions in turn.

For the avoidance of doubt this policy does not apply to acquisitions through Compulsory Purchase Order (CPO). If a CPO is anticipated, advice from the Council's legal section should be obtained.

- 1.1 Government advice recommends that local authorities have a document describing their strategy, policy and guidance for disposing of land/property.
- 1.2 The purpose of this document is to make the Council's approach transparent and open. It is intended for use by Council Officers, its partners and to inform developers and members of the public.
- 1.3 It is important that each land disposal is treated on its own merits and nothing in this document will bind the Council to a particular course of action in respect of a land disposal. Alternative methods of disposal, not specifically mentioned in this document, may be used where appropriate, subject to obtaining the necessary authority, in line with the constitution.
- 1.4 The Council's actions in disposing of land are subject to statutory provisions; in particular, to the overriding duty on the Council, under section 123 of the Local Government Act 1972, to obtain the best consideration that can be reasonably obtained for the disposal of land. This duty is subject to certain exceptions that are set out in the 'Local Government Act 1972: General Disposal Consent (England) 2003'.

Where there are wider public benefits, consistent with the principles of Best Value, disposing bodies may consider disposal of assets at less than Market Value taking into account wider value considerations such as economic, environmental and social value factors.

Where an asset is being disposed at less than Market Value, a market valuation is needed as part of the process of considering the wider public benefits alongside any financial implications. A market valuation will enable accurate accounting and reporting.

Where less than Market Value is proposed, the ['Circular 06/03: Local Government Act 1972 general disposal consent \(England\) 2003 disposal of land for less than the best consideration that can reasonably be obtained'](#) should be referred to with particular attention to paragraph 14 17 (Valuation). The State Aid rules in paragraph 14 have been replaced by subsidy control rules. These rules will need to be considered when seeking to dispose of land at less than market value.

- 1.5 This document sets out, in sequence, the general procedure to be adopted in connection with the disposal of surplus/under-used land/property.
- 1.6 It should be noted that this document does not provide guidance on budgetary issues such as sources of funding or how any capital receipts are utilised. If proposals for capital receipts (e.g., investing receipts into defective housing stock, etc) are recommended, these should be detailed in the appropriate report.
- 1.7 The Council's Asset Management Group (AMG), facilitated by the Director of Corporate and Legal Service and Monitoring Officer, will consider and make recommendations concerning all Council property/land transactions prior to disposal. This may be either by making recommendations to Executive or recommending approval through existing delegated powers. The group is made up of key departmental heads from the Council and from Dragonfly Management (Bolsover) Ltd. (the Councils wholly owned company) and appropriate Portfolio Holders. Where AMG makes a recommendation to Executive, the recommendation from AMG should be included in any report.

2. Scope

This document is in accordance with Government guidelines and details Bolsover District Council policies relating to the disposal of land and property. For the purpose of this document, a disposal of land means any freehold disposal (General Fund or Housing Revenue Account), by sale or exchange, of Council owned land or buildings and any disposal by the granting of a lease for a period greater than 7 years. Leases of 7 years or less are not covered by this document. In addition transfers of land to the Council pursuant to provisions of an agreement made under Section 106 of the Town & Country Planning Act 1990 are not covered by this document.

3. Principles

The principle of the policy is to ensure transparency and compliance with statutory provisions; in particular, to the overriding duty on the Council, under section 123 of the Local Government Act 1972, to obtain the best consideration that can be reasonably obtained for the disposal of land.

4. Definition of Surplus/Under-used property/land

- 4.1 A site (or part of the site) is deemed to be surplus to the Council's requirements if:
 - (a) it makes no contribution to the delivery of the Council's services or strategic objectives, nor generates any income, and
 - (b) it has potential for future regeneration/redevelopment purposes and/or surplus to the Councils operational requirements or an alternative site can be identified.

- (c) an alternative site has been identified which would achieve more cost-effective service delivery.

4.2 A site (or part of the site) is deemed to be under-utilised if either:

- (a) the income being generated from the site is below that which could be achieved from:
 - (i) an alternative use
 - (ii) disposing of the site and investing the income
 - (iii) intensifying the existing use, or
- (b) part of the site is vacant and is likely to remain vacant for the foreseeable future.
- (c) The site is unviable due to long-term repair and maintenance liabilities.

5 Site Identification

5.1 Sites for possible disposal may be identified in the following ways:

- (a) Through Local Plan designation
- (b) Through service Departments declaring specific sites as being surplus to requirements or uneconomical*
- (c) Through continually reviewing Council owned assets to ensure the asset is facilitating service delivery or generating an appropriate income.
- (d) Through approaches by third parties.

(*where an **under-utilised** asset is generating an income, a Cost/Benefit analysis should be carried out by the appropriate Assistant Director, in consultation with AMG, to establish whether it is in the Councils best interests to dispose of the site)

6 Site Investigations

- 6.1 Once a potential site has been identified, the lead department will consult with AMG, Dragonfly Management (Bolsover) Ltd Legal Services, and Planning Services to establish whether there are any development constraints on the site or restrictions to disposal such as designation as Public Open Space, Housing legislation, etc.
- 6.2 Limited survey works (e.g., services, desktop site investigation) and desk studies into previous land use history will also be carried out where appropriate to inform the proposed use.

7 Valuations

- 7.1 In most circumstances, the valuation of sites will be undertaken by the Council's Valuer. However, independent valuation advice by a Royal Institute of Chartered Surveyors (RICS) registered Valuer, should be obtained in the following circumstances:
 - Where a disposal is in respect of a major or complex site

- Where the Council has a commercial interest in the purchaser (e.g., housing companies, development companies, Dragonfly Management (Bolsover) Ltd, Dragonfly Development Ltd etc)
- Where a member or a member of the Council's Senior Leadership Team has an interest in the purchaser or property (e.g., Councillor making a Right to Buy (RTB) application)
- Where the site is considered for disposal at less than best consideration.
- Where the site is considered to be of a specialist nature e.g., agriculture etc.

8 Method of Disposal

- 8.1 The Director of Corporate and Legal Service and Monitoring Officer advised by the Councils Senior Valuer will recommend to AMG the most appropriate method of disposal e.g., auction, Private Treaty etc.
- 8.2 Unless a "special purchaser" has been identified i.e., one who is prepared to pay a premium for the site (over and above market value), all potential purchasers are to be given an opportunity to tender/submit an offer, according to the method of disposal recommended. Where AMG decide to pursue a sale with a single party, a Valuation report to confirm best consideration must be obtained.
- 8.3 Where the disposal is by way of a long lease, the Assistant Director of Finance & Revenues and Benefits will be consulted to assess the implications regarding VAT, Capital Accounting and Treasury Management.
- 8.4 The Council will usually use one of the disposal methods identified below as appropriate. Further guidance upon when it will be appropriate to use any particular means of disposal is contained in Annex 2. The means of disposal are: -
- **Private Sale** – a sale of land negotiated with one or a small number of purchasers. The land may or may not have been marketed as available for sale. A binding legal agreement is created on 'exchange of contracts' between the Council and the purchaser. Annex 3 sets out the procedure to be followed.
 - **Public Auction** – a sale of land by public auction available to anyone. The sale will be publicly advertised in advance. The auctioneer creates a binding legal agreement upon the acceptance of a bid.
 - **Formal Tender** – a sale of land by a process of public advertisement and submission of tenders by a given date in accordance with a strict procedure. The Council creates a binding legal agreement upon the acceptance of a tender.
 - **Exchange of Land** – a transaction involving the exchange of Council owned land with another landowner. The land acquired by the Council will meet at least one of its corporate objectives and will be of 'equal' value (land and cash) to the land exchanged.

- **Informal Negotiated Tender** – a sale of land after a public advertisement that requests informal offers or bids that meet a given need. The Council may then negotiate further or more detailed terms with one or more individuals submitting the most advantageous bid or bids. A binding legal agreement is not created until the exchange of contracts between the authority and the chosen bidder.
- **Development Partner/Agreement** – a private sector partner who have been established through appropriate means, to jointly deliver and benefit from redevelopment/regeneration schemes.

8.5 Public Contract Regulation list public bodies which are “contracting authorities”. Government Departments are contracting authorities and subject to EU procurement legislation. If a disposal involves works or services, then UK procurement rules may apply. The department leading the disposal should seek professional advice from the Council’s Procurement Team as to whether the disposal will be considered to involve a procurement of Works and may be subject to the Public Contract Regulations 2015 or the Council’s Procurement Rules.

Works or services may for example include where:

- A developer provides professional services to the contracting authority.
- There is a requirement to deliver a certain number of dwellings on a site by certain time or to a certain standard.
- New facilities are provided for the contracting authority.
- There is an obligation to provide infrastructure (e.g., construct a road before development can begin).

9 Investment Prior to Disposal

9.1 Investment prior to disposal (or de-risking) can help to provide more certainty for potential purchasers for a property and deliver an increased receipt. This is particularly the case when releasing land for housing delivery. The case for investment prior to disposal should be considered as early as possible and clearly set out during the decision-making process.

De-Risking activity prior to disposal could include:

- Planning: pre-application engagement offers significant potential to improve both the efficiency and effectiveness of a departments planning application. The approach should be tailored to the nature and potential of the proposed development and the issues to be addressed.
- Planning: preparing a development brief, securing a planning allocation or securing outline planning approval. Any decision on planning investment will be influenced by the size of the land offered to the market.
- Technical: producing technical reports and surveys such as ecology, topography and ground investigations.
- Prior works: works such as remediation, decontamination and demolition.
- Legal: the resolution of title issues.

- Infrastructure: providing physical or social infrastructure (e.g., roads or community facilities).

The level of investment should be appropriate to the size and nature of the site and be driven by the key disposal objectives. Consideration should also be given to whether investment will reduce the conditionality of bids and increase the certainty of receipt. The final decision to invest should be based on a robust analysis of the 'return on investment' of a range of options and a clear understanding of the site's viability. Where appropriate staff costs, legal costs, marketing costs, consultants cost etc. associated with any potential disposal of an asset (even where such costs do not lead to an actual disposal) will be re-charged to the cost centre where the Capital Receipt is, or would be, placed.

10 Timing

10.1 The timing of any marketing/disposals will be considered against the background of the Council's budgetary requirements, together with the current state of the property market. Before recommending that a disposal is to proceed, the following factors should be taken into consideration:

- The Council's requirement for capital income (receipts) to fund its Approved Capital Programme.
- Current property market conditions
- Potential for the site value to increase in the future.
- Regional Planning Guidance and the Local Plan (or other such Planning Policy documents) – this will influence decisions on the disposal (and acquisition) of land, as well as the future use of individual sites.

11 Approval for Disposal

11.1 The relevant Director or Assistant Director (in conjunction with any other relevant Director or Assistant Director) and following presentation and consideration at AMG, will prepare a report for the next Executive unless the disposal can be dealt with under delegated authority. The report will recommend the most appropriate method for marketing and disposing of the property, the AMG recommendation, Valuation advice, written responses to member consultation and the terms of the agreement. If the disposal falls within existing delegations, and AMG deems it appropriate **not** to refer the matter to the Executive, the relevant consultations will be undertaken and a Delegated Decision (Officer recommendation with approval through a delegated process) may be signed by the relevant officer.

11.2 Prior to the disposal of open space and housing land, legal advice should be sought on approvals and the need to be advertise, to enabling comments received to be considered, **before** a decision is made.

11.3 Where there is a disposal of a small development plot suitable for residential development, the Council should have regard to the demand for custom and self-build (as defined in the Self-build and Custom House building Act 2015) by reviewing the Custom and Self Build Register.

12 Negotiations

- 12.1 The capital receipt from any disposal is to be maximised unless there are overriding factors identified in the Corporate Plan that take precedence over the receipt of capital income (see also 12.2 below). Consideration should be given to any opportunities for realising latent value, perhaps through a merger of interests or by obtaining planning consent for a change of use.
- 12.2 Where a property is being sold with the benefit of the best planning permission reasonably obtainable, or market conditions or other factors indicate that it would be beneficial to do so, Departments should consider making provision to share in development profit through overage or clawback clauses.

‘Overage’ means claiming back an element of improved development value where, for example, there is a general uplift in the market, or where the market value of the end development is not known at the time of sale.

‘Clawback’ refers to claims for all or part of windfall gains resulting from, for example, the purchaser obtaining planning permission for a change of use, or a greater volume of development than anticipated by the planning permission obtained prior to disposal.

Examples where these might be used, include:

- Where it is difficult to gauge the commercial potential of a property.
- Where a particular type of purchaser may have a better chance of obtaining consent for a development than the Department.
- Where a developer can improve upon a planning permission obtained by the disposing department.
- The disposal of a listed building.

- 12.3 Where AMG consider that a site should be disposed of at a price below open market value, the matter is to be reported to the Executive for approval, prior to the disposal. A disposal of land at a price below open market value may require the consent of the Secretary of State under the provisions of the Local Government Act 1972. The [‘Circular 06/03: Local Government Act 1972 general disposal consent \(England\) 2003 disposal of land for less than the best consideration that can reasonably be obtained’](#) should be referred to with particular attention to paragraph 17 (Valuation). Subsidy control rules should also be considered.
- 12.4 If possible, during negotiations, a timescale for the development of any land will be agreed with the prospective purchaser. If the land is not developed in this timescale, then the Council will have the opportunity to repurchase the land at the original sale price or the current market value whichever is the lower. This is to prevent purchasers ‘land banking’ and benefiting from any future increases in land values. This may not

be possible on large regeneration schemes where significant upfront investment from the buyer is required to enable development (e.g., planning consent, archaeology, etc).

13 Instructions

13.1 Consultation with Legal Services will be undertaken both prior to any proposed disposal or acquisition and throughout the process of completing the transaction. Once a potential purchaser has been identified and all the terms of the disposal have been agreed and received the relevant authorisation via Executive or delegated powers (or earlier if appropriate), the relevant department will instruct Legal Services to undertake the conveyancing work.

14 Completion

14.1 Once the disposal has been completed, Legal Services will advise the instructing officer relevant Members and such others as are appropriate.

15 Method for Acquisition of Land and Property

15.1 This part of the strategy sets out, in sequence, the procedure to be adopted in connection with the acquisition of land and property.

16 Reasons for the acquisition of Land or Property

16.1 Unless there are exceptional circumstances, the Council will only acquire land or property for the following reasons:

- to enable the provision of more effective Council services and deliver wider corporate aims.
- economic development
- revenue income generation
- strategic acquisition for regeneration or redevelopment purposes.

17 Market Research

17.1 Once a need to acquire property has been identified by the interested department, market research will be carried out by the relevant Director or Assistant Director, in consultation with the Senior Valuer, to establish whether suitable land or property is available on the market to fulfil this need.

17.2 Where a number of potentially suitable properties exist in the marketplace, robust comparisons will be made to establish which is the most suitable for the Council's needs. Criteria against which such decisions will be made include: -

- Price
- Condition of property (Inc lifetime costs)
- Availability (in terms of timing)

- Nature of tenure being offered (freehold or leasehold)
- Locational advantages (where a strategic acquisition is under consideration)
- Return on investment (where a revenue generating asset is being considered).

18 Site investigations

- 18.1 Once a potential site has been identified, the lead department will consult with AMG, Dragonfly Management (Bolsover) Ltd, Legal Services, and Planning Services to establish whether there are any development constraints on the site or restrictions to the proposed use.
- 18.2 Limited survey works (e.g., services, desktop site investigation) and desk studies into previous land use history will also be carried out where appropriate to inform the proposed use.

19 Financial Appraisal

- 19.1 When a suitable property has been identified, a financial appraisal will be carried out to establish the financial/budgetary implications of acquiring the property at the negotiated asking price. The financial appraisal will take into account the following matters:
- The capital cost of acquisition
 - The borrowing costs (financial team to advise)
 - Any revenue, or potential revenue, generated from the property, both short and long term
 - Availability of external funding sources
 - Possibility of joint ventures
 - The cost, in asset management terms, of owning the property, including: - immediate maintenance/refurbishment requirements.
demolition costs, if appropriate ongoing maintenance/life cycle costings, national non-domestic rates and insurance.
 - The overall effect of the expenditure on the Council's budgetary position. subsidy control compliance and best consideration should also be addressed.
 - Where the acquisition is to be by way of a long lease, the Director of Finance & Section 151 Officer will be specifically consulted to assess the implications regarding VAT, Capital Controls and Treasury Management.

20 Independent Valuation

- 20.1 In all circumstances, the valuation of sites will be undertaken by the Council's Valuer. However, independent valuation advice by a RICS registered Valuer, should be obtained in the following circumstances:
- Where an acquisition is in respect of a major or complex site

- Where the Council have an interest the seller (e.g., housing companies, development companies, Dragonfly Development Ltd or Dragonfly Management (Bolsover) Ltd, etc)
- Where a member or senior officer has an interest in the seller or property
- Where the site is considered for purchase at above best consideration.

20.2 Where such advice suggests that the market value of the property is below the negotiated price and there are overriding factors which justify the purchase, a report shall be prepared for the Executive by the relevant Director or Assistant Director, seeking approval to continue with the proposed acquisition.

21 Negotiation

21.1 Once the principle of an acquisition has been agreed, detailed negotiations will be commenced with the vendor by the Council's Senior Valuer in consultation with the relevant Director or Assistant Director. Where the sale is by auction or tender, bids will be formulated as appropriate.

22 Approval

22.1 Any offer to the vendor will be made "*subject to contract, Council approval*". Where a survey of the premises/site has not been possible prior to an offer "*Subject to survey*" may also be appropriate. Where the decision to acquire the premises is a Key Decision a report will be prepared for Executive, by the relevant Director or Assistant Director recommending acceptance of the acquisition and detailing the broad terms. This is subject to any specific delegated authority granted to an officer authorising approval of certain Key Decisions

22.2 Where the decision is below Key Decision threshold the approval can be authorised by the relevant Director or Assistant Director under delegated powers.

22.3 Where circumstances dictate that an urgent decision is required (and where resources have not been set aside and the principle of the acquisition has not already been agreed) the Chief Executive Officer will be consulted as to whether the use of Chief Executive's delegated powers is possible/appropriate after taking advice on the financial and any legal implications arising. Any decisions made in accordance with this condition will be 'Key Decisions' (as defined in the Council's constitution) and must be reported in accordance with the relevant procedures.

23 Instructions

23.1 Once Executive approval has been received, and any surveys satisfactorily carried out (or earlier if appropriate), Legal Services will be instructed to undertake the conveyancing work associated with the acquisition. The instruction should include the Heads of Terms (HOTs) agreed between the Council and the vendor and the relevant approval.

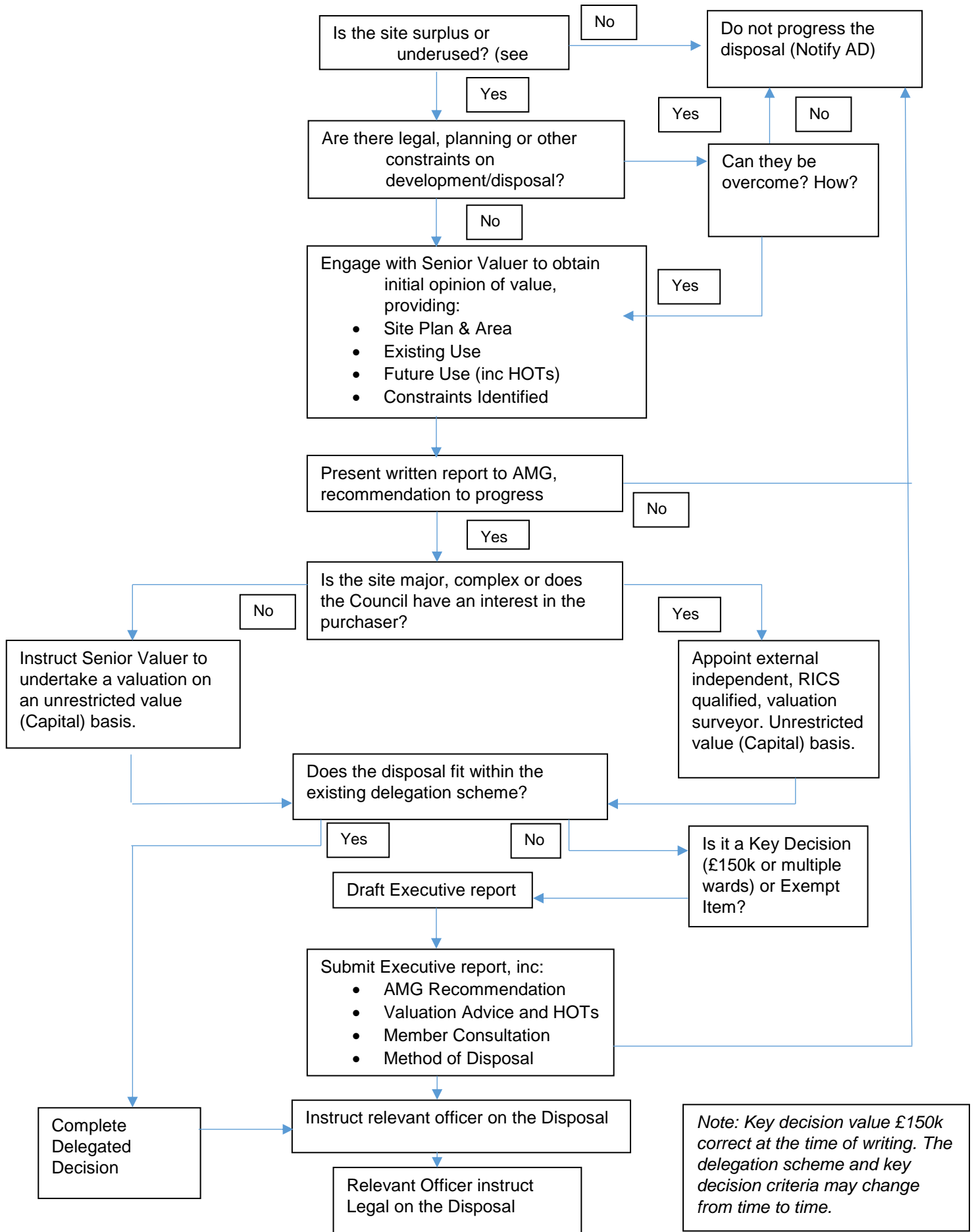
24 Completion

- 24.1 Once the acquisition has been completed, Legal Services will advise the instructing officer, relevant Members and such others as are appropriate.

25 Responsibility for Implementation

- 25.1 All parts of the Council, who are proceeding with the disposal and acquisition of Council owned assets are responsible for the implementation of this policy.

Annex 1 – Disposal General Flowchart



ANNEX 2 - DESCRIPTION OF LAND DISPOSAL METHODS

DISPOSAL BY PRIVATE SALE

- 1.1 A disposal by Private Sale may take place after a period during which the land is put on the market including advertising and generally making known that it is available for sale. In this case, the Council will be able to consider the highest bid as representing the best consideration that can be reasonably obtained.
- 1.2 If land is to be sold by Private Sale without being marketed, then the reasons justifying a private sale must be recorded in writing. In some circumstances the Council may seek an additional independent valuation to verify that 'best consideration' is being obtained.

A private sale without the land being marketed may be justified where:

- (a) the land to be disposed of is relatively small in size and an adjoining or closely located landowner is the only potential or likely purchaser.
 - (b) the nature of the Council's land ownership and that of the surrounding land ownership is such that the land must be sold to adjoining or surrounding landowners if best consideration is to be obtained.
 - (c) the Council's land is part of a larger area of land that is proposed for development, redevelopment or regeneration where the nature and complexity of the proposed development of the overall site is such that the Council's corporate objectives and best consideration can only be achieved by a sale to a purchaser with an existing interest in land in the area.
 - (d) the land to be disposed of has been identified suitable for custom and self-build referred to at 11.3 in this policy.
- 1.3 A legally binding agreement will not be reached until either contract for the lease or sale of land are exchanged or a development agreement is signed.

DISPOSAL BY PUBLIC AUCTION

- 2.1 Sale by public auction may be appropriate where there is no obvious potential purchaser and where speed and the best price can be obtained by auction.
- 2.2 The authority from the Council's Executive must record in writing.
 - (a) the reasons justifying a sale by public auction.
 - (b) delegated powers to agree the reserve price, if any, for the auction.
 - (c) the authority for a Council officer, if required, to attend the auction and to act on behalf of the Council on the sale.

- 2.3 The contract for sale or lease must be ready for exchange at the auction.
- 2.4 A binding contract will be made on the acceptance of the highest bid providing it has reached the reserve price. Contracts for the sale or lease will immediately be signed on behalf of the Council and exchanged with the purchaser.

DISPOSAL BY FORMAL TENDER

NB: Disposal by this method is not straightforward and careful consideration as to why it is necessary to use this method should be recorded. This should only be considered if no other disposal options are available.

- 3.1 A sale of land by formal tender may be appropriate where the land ownership is not complex, and the Council is seeking obligations to be placed on the successful tenderer which are clear and capable of specification in advance. For example, the disposal of land to a developer with an obligation to build industrial units for lease, or the conservation of a listed building. In such instances, a process of formal tender may be appropriate in gaining best consideration.
- 3.2 Formal tenders will not be appropriate where the land ownership position is complex or the development proposals for the land are insufficiently identified or otherwise incapable of detailed specification at the pre-tender stage.
- 3.3 The reasons justifying a sale by formal tender must be recorded in the Executive report. The Council's rules for tender offers contained in the Contract Procedure Rules contained within the Council's constitution will be followed.
- 3.4 The nature of the formal tender process is that a legally binding relationship is formed when the Council accepts a tender in writing by exchanging contracts. It is essential therefore, that every aspect of the disposal is specified in the tender documents. The tender documents should include a contract for sale or lease which should be completed with the tenderer's details, the tender price and be signed by the tenderer. It will be released unconditionally to the Council on submission of the tender. If the tender is acceptable the Council will complete and sign its part of the contract, date both parts and send its signed contract to the buyer, at which point a binding contract will be created.
- 3.5 Sale of land by formal tender will require a detailed specification to be drawn up. This will specify the land to be sold, any requirements to be met by the tenderer and any obligations that must be met.
- 3.6 The Council will place a public advertisement seeking expressions of interest and publicise the selection criteria by which it will assess tenders. Those individuals selected will then be invited to submit their tender bids. When the intention is to dispose of land for custom and self-build the land will only be advertised to those on the custom and self-build register.

- 3.7 Legal Services will always be consulted before tender the Council seeks to dispose of land by formal tender.

DISPOSAL BY EXCHANGE OF LAND

- 4.1 Disposal by exchange of land will be appropriate when it is advantageous to the Council and other parties to exchange land in their ownerships and will achieve best consideration through equal value (Land and cash) for the Authority.
- 4.2 A binding legal agreement will be created when a contract is exchanged.
- 4.3 The exchange will usually be equal in value. However, an inequality in land value may be compensated for by other means where appropriate. For example, were the Council in exchange for a larger piece of land receives a smaller piece of land but the recipient of the larger plot agrees to build industrial units on the Council's smaller area to equalise the consideration. In such circumstances the Council may seek an independent valuation to verify that 'best consideration' will be obtained.

DISPOSAL BY INFORMAL/NEGOTIATED TENDER

- 5.1 A disposal by informal/negotiated tender differs from a formal tender in that neither the Council nor the successful bidder is legally obliged to enter into a contract for the disposal of the land. The informal/negotiated tender process allows the Council to identify one preferred bidder or a group of preferred bidders, with whom it may then negotiate further detailed terms or proposals for the development of the land concerned.
- 5.2 The Council uses a public advertisement to request informal development proposals for land that meet a given specification. This process is particularly useful for large or complex development or regeneration sites requiring development and where the proposals may need to be developed in co-operation with the preferred bidder to meet the Council's corporate objectives and to achieve the best consideration that can be reasonably obtained.
- 5.3 The Council's rules for tender offers contained in the Contract Procedure Rules, contained within the Council's constitution, will be followed in respect of the receipt of tenders. Any exceptions to that process must be authorised and recorded in accordance with these rules.
- 5.4 A binding legal agreement is not created until the exchange of contracts for sale or lease or the signing of a development agreement.

DEVELOPMENT PARTNER/AGREEMENT

A private sector partner who has been procured through appropriate means to jointly deliver and benefit from redevelopment/regeneration schemes. Examples of such Public/Private partnerships can be found in the RICS/Local Partnerships Paper 'Local Asset Backed Vehicles - A success story or unproven concept?' which can be found on the link below:

<http://www.localpartnerships.org.uk/images/PDFs/2012/LocalAssetBackedVehicles.pdf>

EXCEPTIONS

6.1 Other methods of disposal may be used where circumstances warrant them.

LATE BIDS AND OTHER CONSIDERATIONS

7.1 Guidance from the Local Government Ombudsman recognises the problem caused to local authorities by 'late bids'. The Guidance states that difficulties are less likely if Councils ensure that exchange of contracts take place as quickly as possible after the decision to sell (or lease) is made. It suggests that local authorities should be allowed to sell at an agreed price within a reasonable period of reaching a 'subject to contract' agreement.

7.2 In the context of the methods of land disposal dealt with in this document, a late bid may occur: -

- (a) in the case of a private sale, after a sale or lease has been agreed, but before exchange of contracts.
- (b) in the case of a public auction, after the auction has been closed, but the reserved price not having been met.
- (c) in the case of a formal tender, after the closing date for tenders, but before selection of the successful tender.
- (d) in the case of an informal or negotiated tender, after receipt of bids, but before exchange of contracts or signing of a development agreement.
- (e) in the case of disposal by exchange after, a sale or lease has been agreed, but before exchange of contracts.

7.3 Each 'late bid' must be considered in the context of the individual circumstances at the time. The Council's approach to 'late bids' will vary depending upon the method of land disposal used. In each case, its overriding duty will be to obtain best consideration that it can reasonably obtain (subject to any exceptions in the General Disposal Consent, see 1.4). The Council's approach to late bids is as follows:

- (a) The Council discourages the submission of late bids in all cases when it is disposing of land. It will attempt to minimise problems by aiming for early exchange of contracts.
- (b) Late bids cannot be considered where land is being disposed of by public auction after a successful bid has been accepted.
- (c) Except as provided herein, until the Council has entered a legally binding contract or agreement with another person it will consider late bids unless there are good commercial reasons for not doing so. This should be explained

to any purchaser when a disposal of land by private sale or negotiated/informal tender is agreed.

- (d) Consideration of a late bid does not mean that it will necessarily be accepted even if it is the 'highest' bid. The Council will take into account the likelihood of the late bid proceeding to completion in a timely manner and the possibility of late bids used as a spoiling or delaying tactic.
 - (e) Subject to the above, the Council may, in appropriate circumstances, as both the late bidder and the person to whom the land was previously to have been sold, invite both parties to submit their last and final bids in a sealed envelope by a set deadline.
 - (f) A decision on whether to accept a late bid for a private sale, informal tender or by exchange are to be made either by the Executive/Cabinet or delegated powers.
- 7.4 A last-minute bid may be rejected for sound commercial reasons. These may include a consideration regarding the certainty of the transaction reaching conclusion, or if there are legitimate grounds for suspecting a spoiling bid.
- 7.5 The Council will not take into account any issues or views regarding what is commonly referred to as "gazumping" – the overriding duty, with certain exceptions as mentioned in the General Disposal Consent, is to obtain best consideration.
- 7.6 In considering what amounts to 'monetary value' in terms of best consideration to be obtained, the creation of jobs or desirable social outcomes, will be considered by the Council as part of its general powers of wellbeing under the Local Government Act 2000

ANNEX 3 – SMALL LAND SALES (E.G. GARDEN LAND)

One to One Sales e.g., garden land.

On an approach from an interested party the Council will:

1. Send holding reply.
2. Carry out consultation exercise with other departments (particularly Housing and Dragonfly Management (Bolsover) Ltd where Housing Revenue Account land is involved) and AMG.
3. Respond to applicant detailing what the decision-making process is and when a decision will be made.
4. If sale is supported by AMG, send out HOTs on a without prejudice and subject to contract basis and await the applicant to confirm acceptance of terms in writing.
5. Assuming the value is below the key decision criteria and in line with the delegation scheme (hence, small land sales); complete a Delegated Decision supporting the proposed disposal, assuming it sits within the delegation scheme.
6. Notify applicant of the decision, confirm HOTs and request details of Solicitor.
7. Instruct Legal based upon the HOTs to draft a sale agreement.
8. Prior to completion undertake a measured survey referring to the title plan and GIS mapping and peg out site if necessary.
9. Complete sale and notify the Finance Department and other Departments within the Council and amend their records.

Bolsover District Council

Meeting of the Executive on 29th July 2024

Financial Outturn 2023/24

Report of the Portfolio Holder for Resources

Classification	This report is public.
Contact Officer	Theresa Fletcher Director of Finance and Section 151 Officer

PURPOSE/SUMMARY OF REPORT

To inform Executive of the outturn position of the Council for the 2023/24 financial year.

REPORT DETAILS

1. Background

- 1.1 This outturn report is presented to Members at the end of a challenging year for the finance team. The Council published its draft Statement of Accounts in respect of 2022/23 on the 19th of May 2023, which was well in advance of the 31st of May statutory deadline. Indeed, I am told we were the first finance team in England to publish our 2022/23 financial statements.
- 1.2 The external audit of the accounts was largely undertaken during July and August 2023, but due to Mazars parking the audit until the Derbyshire Pension Fund audit had been completed, we did not receive the audit opinion on the 2022/23 accounts until the 28th of March 2024. This still put us in the minority group of Councils who had their 2022/23 Statement of Accounts signed off by the 31st of March 2024.
- 1.3 The knock-on effect of the delayed audit conclusion meant that throughout the revised budget and Medium-term Financial Plan process, the finance team were still answering audit queries, as well as setting up the financial systems for Dragonfly. This resulted in the whole budget process being done in a rush and ending awfully close to the committee meetings. This then led to the usual year-end preparation work for the 2023/24 accounts being delayed and in some cases not able to be done at all.
- 1.4 On the 2nd of July 2024, we published the Council’s draft Statement of Accounts for 2023/24. This was over a month past the statutory deadline, but our auditors agreed we should wait to include the correct Pension Fund information rather than include estimates of the figures. We had to wait almost 12 weeks for the Pension Fund valuation showing Dragonfly separated from the Council. At the time of writing this report (4th of July) we are still waiting for the draft financial statements

for Dragonfly from their auditors. I took the decision to go with estimates of these figures, to avoid any further delay.

- 1.5 On the 12th of March 2024, I presented a report to the Audit Committee titled ‘Local audit delays – consultation and proposals for the future’. This discussed in detail the deterioration in the timeliness of local audit since 2017/18, with delays compounding during the Covid pandemic, leading to a persistent and significant backlog of audit opinions. As of the 31st of December 2023, the backlog of outstanding audit opinions stood at 771, with some audits dating back to 2015/16. Only 1% of English Councils were in a position to publish their audited accounts by the 30th of September 2023 deadline, this was 5 out of the 467 total. By mid-January this had increased to 10% according to commentators.
- 1.6 To clear this backlog and embed timely audit there is now a 3-phase process. **Phase 1** is the reset and involves clearing the backlog of historical audit opinions up to and including the financial year 2022/23 by the 30th of September. Whilst this does not affect us because our 2022/23 accounts are already signed off, we have been informed by our external auditors that they will not start our 2023/24 audit until October at the earliest as they concentrate on the Councils where the 2022/23 and earlier years’ audit remains outstanding.
- 1.7 In **Phase 2** of the process described as recovery, the date for approval of the 2023/24 audited accounts has been changed from the 30th of September 2024 to the 31st of May 2025. Changes have also been made to the audited approval date for future years up to and including the financial year 2027/28. This means for 2023/24 that our accounts may not be signed off until after Christmas 2024, and until this time, the accounts would be subject to amendment by external audit. To accommodate the change to our audit we will be undertaking the revised budget process from July to September for this year.
- 1.8 For completeness, **Phase 3** is reform, and this will require work to address the systemic challenges that have led to the current local audit backlog. This work will build on the recommendations of the Redmond Review and all parties to the Cross-System Statement have committed to continue work to ensure that financial reporting, auditing, and regulatory requirements are proportionate and based on a common understanding of the purposes of local audit and reporting
- 1.9 International Financial Reporting Standards (IFRS) dictate that the main focus of the Statement of Accounts is on reporting to the public in a format which is directly comparable with every country that has adopted IFRS i.e., not just UK or even other local authorities. By contrast, the focus of this report is on providing management information to Members and other stakeholders to assist in the financial management of the Council.
- 1.10 The following sections of this report will consider the 2023/24 outturn position in respect of the General Fund, the Housing Revenue Account (HRA), the Capital Programme and the Treasury Management activities. Within the report, consideration is given to the level of balances at the year end and the impact which the closing position has upon the Council’s budgets in respect of the current financial year.

2. Details of Proposal or Information

General Fund

- 2.1 The position in respect of the General Fund outturn is detailed in **Appendix 1** attached to this report. The appendix shows the Current Budget compared to the final Outturn position. The main variances against the current budget are shown in table 1 below with variances at service level shown in **Appendix 2**.

Table 1

	£000
ITC	(80)
Rent rebates and allowances	251
Go Active!	(213)
Year-end capital admin allowance	(25)
Pleasley Vale Mills	(65)
Street scene services	(151)
Joint crematorium income	(42)
Environmental health	69
Salaries variances	(361)
Non-staff miscellaneous variances	(202)
Net cost of services	(819)
Debt Charges/Investment Interest	(323)
Additional general government grants	(139)
Total Outturn Variance	(1,281)
Changes to general fund balance since revised budget – until outturn	(174)
Contribution to Reserves – 2023/24 Outturn	(1,455)

Financial Reserves

Transfers from Earmarked Reserves

- 2.2 The use of earmarked reserves in 2023/24 was £0.486m. This reflects the expenditure incurred on projects at 31st March 2024 which have approval to use earmarked reserves. There are ongoing commitments for reserve expenditure in 2024/25 when the balance of this years' reserve funding (£0.285m) will be utilised.

Transfers to Reserves

2.3 At the end of the financial year, it has been necessary to agree transfers into reserves in preparation for future expenditure commitments, some from income received in 2023/24. Transfers to reserves total £3.824m which is £1.455m higher than originally forecast, reflecting the outturn shown in table 1.

These consist of:

- £0.200m contribution to the IT Reserve to fund future expenditure requirements.
- £0.200m contribution to the Legal Costs Reserve in preparation to fund future specialist legal advice.
- £0.100m contribution to the 3G Pitch Carpet Replacement Reserve, as a requirement of the grant conditions from an external funder.
- £0.200m contribution to the Building, Repair and Renewal Reserve to fund future unexpected works on the Council's buildings.
- £0.350m transfer to the Vehicle Replacement Reserve to finance new waste vehicles instead of borrowing and incurring costs in case our challenge for extra new burdens grant proves unsuccessful.
- £0.260m transfer to the NNDR Growth Protection Reserve to mitigate against future changes to the funding of the Council.
- £0.145m transfer to the Transformation Reserve as the remainder of the in-year surplus.

2.4 The Transformation Reserve has a balance at the end of the year of £3.056m. Commitments already made against this reserve for 2024/25 and future years amount to £2.355m leaving £0.701m uncommitted at the date of writing this report.

2.5 As already discussed, there are ongoing commitments against the earmarked reserves which will continue in 2024/25 and future years. Should any of these reserves prove unnecessary in the future, they will be moved back into unallocated General Fund resources.

General Fund Balances

2.6 The General Fund Balances are considered to be at an acceptable level for a District Council rather than at a generous level. The General Fund balance has decreased to £2.001m in line with the MTFP. This needs to be considered against the background of ongoing changes to the level of Government funding together with the range of risks facing the Council. With only a limited level of General Fund reserves it is crucial that the Council continues to maintain robust budgetary control in order to safeguard both its reserves and its financial sustainability.

2.7 Given the level of general balances, should either an overspend or an under achievement of income occur, immediate 'crisis' remedial action would need to be considered. Such a response is not conducive to sound financial management but

more importantly would have a significant detrimental impact upon the Council's ability to deliver the planned and agreed level of services to local residents.

- 2.8 The main feature of the 2023/24 financial year is that the Council transferred £1.455m to Earmarked Reserves in preparation for future expenditure.
- 2.9 With regard to the underlying favourable variance on the General Fund in 2023/24 this will be reviewed as usual during the budget process for 2024/25 – 2028/29, from July onwards. The latest position for all years in the current MTFP is shown in Table 2.
- 2.10 As a Council we made it our strategy to save extra business rates income earned in years when we received more than we estimated, to be able to use it in future years when Government funding was reduced. This is being held in the NNDR Growth Protection Reserve and the balance after the transfer from the 2023/24 outturn is £12.517m. Transfers are made from this reserve to the general fund to replace the losses caused by changes in Government funding.
- 2.11 Within the current MTFP, estimates of the movement to/from the reserve are as follows: there is a contribution from the reserve to general fund of £0.620m in 2025/26, £3.803m in 2026/27 and £4.122m in 2027/28. In 2024/25 there is a transfer into the reserve from general fund of £0.188m. This reserve is not a long-term source of income for the general fund.

Table 2

	2024/25 Budget £000	2025/26 Budget £000	2026/27 Budget £000	2027/28 Budget £000
Net Cost of Services	13,907	14,266	14,747	15,342
Net debt charges + investment interest	(1,052)	(806)	(1,185)	(1,235)
Net t/f to/(from) reserves + balances	1,178	1,462	367	321
Net t/f to/(from) NNDR Growth Protection Reserve	188	(620)	(3,803)	(4,122)
Parish precept	3,968	3,968	3,968	3,968
Funding from council tax, business rates and government grants	(18,189)	(18,270)	(14,094)	(14,274)
Use of GF balance	0	0	0	0

Storm Babet

2.12 Storm Babet affected a number of households and businesses in our district, either directly or indirectly due to the flooding. The Government’s Flood Recovery Framework scheme was activated for those authorities that had been significantly impacted by the storm. The support included:

- **Community Recovery Grant** - £500 per flooded household to help households in areas severely affected by the flooding with immediate recovery.
- **Business Recovery Grant** - £2,500 per small and medium-sized enterprise (SME) to support businesses that suffered severe impacts from the floods.
- **Council Tax Discount** – 100% council tax relief for a minimum of three months, for residents whose property had been flooded, or which was considered unliveable, as a consequence of the storm.
- **Business Rates Relief** – 100% relief from business rates for a minimum of three months, for those businesses directly impacted by the storm.
- **Property Flood Resilience scheme grants** - £5,000 to help homes and businesses to become more resilient to flooding by helping to pay for a range of property improvements.

2.13 All the schemes had closed by the 31st of March 2024. The table below shows how much was paid out by Bolsover District Council for each scheme.

	Applications received	Applications paid out	Amount paid out
Community Recovery Grant	43	42	£21,000 in grants
Business Recovery Grant	26	25	£62,500 in grants
Council Tax Discount	51	51	£26,800 in relief
Business Rates Relief	14	14	£15,413 in relief
Property Flood Resilience Grant	none	none	zero

2.14 The schemes were administered by the Council’s revenues and benefits section and the economic development team.

2.15 Damage caused to our own property in Pleasley Vale has largely been funded by an insurance claim but there is likely to be some use of the Council’s insurance reserve.

Housing Revenue Account (HRA)

2.16 The Housing Revenue Account is provided in **Appendix 3 and 4** to this report.

- 2.17 The Housing Revenue Account position shows a number of variances during the year. The main expenditure under spends are in relation to vacancies £0.160m within various sections of the HRA and £0.093m in utilities under spends on sheltered dwellings. Unfortunately, the under spends were offset by the over spend on repairs materials of £0.238m. The income position was over achieved mainly due to £0.139m better than anticipated property lettings plus, other favourable miscellaneous income variances. The overall expenditure position is £0.022m above the current budget. The overall income position is £0.244m above the current budget. This gives a net cost of services under spend of £0.222m, adjusting to £0.007m under spend after interest and depreciation.
- 2.18 The small surplus has meant the budgeted use of the HRA Balance can be slightly less than estimated. The level of HRA Balances has decreased to £1.644m in line with the MTFP during 2023/24, but in the MTFP for 2024/25 there is estimated to be a contribution back into the balance of £0.363m. The HRA balances are considered appropriate with the level of financial risk facing the HRA. Maintenance of this balance is necessary as it will help ensure the financial and operational stability of the HRA which is essential if we are to maintain the level of services and quality of housing provided to our tenants over the life of the 30-year Business Plan
- 2.19 Where the use of Reserves has not been fully applied in 2023/24 and there are ongoing commitments for these activities in 2024/25, the funding will be carried forward and utilised. The balance of the HRA reserves at 31st March 2024 is £3.958m.

Capital Investment Programme

- 2.20 Details of the capital expenditure incurred by the Council in 2023/24 on a scheme-by-scheme basis is provided in **Appendix 5**.

The Capital Programme may be summarised as follows:

General Fund:	Current Programme £'000	Outturn £'000	Variance £'000
GF Building Assets	7,613	3,775	(3,838)
GF ICT Schemes	629	80	(549)
Leisure Schemes	231	49	(182)
Disabled Facilities Grants	650	355	(295)
Investment Activities	105	105	0
GF Vehicle/Plant Replacements	2,277	1,675	(602)
General Fund Total	11,505	6,039	(5,466)

HRA:	Current Programme £'000	Outturn £'000	Variance £'000
HRA New Build Properties	13,708	8,231	(5,477)
HRA Vehicle Replacements	1,108	103	(1,005)
Public Sector Housing Schemes	6,477	5,677	(800)
HRA ICT Schemes	51	22	(29)
New Bolsover Scheme	1	1	0
HRA Total	21,345	14,034	(7,311)
Programme Total	32,850	20,073	(12,777)

General Fund Schemes

- 2.21 In relation to the General Fund element of the Capital Programme during 2023/24, £5.466m was not undertaken. Shirebrook Crematorium, ICT infrastructure and Vehicle replacements were the main variances.

HRA Schemes

- 2.22 Within the HRA the variances show that £7.311m of the total HRA programme has not been undertaken during the year. The New Build Properties category constituted the main variance.
- 2.23 **Appendix 5** also details the proposed carry forward amounts to 2024/25. These requests relate to individual schemes that are still in progress, where there are outstanding commitments or where the scheme has been delayed. The carry forward amount is £12.332m with the impact on the 2024/25 capital programme detailed in the appendix. It should be noted that all these expenditure requirements will take forward a corresponding level of financial resources and thus have a neutral impact on the financial position in 2024/25.

Capital Financing

- 2.24 The Capital Programme was financed as follows:

General Fund:	Current Programme £'000	Outturn £'000	Variance £'000
The Better Care Fund	650	355	(295)
Prudential Borrowing	5,432	3,015	(2,417)
Reserves	3,428	1,993	(1,435)
Capital Receipts	152	40	(112)
External Funding	1,843	636	(1,207)
Total General Fund	11,505	6,039	(5,466)

HRA:	Current Programme £'000	Outturn £'000	Variance £'000
Major Repairs Reserve	6,421	5,596	(825)
Prudential Borrowing	8,224	4,106	(4,118)
HRA Reserves	4,204	2,467	(1,737)
Capital Receipts	1,319	722	(597)
External Funding	1,177	1,143	(34)
Total HRA	21,345	14,034	(7,311)
Grand Total	32,850	20,073	(12,777)

General Fund Capital Financing

- 2.25 Officers have financed the General Fund Capital Programme from a combination of capital receipts, reserve contributions, prudential borrowing, and external funding.

HRA Capital Financing

- 2.26 Officers have financed the HRA Capital Programme from a combination of capital receipts, reserve contributions, prudential borrowing, and external funding.

Treasury Management

- 2.27 **Appendix 6** provides a brief report on the Treasury Management activity of the Council for 2023/24. In summary, the Council operated throughout 2023/24 within the Authorised and Operational Boundary limits approved in the Treasury Management Strategy as approved by the Council in February 2023.
- 2.28 The key points from the summary report are:
- The overall borrowing requirement of the Council (the Capital Financing Requirement) - £123.981m at 31 March 2024.
 - The PWLB debt - £86m.
 - Effective internal borrowing - £37.981m.
 - £3.4m repayments of PWLB debt in year.
 - No new PWLB borrowing was undertaken in 2023/24.
 - PWLB interest paid in 2023/24 - £3.093m.
 - Interest received on investments - £1.756m.

3. Reasons for Recommendation

General Fund

- 3.1 During the previous financial year, the Council managed its budget effectively securing a favourable financial outturn. The Council was able to make contributions of £1.455m to reserves in preparation for future expenditure commitments. The Transformation Reserve, which is the Council's main general earmarked reserve, has £2.355m committed against it in 2024/25 and future years, so continued prudence is needed when committing against this reserve.

HRA

- 3.2 The HRA continues to operate within the parameters set by the 30 Year Business Plan and the MTFP. Officers will be working to ensure that the Business Plan continues to reflect the impact of government legislation, and that the HRA remains sustainable over the 30-year period of the Business Plan.

Capital Programme

- 3.3 The Capital Programme saw good progress on approved schemes during the 2023/24 financial year. There are, however, a number of schemes which are work in progress and this requires that the associated expenditure and funding be carried forward into the 2024/25 financial year.

Capital Financing

- 3.4 Capital expenditure during 2023/24 has been fully financed in line with the approved programme.

Treasury Management

- 3.5 The Council operated in line with its agreed Treasury Management Strategy during the 2023/24 financial year. This ensures 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.

4 Alternative Options and Reasons for Rejection

- 4.1 The financial outturn report for 2023/24 is primarily a factual report which details the outcome of previously approved budgets therefore there are no alternative options that need to be considered.
- 4.2 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.

RECOMMENDATION(S)

1. That Members note the outturn position in respect of the 2023/24 financial year.
2. That Members approve the transfers to earmarked reserves of £1.455m as outlined in detail in paragraph 2.3.
3. That Members approve the proposed carry forward of capital budgets detailed in Appendix 5 totalling £12.332m.

Approved by the Portfolio Holder - Cllr Clive Moesby, Executive Member for Resources

IMPLICATIONS.

Finance and Risk: Yes No

Details:

The financial implications are set out within the body of the report.

Members should note that the budgets against which we have monitored the 2023/24 outturn were those agreed within the Council's Medium Term Financial Plan (MTFP). The MTFP considered both the affordability of the budgets that were approved and ensured that the level of balances remained adequate for purposes of enabling sound financial management.

The issue of financial risk is covered throughout the report. The risk of not achieving a balanced budget, together with the risk that the Council's level of financial balances will be further eroded are currently key corporate risks identified on the Council's Strategic Risk Register.

On behalf of the Section 151 Officer

Legal (including Data Protection): Yes No

Details:

The Statement of Accounts is currently required to be prepared by 31 May and audited by the 31st of July each year, although this year the deadline for audit sign off has been moved to 31st of May 2025, as phase 2 of the process to clear the local audit back log as described in the report. The Council has now completed the draft Statement of Accounts and they have been signed off by the Section 151 Officer as at 2nd of July 2024.

On behalf of the Solicitor to the Council

Environment:

Please identify (if applicable) how this proposal/report will help the Authority meet its carbon neutral target or enhance the environment.

Details:

Not applicable to this report.

Staffing: Yes No

Details:

There are no human resource issues arising directly out of this report.

On behalf of the Head of Paid Service

DECISION INFORMATION

<p>Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards, or which results in income or expenditure to the Council above the following thresholds:</p> <p>Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies.</i></p>	No
<p>Is the decision subject to Call-In? <i>(Only Key Decisions are subject to Call-In)</i></p>	No

District Wards Significantly Affected	None
<p>Consultation: Leader / Deputy Leader <input type="checkbox"/> Executive <input type="checkbox"/> SLT <input type="checkbox"/> Relevant Service Manager <input type="checkbox"/> Members <input type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/></p>	<p>Details: Portfolio Holder for Finance</p>

Links to Council Ambition: Customers, Economy, and Environment.

DOCUMENT INFORMATION	
Appendix No	Title
1	General Fund Summary – Outturn 2023/24
2	General Fund Detail – Outturn 2023/24
3	Housing Revenue Account – Outturn 2023/24
4	Housing Revenue Account Detail – Outturn 2023/24
5	Capital Expenditure – Outturn 2023/24
6	Treasury Management – Outturn 2023/24

Background Papers
<i>(These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Executive, you must provide copies of the background papers).</i>
None

GENERAL FUND SUMMARY - OUTTURN 2023/24

Appendix 1

	Current Budget 2023/24 £	Outturn 2023/24 £	Variance £
Community Services Directorate (including S106 expenditure and year-end entries)	8,411,505	7,895,424	(516,081)
Corporate Resources Directorate (including year-end entries)	1,594,173	1,467,452	(126,721)
Dragonfly Services (including year-end entries)	2,583,366	2,407,003	(176,363)
Net Cost of Services	12,589,044	11,769,879	(819,165)
Investment Property net income	(262,637)	(262,637)	0
Debt Charges	805,393	699,508	(105,885)
Investment Interest	(2,536,445)	(2,753,527)	(217,082)
Contributions to Reserves	2,368,777	3,824,020	1,455,243
Contributions from Earmarked Reserves	(486,299)	(486,299)	0
Contribution (from)/to S106 Holding A/cs, Grant A/cs and Miscellaneous Holding A/cs	(167,692)	(167,692)	0
Parish Precepts	3,968,503	3,968,503	0
Total Spending Requirement	16,278,644	16,591,755	313,111
Revenue Support Grant	(1,473,016)	(1,473,016)	0
Business Rate Retention	(5,674,748)	(5,674,748)	0
New Homes Bonus Grant, including Services Grant and 3% Funding Guarantee Grant	(832,405)	(832,406)	(1)
BDC Council Tax Requirement	(4,511,361)	(4,511,361)	0
Parish Council, Council Tax Requirement	(3,968,503)	(3,968,503)	0
Miscellaneous un-ringfenced grant	0	(83,069)	(83,069)
Council Tax Collection Fund surplus	26,108	(30,308)	(56,416)
Funding Requirement	(16,433,925)	(16,573,411)	(139,486)
Opening General Fund Balance	(2,018,907)	(2,018,907)	
Transfer (to)/from Balances	(155,281)	18,344	
Closing General Fund Balance	(2,174,188)	(2,000,563)	

Monitoring Report 1/4/23 - 31/3/24		Current Budget	Outturn	Variance	
		2023/24	2023/24		
Directorate cost centres		£	£	£	Reasons for main variances
G007	Community Safety - Crime Reduction (G007)	73,086	69,632	(3,454)	Vacancy at Derbyshire PCC
G010	Neighbourhood Management (G010)	80,397	79,643	(754)	
G013	Community Action Network (G013)	364,291	356,017	(8,274)	Staffing costs under spent by £7k due to vacancies. Equipment/tools/materials £1k under spent, protective clothing £1k under spent.
G017	Private Sector Housing Renewal (G017)	88,561	93,848	5,287	Increased recharge from NE.
G018	Environmental Health - Covid Team (G018)	10,479	10,602	123	
G020	Public Health (G020)	(70,000)	(112,000)	(42,000)	Income from previous years now received, more than estimated.
G021	Pollution Reduction (G021)	264,609	264,445	(164)	Income £10k over achieved. Recharge from NE £10k higher.
G022	Health & Safety (G022)	(230)	(657)	(427)	
G023	Pest Control (G023)	60,342	50,690	(9,652)	
G024	Street Cleansing (G024)	368,606	349,865	(18,741)	Staffing relate costs £5k under spent due to in-year vacancies. Equipment/tools/materials £4k over spent. Income £17k over achieved.
G025	Food Safety (G025)	144,546	157,573	13,027	Recharge from NE £13k over spent. Income £1k over achieved.
G026	Animal Welfare (G026)	141,951	175,449	33,498	Recharge from NE £23k over and income £12k under achieved.
G027	Emergency Planning (G027)	17,392	17,392	0	
G028	Waste Collection (G028)	1,351,707	1,353,251	1,544	Staffing costs £7k over spent. Income £5k over achieved.
G031	S106 - Biodiversity (G031)	0	0	0	
G032	Grounds Maintenance (G032)	985,237	928,500	(56,737)	Staffing costs £36k under spent due to in-year vacancies. Income over achieved by £21k.
G033	Vehicle Fleet (G033)	1,243,626	1,188,843	(54,783)	Staffing costs £7k under spent due to in-year vacancies. Income £47k over achieved. Capital admin income adjustment of £21k. Diesel £17k over spent. Petrol £4k under spent. Equipment £4k over spent.
G036	Environmental Health Mgmt & Admin (G036)	308,334	310,611	2,277	Recharges from NE £2k over spent.
G037	BDC Air Quality No2 (G037)	(18,075)	(18,075)	0	
G046	Homelessness (G046)	38,011	26,569	(11,442)	Staffing costs £7k + mileage £1k under spent due to in-year vacancies. Homelessness prevention £7k under spent. H+C services £3k over spent. Winter provision £3k under spent.
G048	Town Centre Housing (G048)	(10,600)	(3,864)	6,736	Rents income £7k under-achieved.
G049	Temporary Accommodation Officer (G049)	53,129	41,247	(11,882)	Utilities £2k under spent. Equipment/tools/materials £2k under spent. Furniture £5k under spent.
G053	Licensing (G053)	52,538	79,845	27,307	Recharges from NE £24k over spent. Grant expenditure £4k under spent. Income £3k under-achieved.
G056	Land Charges (G056)	5,837	7,870	2,033	£3k under achieved.
G059	Neighbourhood Planning Referendum (G059)	9,419	9,417	(2)	
G061	Bolsover Wellness Programme (G061)	84,139	84,139	0	
G062	Extreme Wheels (G062)	(2,918)	(9,618)	(6,700)	Staffing costs £3k under spent. Income £4k over-achieved.

Monitoring Report 1/4/23 - 31/3/24		Current Budget	Outturn	Variance	
		2023/24	2023/24		
Directorate cost centres		£	£	£	Reasons for main variances
G064	Bolsover Sports (G064)	158,962	156,292	(2,670)	Salary £2k under spent. Income £1k under achieved.
G065	Parks, Playgrounds & Open Spaces (G065)	48,865	42,817	(6,048)	Income under achieved by £1k. Equipment/tools/materials £2k under spent. Repairs & Maint. £3k under spent.
G067	Shirebrook TC Regeneration (G067)	13,859	12,859	(1,000)	
G068	Biodiversity NG & LNR (G068)	0	0	0	
G069	Arts Projects (G069)	56,857	55,842	(1,015)	
G070	Outdoor Sports & Recreation Facilities (G070)	30,141	28,279	(1,862)	Staffing costs £3k under spent, equipment/tools/materials £2k under spent. Utilities £3k over spent.
G072	Leisure Services Mgmt & Admin (G072)	266,330	250,426	(15,904)	Staffing costs £5k under spent. Marketing £8k under spent. Contributions to other authorities £11k under spent.
G073	Planning Policy (G073)	221,582	211,885	(9,698)	Consultancy fees £12k under spent. Staffing costs £5k over spent.
G074	Planning Development Control (G074)	93,981	113,012	19,031	Staffing costs £22k under spent. Income £50k under achieved.
G076	Planning Enforcement (G076)	82,252	81,166	(1,086)	Staffing and travel cost under spends (£4k) used to fund consultancy fees which are £3k over spent.
G079	Planning Services Mgmt & Admin (G079)	52,864	51,505	(1,359)	
G097	Groundwork & Drainage Operations (G097)	77,308	70,289	(7,019)	Staffing costs £7k under spent.
G106	Housing Anti Social Behaviour (G106)	154,642	146,030	(8,612)	Staffing costs £9k under spent.
G113	Parenting Practitioner (G113)	43,624	42,995	(629)	
G123	Riverside Depot (G123)	250,395	247,603	(2,793)	
G124	Street Servs Mgmt & Admin (G124)	73,493	74,050	557	
G125	S106 Percent for Art (G125)	1,000	1,000	0	
G126	S106 Formal and Informal Recreation (G126)	(41,341)	(41,341)	0	
G132	Planning Conservation (G132)	50,091	49,968	(123)	
G135	Domestic Violence Worker (G135)	50,615	49,615	(1,000)	
G139	Proptech Engagement Fund (G139)	279,631	279,631	0	
G142	Community Safety - CCTV (G142)	1,976	1,976	0	
G143	Housing Strategy (G143)	26,966	31,532	4,566	
G144	Enabling (Housing) (G144)	26,680	29,232	2,552	
G146	Pleasley Vale Outdoor Activity Centre (G146)	55,127	61,446	6,319	Staffing costs £4k under spent. Utilities £4k over spent. Income £7k under achieved.
G148	Trade Waste (G148)	(187,350)	(211,363)	(24,013)	Income over achieved by £25k. H+C over spent by £2k.
G149	Recycling (G149)	292,511	215,627	(76,884)	Staffing £38k under spent due to in-year vacancies, H+C £17k under spent due to lower recycling costs and income £22k over achieved .
G153	Housing Advice (G153)	18,975	13,009	(5,966)	
G170	S106 Outdoor Sports (G170)	(122,134)	(122,134)	0	

Monitoring Report 1/4/23 - 31/3/24		Current Budget	Outturn	Variance	
		2023/24	2023/24		
Directorate cost centres		£	£	£	Reasons for main variances
G172	S106 Affordable Housing (G172)	1,116	1,116	0	
G176	Affordable Warmth (G176)	15,627	15,569	(58)	
G179	Streets Sports (G179)	(5,270)	(14,087)	(8,817)	Staffing costs £4k under spent.
G181	STEP (G181)	(520)	(520)	0	
G183	Holiday Activity + Food (HAF) Programme (G183)	(25,403)	(25,403)	0	
G196	Asst Director of Planning (G196)	35,891	35,086	(805)	
G198	Assist Director of Housing (GF) (G198)	37,620	37,478	(142)	
G199	Assist Director of Street Scene (G199)	27,989	26,425	(1,564)	
G202	Assist Director of Leisure, Health + Wellbeing (G202)	35,891	34,987	(904)	
G207	Balanceability (G207)	(475)	(475)	0	
G209	Tourism and Culture (G209)	3,225	3,225	(0)	
G210	Strategic Director of Services (G210)	77,533	79,379	1,846	
G223	Contracts Administrator (G223)	55,294	55,508	214	
G226	S106 - Highways	0	0	0	
G227	S106 - Public Health (G227)	0	0	0	
G228	Go Active Clowne Leisure Centre (G228)	334,587	98,291	(236,296)	Staffing costs £23k under spent. Building/utility costs £12k under spent. Equipment/consumables £11k under spent. Income £192k over achieved.
G229	Housing Standards (G229)	(496)	(992)	(496)	
G238	HR Health + Safety (G238)	92,339	95,185	2,846	
G239	Housing + Comm Safety Fixed Penalty Acc (G239)	4,241	173	(4,068)	
	Total for Community Services Directorate	8,411,505	7,895,424	(516,081)	
G001	Audit Services (G001)	135,982	129,105	(6,877)	Due to an in-year vacancy at CBC
G002	I.C.T. (G002)	1,065,674	985,625	(80,049)	Recharges from NE £32k (net) under spent. Equipment £1k under spent. Hardware maint. £6k under spent. Software maint. £28k under spent. Leased lines £4k under spent. H+C £10k under spent. Business software £4k over spent.
G003	Communications, Marketing + Design (G003)	309,620	303,281	(6,338)	Staffing related costs £1k under spent. Income £5k over achieved. Publicity & Image £2k over spent. Marketing £1k under spent.
G006	CEPT (G006)	481,205	507,319	26,114	Staffing costs £41k under spent. Grants to vol. orgs. £18k under spent. Project management income £39k under achieved. H+C £45k over spent - in relation to staffing under spend.
G011	Director of Leader's Executive Team (G011)	108,974	101,567	(7,407)	
G012	Community Champions (G012)	20,381	14,643	(5,738)	
G014	Customer Contact Service (G014)	882,161	859,623	(22,537)	Staffing related costs £12k under spent. Repairs & maint. Costs £1k under spent. Printing cots £3k under spent. Equipment/tools/materials £1k under spent. Software/maint./rental £1k under spent. H+C £2k under spent.

Monitoring Report 1/4/23 - 31/3/24		Current Budget	Outturn	Variance	
		2023/24	2023/24		
Directorate cost centres		£	£	£	Reasons for main variances
G015	Strategy & Performance (G015)	155,593	150,464	(5,129)	
G016	Skills Audit (G016)	100	100	(0)	
G038	Concessionary Fares & TV Licenses (G038)	(11,653)	(12,501)	(848)	
G039	Children + YP Emotional Well-being (G039)	50,000	50,000	0	
G040	Corporate Management (G040)	299,208	312,654	13,446	Apprenticeship levy contribution £1k under spent. Publications £2k under spent. Advertising £1k under spent. Bank fees £5k less than anticipated. Audit fees £25k over spent.
G041	Non Distributed Costs (G041)	274,284	281,035	6,751	Added years payment to DCC £7k higher than anticipated.
G043	Chief Executive Officer (G043)	180,444	183,945	3,501	
G044	Financial Services (G044)	389,098	398,410	9,313	Staffing costs over spent due to changes in staffing arrangements. Postage £1k under spent. H+C services £1k under spent. Income £3k over achieved.
G051	Senior Valuer (G051)	63,533	63,487	(46)	
G052	Human Resources & Payroll (G052)	265,956	248,529	(17,427)	Staffing related costs £15k under spent. Training costs £3k under spent. H+C £2k over spent. Recharges to NE £1k over achieved.
G054	Electoral Registration (G054)	167,862	129,968	(37,894)	Staffing related costs £2k under spent. Subscriptions £1k under spent. Postages £6k under spent. H+C £3k under spent. Misc. income relating to recovery of costs £25k over achieved.
G055	Democratic Representation & Management (G055)	545,514	528,429	(17,085)	Training costs £6k under spent. Catering provisions £1k under spent. Advertising £1k under spent. Members surgeries £2k under spent. H+C services £9k under spent. Mileage costs £5k over spent.
G057	District Council Elections (G057)	78,928	79,574	646	
G058	Democratic Services (G058)	199,070	177,341	(21,729)	Staffing related costs £10k under spent due to in-year vacancies. Chairmans duties £6k under spent. Postages £2k under spent. Hardware rental £3k under spent. Civic hospitality £1k under spent.
G060	Legal Services (G060)	352,925	313,665	(39,260)	Income £7k over achieved. Salary related costs £32k under spent.
G086	Alliance (G086)	5,250	4,022	(1,228)	
G100	Benefits (G100)	316,159	425,269	109,109	Staffing costs £12k under spent due to in-year vacancies. Postages £4k under spent. Income £179k under achieved. Professional/consultancy fees £1k under spent.
G103	Council Tax / NNDR (G103)	415,764	367,189	(48,575)	Staffing costs £17k under spent due to in-year vacancies. Income £63k over achieved. H+C services £5k under spent.
G105	Council Tax Energy Rebate (G105)	6,985	6,985	0	
G107	EBSS Alternative Funding Grant (G107)	(24,150)	(24,150)	0	
G111	Shared Procurement Unit (G111)	52,294	47,964	(4,330)	
G117	Payroll (G117)	113,772	99,743	(14,029)	Staffing costs £13k under spent. Plus other under/over spends.
G118	Union Convenor (G118)	29,955	29,955	0	

Monitoring Report 1/4/23 - 31/3/24		Current Budget	Outturn	Variance	
		2023/24	2023/24		
Directorate cost centres		£	£	£	Reasons for main variances
G155	Customer Services (G155)	28,415	30,368	1,953	
G157	Controlling Migration (G157)	1,583	1,583	0	
G161	Rent Rebates (G161)	(69,553)	(8,506)	61,047	Difference from HB mid-year subsidy estimate to final claim
G162	Rent Allowances (G162)	34,012	53,042	19,030	Difference from HB mid-year subsidy estimate to final claim
G164	Support Recharges (G164)	(5,202,089)	(5,202,089)	0	
G168	Multifunctional Printers (G168)	37,600	26,809	(10,791)	Hardware maint+rental £11k under spent.
G177	Discretionary Housing (G177)	0	564	564	
G191	Bolsover Community Lottery (G191)	(3,065)	(3,065)	0	
G192	Scrutiny (G192)	16,628	16,477	(151)	
G195	Director of Governance + Monitoring (G195)	117,257	111,605	(5,652)	
G197	Director of Finance + S151 Officer (G197)	116,514	111,311	(5,203)	
G211	UK Shared Prosperity Fund (G211)	18,924	18,924	0	
G213	Small Business Support Scheme (G213)	0	0		
G216	Raising Aspirations (G216)	7,500	7,500	0	
G218	Namibia Bound (G218)	13,913	13,913	0	
G220	Locality Funding (G220)	(16,017)	(16,017)	0	
G241	Community Rail (G241)	(8,955)	(8,955)	0	
G247	Culture Arts Corridor (G247)	3,000	2,999	(1)	
G248	This Girl's Code (G248)	(938)	(938)	0	
G249	Cycle + Explore	0	0	0	
G250	Rail Safety + ASB Distraction Project (G250)	3,598	3,598	0	
G251	Youth Based Intervention Programme (G251)	12,758	12,751	(6)	
G264	Support Service Recharge Dragonfly (G264)	(447,798)	(447,798)	(0)	
G915	Business Rates Covid Grants (G915)	0	(19,865)	(19,865)	
	Total for Corporate Resources Directorate	1,594,173	1,467,452	(126,721)	
G077	LGA Housing Advisers Programme (HAP) (G077)	17,037	17,037	0	
G078	LGA Net Zero Innovation Programme (NZIP) (G078)	22,014	22,014	0	
G080	Engineering Services (ESRM) (G080)	99,309	92,581	(6,728)	Dragonfly under spend £6k. Income over achieved £1k.
G082	Tourism Promotion + Development (G082)	49,251	53,557	4,306	Staffing costs over spend £4k.
G083	Building Control Consortium (G083)	55,000	39,000	(16,000)	Building Control costs for the year were less than anticipated.
G085	Economic Development (G085)	172,124	154,547	(17,577)	Dragonfly under spend £18k.
G088	Derbyshire Economic Partnership (G088)	15,000	0	(15,000)	Dragonfly under spend £15k.

Monitoring Report 1/4/23 - 31/3/24		Current Budget	Outturn	Variance	
		2023/24	2023/24		
Directorate cost centres		£	£	£	Reasons for main variances
G089	Premises Development (G089)	(24,192)	0	24,192	Bad debt provision £20k .Total income £3k under achieved.
G090	Pleasley Vale Mills (G090)	55,618	0	(55,618)	Bad debt provision £9k. Income over achieved by £30k. Rent deposits of £6k received during year. Dragonfly under spend £25k.
G092	Pleasley Vale Electricity Trading (G092)	(13,667)	0	13,667	Bad debt provision £14k. Electricity costs over spent £32k and recharges to tenants £32k over achieved.
G095	Estates + Property (G095)	723,620	713,160	(10,461)	Dragonfly over spend £18k on staff.
G096	Building Cleaning (General) (G096)	131,317	132,677	1,360	
G099	Catering (G099)	500	199	(301)	
G109	Director of Development (G109)	149,565	152,251	2,686	
G110	Asst Director of Development (G110)	132,066	70,696	(61,370)	Part of staffing costs met from G006 £46k.
G114	Strategic Investment Fund (G114)	75,280	75,280	0	
G133	The Tangent Business Hub (G133)	(2,545)	(24,795)	(22,250)	Dragonfly over spend £15k. Income £7k over achieved
G138	Bolsover TC Regeneration Scheme (G138)	14,159	14,159	0	
G151	Street Lighting (G151)	77,639	81,073	3,434	
G156	The Arc (G156)	279,925	287,349	7,424	
G167	Facilities Management (G167)	20,665	15,765	(4,900)	
G169	Closed Churchyards (G169)	8,421	8,420	(1)	
G188	Cotton St Contact Centre (G188)	37,634	33,270	(4,364)	Dragonfly under spend £4k.
G193	Economic Development Management + Admin (G193)	478,011	449,831	(28,180)	Income £2k under achieved but nets off against a £2k under spend. Dragonfly under spend £28k, £24k staff related.
G200	Assist Director of Property Services and Housing Repairs (G200)	1,449	10,765	9,316	
G212	Net Zero Hyper Innovation Programme (G212)	14,244	14,244	0	
G222	Visitor Economy Business Support (G222)	(11,066)	(11,066)	0	
G246	Business Grants Growth Scheme (G246)	4,988	4,988	0	
	Total for Dragonfly Services	2,583,366	2,407,003	(176,364)	
	Total for: General Fund	12,589,044	11,769,879	(819,166)	

HOUSING REVENUE ACCOUNT - OUTTURN 2023/24

Appendix 3

	Current Budget	Grant, reserves + misc adjustments	Current Budget	Outturn	Variance
	2023/24 £	2023/24 £	2023/24 £	2023/24 £	£
Expenditure					
Repairs and Maintenance	6,094,603	(79,499)	6,015,104	6,231,652	216,548
Director of Property + Construction - Dragonfly	0	81,818	81,818	81,818	0
Rents, Rates, Taxes & Other Charges	225,802	9,794	235,596	279,586	43,990
Supervision and Management	6,673,661	(108,814)	6,564,847	6,572,931	8,084
Special Services	680,071		680,071	530,090	(149,981)
Housing Related Support - Wardens	761,425		761,425	724,205	(37,220)
Housing Related Support - Central Control	515,092	(56,132)	458,960	409,833	(49,126)
Tenants Participation	80,930	8,000	88,930	79,165	(9,765)
New Build Schemes Evaluation	400,000	(229,285)	170,715	170,715	0
HRA Health & Safety	47,234		47,234	46,720	(514)
Leasehold Flats	0	896	896	896	0
Debt Management Expenses	9,168		9,168	9,167	(1)
Total Expenditure	15,487,986	(373,223)	15,114,763	15,136,778	22,015
Income					
Dwelling Rents	(22,713,100)		(22,713,100)	(22,852,353)	(139,253)
Non-dwelling Rents	(103,764)		(103,764)	(81,140)	22,624
Leasehold Flats and Shops Income	(55,179)		(55,179)	(55,280)	(101)
Repairs and Maintenance	(17,500)		(17,500)	(119,539)	(102,039)
Supervision and Management	(17,446)		(17,446)	(18,976)	(1,530)
Special Services	(16,837)		(16,837)	(23,940)	(7,103)
Housing Related Support - Wardens	(405,152)		(405,152)	(404,098)	1,054
Housing Related Support - Central Control	(287,065)		(287,065)	(304,328)	(17,263)
Tenants Participation	(4,198)		(4,198)	(4,198)	(0)
Total Income	(23,620,241)	0	(23,620,241)	(23,863,852)	(243,611)
Net Cost of Services	(8,132,255)	(373,223)	(8,505,478)	(8,727,074)	(221,596)
Appropriations					
Movement in Impairment Provision	130,000		130,000	121,283	(8,717)
Capital Interest Costs	4,417,527		4,417,527	4,476,666	59,139
Investment Interest Income	(601,738)		(601,738)	(764,215)	(162,477)
Depreciation	5,348,200		5,348,200	5,674,979	326,779
Contribution to Insurance Reserve	35,000	(2,320)	32,681	32,681	0
Use of Earmarked Reserves	(779,778)	343,486	(436,292)	(436,292)	0
Contribution from Grant A/cs	(15,545)	32,056	16,511	16,511	0
Contribution (from) HRA Balance	(401,411)		(401,411)	(394,540)	6,871
Net Operating (Surplus) / Deficit	0	0	(0)	0	(0)
HRA Balances					
Opening Housing Revenue Account balance	(2,038,693)		(2,038,693)	(2,038,693)	
Budgeted Contribution from Balances	401,411		401,411	394,540	
Closing Housing Revenue Account Balance	(1,637,282)		(1,637,282)	(1,644,153)	

HOUSING REVENUE ACCOUNT DETAIL - OUTTURN 2023/24

Appendix 4

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List of net budgets per cost centre per directorate			Current Budget	Outturn	Variance	reasons for variance
			2023/24	2023/24		
			£	£	£	
Comm S	H002	Treasury Management Advisor	9,168	9,167	(1)	
Comm S	H004	Supervision + Management	6,547,401	6,553,955	6,554	
Comm S	H005	Dwelling Rents Income	(22,713,100)	(22,852,353)	(139,253)	Additional income due to combination of reduced RTB's and estimated and revised rents on new lets
Comm S	H006	Non-Dwelling Rents Income	(103,764)	(81,140)	22,624	Due to increase in number of void garages/garages demolished
Comm S	H010	Tenants Participation	84,732	74,967	(9,765)	
Comm S	H011	Special Services	663,234	506,150	(157,084)	(£11k) saving due to 2 part year vacant positions, £10k pressure on electric cost due to the increase in the daily standing rate charge, (£93k) saving on gas charges due to costs per unit lower than expected, (£38k) saving due to less reduced repairs on boiler repairs than anticipated, (£9k) saving on replacement mats/furniture
Comm S	H017	Leasehold Flats	(54,283)	(54,384)	(101)	
Comm S	H021	Housing Related Support - Wardens	356,273	320,107	(36,166)	Saving on 2 part year vacant positions
Comm S	H022	Housing Related Support - Central Control	171,895	105,505	(66,390)	(£30k) on employee costs due to part year vacant post and reduced requirement of overtime/casual workers hours, (£12k) saving on replacement of end user equipment, (£20k) additional income received on operating the service
Comm S	H025	HRA Health & Safety	47,234	46,720	(514)	
Total for Community Services Directorate			(14,991,210)	(15,371,306)	(380,096)	
D/Fly	H001	Repairs + Maintenance	5,997,604	6,112,113	114,509	(£83k) saving on employee costs due to vacant positions throughout the year, (£33k) saving on subcontractors costs offset by a £238k overspend on cost of materials
D/Fly	H003	Rents, Rates, Taxes + Other Charges	235,596	279,586	43,990	£52k increase on insurance premiums missed at budget time, off set by a (£7.5K) lower than expected costs of Council Tax payable on general void properties
D/Fly	H019	New Build Schemes Evaluations	170,715	170,715	-	
D/Fly	H024	Director of Property + Construction	81,818	81,818	-	
Total for Dragonfly Services			6,485,733	6,644,232	158,499	
Total Net Cost of BDC Housing Revenue Account Services			(8,505,477)	(8,727,074)	(221,597)	

Appendix 4

CAPITAL EXPENDITURE OUTTURN - 2023/24

Appendix 5

	Current Programme 2023/24	Outturn 2023/24	Variance	Carried Forward requests 2024/25
	£	£	£	£
General Fund				
Asset Management Plan				
Investment Properties	108,527	67,414	(41,113)	41,113
Leisure Buildings	7,540	6,584	(956)	956
Pleasley Vale Business Park	25,693	9,499	(16,194)	16,194
Riverside Depot	27,081	16,636	(10,445)	10,445
The Arc	103,233	41,879	(61,354)	58,795
The Tangent	19,046	9,299	(9,747)	0
Contact Centres	12,283	12,283	0	0
Asset Management Plan not yet allocated to an individual scheme	52,567	0	(52,567)	0
	355,970	163,594	(192,376)	127,503
Engineering Asset Management Plan				
Car Parks	25,000	24,997	(3)	0
Shelters	10,000	9,839	(161)	0
Lighting	15,000	15,000	0	0
	50,000	49,836	(164)	0
Assets				
Pleasley Vale - Storm Babet	1,000,000	358,904	(641,096)	641,096
Pleasley Vale Mill - Dam Wall	100,410	0	(100,410)	100,410
Land at Portland Street	47,076	19,908	(27,168)	27,168
Shirebrook Crematorium	5,431,603	3,022,706	(2,408,897)	2,408,897
Cultural Business and Skills Hub	50,211	0	(50,211)	50,211
UKSPF - Shirebrook Market Place	55,806	55,806	0	0
District CCTV Scheme	92,586	16,580	(76,006)	76,006
Changing Places Fund (DLUHC)	53,000	0	(53,000)	53,000
Mine Water Project	200,000	19,980	(180,020)	180,020
Rural Fund	177,000	67,566	(109,434)	109,434
	7,207,692	3,561,450	(3,646,242)	3,646,242
ICT Schemes				
ICT infrastructure	610,963	64,235	(546,728)	546,728
HR & Payroll System upgrade	18,000	16,030	(1,970)	0
	628,963	80,265	(548,698)	546,728

CAPITAL EXPENDITURE OUTTURN - 2023/24

Appendix 5

	Current Programme 2023/24	Outturn 2023/24	Variance	Carried Forward requests 2024/25
	£	£	£	£
Leisure Schemes				
Playing Pitch Improvements (Clowne)	100,953	12,890	(88,063)	0
Pleasley Vale Cycle Path	106,244	19,473	(86,771)	86,771
Go Active Café Equipment	15,000	13,178	(1,822)	1,822
Go Active Equipment	8,779	3,578	(5,201)	5,201
	230,976	49,119	(181,857)	93,794
Private Sector Schemes				
Disabled Facilities Grants	650,000	354,688	(295,312)	0
	650,000	354,688	(295,312)	0
Investment Activities				
Economic Loan Fund	25,000	25,000	0	0
Parish Council Loans	80,000	80,000	0	0
	105,000	105,000	0	0
Vehicles and Plant				
Vehicle Replacements	2,262,721	1,675,449	(587,272)	587,272
CAN Rangers Equipment	14,231	0	(14,231)	14,231
	2,276,952	1,675,449	(601,503)	601,503
Total General Fund	11,505,553	6,039,401	(5,466,152)	5,015,770

Housing Revenue Account

New Build Properties

Alfreton Rd Pinxton	513,360	0	(513,360)	513,360
Ashbourne Extension	5,567	5,567	0	0
Bolsover Homes-yet to be allocated	3,910,684	0	(3,910,684)	3,910,684
Glapwell - Meadow View Homes	696,000	666,000	(30,000)	30,000
Harlethorpe Ave Bungalow adaptation	152,527	152,331	(196)	0
Jubilee Court Bungalows	0	1,200	1,200	0
Keepmoat Properties at Bolsover	35,000	35,000	0	0
Market Close Shirebrook	4,355,669	4,059,667	(296,002)	296,002
Moorfield Lane Whaley Thorns	1,553,528	1,549,693	(3,835)	3,835
Sandy Lane/Thorpe Ave Whitwell	441	4,932	4,491	0
Woburn Close Cluster	910,000	739,559	(170,441)	170,441
The Woodlands	188,355	31,724	(156,631)	156,631
Valley View (2 Bungalows & extension)	639,559	278,489	(361,070)	361,070
West Street Langwith	747,076	706,267	(40,809)	40,809
	13,707,766	8,230,429	(5,477,337)	5,482,832

CAPITAL EXPENDITURE OUTTURN - 2023/24

Appendix 5

	Current Programme 2023/24	Outturn 2023/24	Variance	Carried Forward requests 2024/25
	£	£	£	£
Vehicle Replacements	1,107,883	103,333	(1,004,550)	1,004,500
	1,107,883	103,333	(1,004,550)	1,004,500
Public Sector Housing				
Electrical Upgrades	475,000	567,893	92,893	0
External Door Replacements	150,491	135,816	(14,675)	0
External Wall Insulation	1,654	9,794	8,140	0
Bramley Vale	10,000	0	(10,000)	0
Flat Roofing	35,000	34,227	(773)	0
Heating Upgrades	40,000	113,234	73,234	0
Kitchen Replacements	288,767	304,298	15,531	0
Re Roofing	750,000	763,193	13,193	0
Property Services Mgmt. & Admin	125,496	125,495	(1)	0
Safe & Warm	3,720,834	2,790,642	(930,192)	799,595
Soffit and Facia	52,515	51,288	(1,227)	0
Unforeseen Reactive Capital Works	22,384	25,967	3,583	0
Welfare Adaptations	470,376	462,258	(8,118)	0
Wet Rooms (Bungalows)	300,000	258,817	(41,183)	0
House Fire / Flood Damage (Insurance)	34,528	34,528	0	0
	6,477,045	5,677,450	(799,595)	799,595
HRA ICT Schemes				
Open Housing	50,605	21,284	(29,321)	29,321
	50,605	21,284	(29,321)	29,321
New Bolsover Scheme				
New Bolsover-Regeneration Scheme	1,264	1,264	0	0
	1,264	1,264	0	0
Total HRA	21,344,563	14,033,760	(7,310,803)	7,316,248
TOTAL CAPITAL EXPENDITURE	32,850,116	20,073,161	(12,776,955)	12,332,018
Capital Financing				
General Fund				
Better Care Fund	(650,000)	(354,688)	295,312	0
Prudential Borrowing	(5,431,603)	(3,015,256)	2,416,347	(2,416,347)
Reserves	(3,428,322)	(1,993,280)	1,435,042	(1,279,972)
Capital Receipts	(152,584)	(39,822)	112,762	(112,762)
External Funding	(1,843,044)	(636,355)	1,206,689	(1,206,689)
	(11,505,553)	(6,039,401)	5,466,152	(5,015,770)
HRA				
Major Repairs Reserve	(6,421,407)	(5,596,313)	825,094	(825,094)
Prudential Borrowing	(8,223,593)	(4,105,800)	4,117,793	(4,117,793)
Reserves	(4,204,226)	(2,467,282)	1,736,944	(1,742,389)
Capital Receipts	(1,318,820)	(721,780)	597,040	(597,040)
External Funding	(1,176,517)	(1,142,585)	33,932	(33,932)
	(21,344,563)	(14,033,760)	7,310,803	(7,316,248)
TOTAL CAPITAL FINANCING	(32,850,116)	(20,073,161)	12,776,955	(12,332,018)

BDC TREASURY MANAGEMENT – OUTTURN 2023/24**Capital Financing Requirement**

The key area of Treasury Management is the measurement and control of the overall debt position of the Council. This is calculated through the Capital Financing Requirement (CFR). The CFR calculates the Council's underlying need to borrow in order to finance its capital expenditure. The revised estimate of the CFR for 2023/24 and the actual outturn CFR are shown in the table below: -

	Current Budget 2023/24 £000	Outturn 2023/24 £000
<i>Capital Financing Requirement 1 April 2023</i>	117,204	117,204
Prudential Borrowing HRA	13,656	7,075
Minimum Revenue Provision (MRP)	(364)	(364)
Movement on other debt – retentions	0	66
<i>Capital Financing Requirement 31 March 2024</i>	130,496	123,981

The overall outturn position shows a net increase in outstanding debt of £6.777m in 2023/24 when compared to the opening CFR. Prudential borrowing has been undertaken by the Council in 2023/24 totalling £7.075m on new HRA Council Dwellings and the Crematorium at Shirebrook.

The Capital Financing requirement is split between the HRA and General Fund, the balance of each is shown below:

Capital Financing Requirement at 31 March 2024	£000
General Fund	8,800
Housing Revenue Account	115,181
Total CFR	123,981

How the CFR is covered.

As mentioned above the CFR is the Council's underlying need to borrow to finance capital expenditure. To finance the CFR the Council has external borrowing and the use of its own reserves and balances. The position as at 31 March 2024 is as follows:

	£000
Capital Financing Requirement 31 March 2024	123,981
Financed from:	
External Borrowing via PWLB	86,000
Use of internal balances and reserves	37,981
Total Financing of CFR	123,981

PWLB Borrowing

The Council's total outstanding PWLB debt amounted to £89.400m at 1 April 2023. During 2023/24 £3.4m of principal has been repaid. No new loans have been taken out with the PWLB during 2023/24. The profile of the outstanding debt is analysed as follows: -

PWLB BORROWING	Maturity Profile 31 March 2023 £	Maturity Profile 31 March 2024 £
Term		
12 Months	3,400,000	7,200,000
1 - 2 years	7,200,000	2,000,000
2 - 5 years	12,800,000	14,800,000
5 - 10 years	21,000,000	22,000,000
Over 10 years	45,000,000	40,000,000
Total PWLB Debt	89,400,000	86,000,000

PWLB Interest

The interest cost to the Council of the PWLB debt for 2023/24 is £3.093m. The cost is split within the accounts between the HRA and General Fund based on the level of debt outstanding within the CFR.

Temporary Borrowing

Cash flow monitoring and management serves to identify the need for short-term borrowing to cover delays in the receipt of income during the course of the year. During 2023/24 no short-term borrowing was undertaken by the Council and therefore no interest charges were incurred.

Temporary / Fixed Investments

The table below details the fixed investments held at 31 March 2024

Bank Name	Balance Invested 31 March 24 £000
Call Accounts	
Money Market Funds	26,500
Total	26,500

From the table above it can be seen that the balance invested by the Council at 31 March 2024 is £26.500m. Interest earned from temporary investments during 2023/24 amounted to £1.756m and is detailed in the following table:

	Average Period each Investment	Total Investment during year £	Interest Received 2023/24 £
Local Authorities	1 months	200,000	704
Money Market Funds	Overnight	Average interest rate 4.99%	1,755,850
Total			1,756,554

Overnight Balances

The balance of any daily funds is retained in the Council's general account with Lloyds Bank.

Compliance with Treasury Limits

During the financial year the Council continued to operate within the treasury limits set out in the Council's Borrowing and Investment Strategy.

	Set Limits in year 2023/24 £000	Actual in year 2023/24 £000
Authorised (total Council external borrowing limit)	140,496	133,981
Operational Boundary	135,496	128,981

Bolsover District Council

Meeting of the Executive on 29th July 2024

Corporate Debt – 2023/24

Report of the Portfolio Holder for Resources

Classification	This report is public
Contact Officer	Theresa Fletcher Director of Finance and Section 151 Officer

PURPOSE/SUMMARY OF REPORT

To present to Executive a summary of the corporate debt position at 31 March 2024.

REPORT DETAILS

1. Background

- 1.1 The main sources of income for the Council’s General Fund are business rates, council tax, a small number of government grants and service-related income. The main source of income for the Council’s Housing Revenue Account is dwelling rent, often referred to as ‘housing rents’. Government grants are paid over to us on agreed dates direct into our bank account so there is no need to include them on any of our debtor systems. For most other sources of income, we have to request the income due to us.
- 1.2 We request the income due to us on the relevant system by raising bills for business rates, council tax and housing rents. There is legislation in place for each of these sources which determines the rules of collecting this income.
- 1.3 For service-related income, invoices are raised on the sundry debtor system which is a module of our Civica Financial Management System. Examples of types of income include housing benefit overpayment, trade refuse, industrial unit rent, garage site rent, wardens service and alarms, and leisure hire of facilities. This income is reported in two amounts with housing benefit overpayments identified from the rest.
- 1.4 The following table shows the sources of income for Bolsover District Council as at 31st of March 2024 and 2023 for comparison:

Table 1 – Sources of Income

position at end of	2022/23	2023/24	variance
	Q4	Q4	
	£'000	£'000	
NNDR	(28,632)	(30,709)	(2,077) *
Council tax	(48,316)	(51,148)	(2,832) **
Housing Rents	(21,606)	(22,852)	(1,246)
Overpaid housing benefits	(545)	(1,324)	(779)
Sundry Debtors	(7,421)	(18,980)	(11,559)
	(106,520)	(125,013)	(18,493)
* This is 100%, our share of this is 40%			
** This is 100%, our share of this is 16.83% 22/23 + 17.28% 23/24			

- 1.5 (*and **) these debts are part of the collection fund and are shared with major preceptors including the County, police, and fire. Only a percentage of these debts belong to Bolsover District Council.
- 1.6 The figures in table 1 show an increase in income billed in the year for all sources. The increase in the sundry debtors income is almost all due to us raising invoices to Dragonfly as part of establishing the new arrangements between us. This figure should not be as high for 2024/25.
- 1.7 Debtors of a Local Authority are very sensitive to change. If a tenant/tax payer's circumstances change it can become difficult for them to keep paying their rent or council tax. Informing us of a change in personal circumstances late can mean more benefit is paid than they are entitled to which can mean they become benefit overpayment debtors.
- 1.8 Circumstances can change quickly, and mean debtors fall into arrears. It is very common for Local Authority's to have arrears balances due to the vulnerable nature of some of its debtors. Debt management is how the Council manages its arrears and debtors. The following table shows the level of arrears for Bolsover District Council at 31st of March for the last two financial years. This information is published in the Council's Statement of Accounts document each year.

Table 2 – Level of Arrears

position at end of	2022/23	2023/24	variance
	Q4	Q4	
	£	£	
NNDR	728,536	951,932	223,396 *
Council tax	4,895,478	5,574,252	678,774 **
Housing Rents	1,839,283	1,736,048	(103,235)
Overpaid housing benefits	1,436,046	1,324,478	(111,568)
Sundry Debtors	1,596,748	1,026,101	(570,647)
	<hr/>	<hr/>	<hr/>
	10,496,091	10,612,811	116,720

- 1.9 As you can see from table 2, arrears have increased in 2023/24 for nndr and council tax. Individuals and businesses are still struggling to pay, depending on their individual circumstances. As always, payment plans have been agreed to help debtors not get into arrears if possible. The current levels of arrears for nndr and council tax are the highest they've been in recent years. This is almost certainly left over from the pandemic and the increase in the cost of living. Sundry debtor arrears fluctuate depending on if large invoices are raised close to the 31st of March but aren't paid until April.
- 1.10 Part of managing the debt is assessing the likelihood of future non-collection. At each year end, an estimate of non-collection is made based on historic payment information for the same class of debt. An amount equal to the non-collection is charged against our revenue account and saved in a provision for future use. The provision is often referred to as the bad debt provision, but its proper name is the impairment allowance. It is considered prudent to not include all the income in the revenue accounts in a year when there is a chance it won't all be collected.
- 1.11 As part of year end work the impairment allowance for each class of debt is reviewed, compared against latest arrears balances to ensure it still covers the amount of non-collection in case we have to write-off debts, and either increased or decreased, whichever is appropriate.
- 1.12 For the last 3 years when we've assessed the impairment allowance levels at year end, we've increased them by over £2.5m in total, in anticipation of the financial effect of the pandemic and the cost-of-living increases, on businesses and individuals.

1.13 As you can see from the following table which shows the provision for impairment for each class of debtor at 31 March for the last two financial years, we felt it necessary to increase the provision again this year.

Table 3 – Impairment Allowances

position at end of	2022/23	2023/24	variance
	Q4	Q4	
	£	£	
NNDR	(674,517)	(888,561)	(214,044) *
Council tax	(2,645,660)	(3,164,608)	(518,948) **
Housing Rents	(1,415,158)	(1,312,962)	102,196
Overpaid housing benefits	(1,324,003)	(1,251,391)	72,612
Sundry Debtors	(275,275)	(399,337)	(124,062)
	<hr/>	<hr/>	<hr/>
	(6,334,613)	(7,016,859)	(682,246)

1.14 As previously mentioned, there is legislation that governs the collection of business rates, council tax and housing rents. As a Local Authority it is necessary to have a debt collection process that adheres to legislation but ensures the maximum amount of income is collected.

1.15 Our debt collection processes are now operating as normal but it is clear that the pandemic and cost of living influenced business and individuals' ability to pay, as the arrears levels demonstrate. Staff continue to contact debtors to help them settle their debts by providing reminders and setting up payment plans, we will continue to provide the payment plan facility for debtors to help where we can and carry out recovery action as necessary.

1.16 Indicators for debt collection are monitored through the 'Perform' system and reported at the quarterly performance meetings where any areas of concern are raised. Targets for collecting income and reducing arrears for each class of debt are set and monitored. The performance data on debt collection is also reported quarterly to Executive for information where any areas of concern are raised/discussed.

1.17 The following table shows for 2023/24 the movement since the last financial year in the value of each source of income, the amount that is outstanding as arrears and the impairment allowance which relates to that source of income.

Table 4 – Summary for 2023/24

	Income	Arrears	Provision	
	£	£	£	
NNDR	(2,077,000)	223,396	(214,044)	*
Council tax	(2,832,000)	678,774	(518,948)	**
Housing Rents	(1,246,000)	(103,235)	102,196	
Overpaid housing benefits	(779,000)	(111,568)	72,612	
Sundry Debtors	(11,559,000)	(570,647)	(124,062)	
Totals	(18,493,000)	116,720	(682,246)	

- 1.18 Overall, in 2023/24 we have raised on our systems £18.493m (net) more in income. Our arrears have increased by £0.117m but if we exclude any reductions in arrears, the increase is £0.902m. We have increased the impairment allowances by £0.682m (net).
- 1.19 International Financial Reporting Standard (IFRS) 9 – Financial Instruments, requires the Council to write-off debt as soon as it is deemed uncollectable. This is to ensure the correct value of arrears is included on the Council’s balance sheet at 31st of March each year.
- 1.20 The Council's Constitution allows the Director of Finance & Section 151 Officer, ‘after consultation with the relevant Portfolio Holder, to authorise the write-off of bad debts up to an approval limit of £2,500.’
- 1.21 Executive approve the write-off of bad debts which are individually over £2,500 on receipt of a report, during the year. Table 5 below, shows the value of bad debts written off over the last financial year (2023/24). In all cases, every attempt was made by the Council and agencies working with the Council, to collect the outstanding debt before write-off was proposed.
- 1.22 Should any chance to collect the debt occur in the future, the debts can be written back on to the relevant system. Writing-off amounts which are no longer collectable is an essential part of the debt management process. It ensures that a focus is maintained on those amounts which are collectable, thus maximising overall levels of collection.

Table 5 – Debts written-off during 2023/24

	Write-offs more than £2,500 23/24 £	Write-offs less than £2,500 23/24 £	Total 23/24 £
Business Rates	81,790	(25,870)	55,920
Council Tax	50,376	64,041	114,417
Housing Rents	37,420	135,864	173,284
Overpaid Housing Benefit	16,810	8,718	25,528
Sundry Debtors	0	6,511	6,511
Total	186,397	189,063	375,460

1.23 This year has seen a significant amount of housing rents debt written-off, as officers have looked through the debt in detail as part of using the new software package purchased to help them focus on the most collectable arrears.

2. Reasons for Recommendation

2.1 To ensure that Executive are informed of the latest position concerning the Council's debt.

3 Alternative Options and Reasons for Rejection

3.1 This report is for information only.

RECOMMENDATION(S)

That Executive note the report concerning the Council's Corporate Debt as at 31st March 2024.

Approved by Councillor Clive Moesby, Portfolio Holder for Resources

IMPLICATIONS:

Finance and Risk: Yes No

Details:

The current position regarding corporate debt is given throughout the report. Failure to collect this debt would have a detrimental impact on the Council's financial position if sufficient impairment allowances were not in place. It must be remembered that the Covid-19 pandemic and increase in cost of living, continue to impact on the arrears for some of our main sources of income at 31st March 2024.

On behalf of the Section 151 Officer

Legal (including Data Protection): Yes No

Details:

There are no legal or data protection issues arising directly from this report.

On behalf of the Solicitor to the Council

Environment:

Please identify (if applicable) how this proposal/report will help the Authority meet its carbon neutral target or enhance the environment.

Details:

Not applicable to this report.

Staffing: Yes No

Details:

There are no human resource issues arising directly out of this report.

On behalf of the Head of Paid Service

DECISION INFORMATION

<p>Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds:</p> <p>Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i></p>	<p>No</p>
<p>Is the decision subject to Call-In? <i>(Only Key Decisions are subject to Call-In)</i></p>	<p>No</p>

District Wards Significantly Affected	None directly
Consultation: Leader / Deputy Leader <input type="checkbox"/> Executive <input type="checkbox"/> SLT <input type="checkbox"/> Relevant Service Manager <input type="checkbox"/> Members <input type="checkbox"/> Public <input type="checkbox"/> Other <input checked="" type="checkbox"/>	Details: Portfolio Holder for Resources

Links to Council Ambition: Customers, Economy and Environment.

DOCUMENT INFORMATION	
Appendix No	Title

Background Papers
<i>(These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Executive you must provide copies of the background papers).</i>
None

Rpttemplate/BDC/040222

Bolsover District Council

Meeting of the Executive on 29th July 2024

Housing Stock Condition Survey

Report of the Portfolio Holder for Housing

Classification	This report is Public
Contact Officer	Victoria Dawson, Assistant Director Housing Management and Enforcement

PURPOSE/SUMMARY OF REPORT

To seek approval to award a contract for a stock condition survey of the Council's dwelling stock to Savills (UK) Limited

REPORT DETAILS

1. Background

- 1.1 The Social Housing (Regulation) Act 2023 received Royal Assent in July 2023, and has introduced significant changes to the Social Housing Sector. It was introduced in order to improve the quality of social housing for tenants by tightening the regulations imposed on the social housing sector.
- 1.2 The Act has given increased powers to the Regulator of Social Housing to carry out inspections of Local Authority Registered Housing Providers, at least every four years to ensure they are meeting the consumer standards. The Regulator also has the power to issue unlimited fines to those that fall below the prescribed standard; fines of which, are uninsurable.
- 1.3 The Regulator for Social Housing has published its new set of consumer standards, effective from 1st April 2024. All Registered Providers will be expected to meet these.
- 1.4 The Safety and Quality Standard requires Registered Providers to know the condition of their stock, and the accompanying Code of Practice suggested a minimum of a five-year rolling programme of stock condition surveys.
- 1.5 Executive approved the commencement of the procurement of a specialist supplier to undertake a 100% stock condition survey of the Council's Housing Revenue Account Dwelling Stock in May 2024.
- 1.6 A procurement exercise was completed to secure a contract under the Strategic Asset Management Services Framework.

2. Details of Proposal or Information

- 2.1 The contract is for a 100% Stock Condition and Energy Survey of Bolsover District Council's housing stock.
- 2.2 At the end of the survey programme, together with the full dataset and photographs, the service provider will provide a report setting out the key information from the surveys and an updated 30-year outline asset investment. The data will be in a format compatible with the Council's Housing Management System.
- 2.3 The fee structure is £175 per survey where successfully carried out. There will be a reduced charge of £87.50 where having followed the agreed protocol Savills have been unable to gain access. The total contract price will not exceed £800,000 as already approved by Council on 22nd May 2024.

3. Reasons for Recommendation

- 3.1 A comprehensive stock condition survey is needed to ensure that we can meet the Safety and Quality Consumer Standard and provide accurate information about the Council's housing stock.
- 3.2 A procurement exercise was completed to secure a contract under the Strategic Asset Management Services Framework

4 Alternative Options and Reasons for Rejection

- 4.1 Savills were the only supplier who could meet all the Councils requirements for a Stock Condition and Energy Survey, under a competitive framework.

RECOMMENDATION(S)

1. Executive approves the award of the Stock Condition Survey to Savills (UK) Limited
Approved by Councillor Peake Portfolio Holder for Housing

IMPLICATIONS.

Finance and Risk: Yes No

Details:

It has already been approved that the Stock Condition Survey be funded from the Housing Revenue Account Development Reserve by reprofiling the existing commitments and HRA expenditure.

On behalf of the Section 151 Officer

Legal (including Data Protection): Yes No

Details:

As contained in the report.

Procurement of the Stock Condition Survey meets with the Council and Public Procurement rules.

On behalf of the Solicitor to the Council

Environment: Yes No

Details:

The Housing Stock Condition survey will provide up to date information on property energy performance rating which in turn will assist in reducing building related carbon emissions.

A comprehensive and up to date stock condition survey would allow the council to see where more energy efficiencies could be made to meet the Council's Climate Change commitments. This data can also assist in potential government grant schemes to improve energy efficient in residential dwellings.

Staffing: Yes No

Details: The overall management of the contract could be facilitated within existing resources.

On behalf of the Head of Paid Service

DECISION INFORMATION

<p>Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards, or which results in income or expenditure to the Council above the following thresholds: Revenue - £75,000 <input checked="" type="checkbox"/> Capital - £150,000 <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i></p>	<p>Yes</p>
<p>Is the decision subject to Call-In? <i>(Only Key Decisions are subject to Call-In)</i></p>	<p>Yes</p>

<p>District Wards Significantly Affected</p>	
<p>Consultation: Leader / Deputy Leader <input checked="" type="checkbox"/> Executive <input checked="" type="checkbox"/> SLT <input type="checkbox"/> Relevant Service Manager <input type="checkbox"/> Members <input type="checkbox"/> Public <input type="checkbox"/> Other <input checked="" type="checkbox"/></p>	<p>Details: Housing Stock Management Group, Executive, Council</p>

Links to Council Ambition: Customers, Economy, Environment and Housing

Maintaining and improving property and housing management standards and ensuring that standards and living conditions in the district contribute towards better health outcomes for all

DOCUMENT INFORMATION

Appendix No	Title

Background Papers

(These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Executive, you must provide copies of the background papers).

290823