

The Arc
High Street
Clowne
S43 4JY

To: Chair & Members of the Executive

Contact: Alison Bluff
Telephone: 01246 242528
Email: alison.bluff@bolsover.gov.uk

Friday 13th June 2025

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 23rd June 2025 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 pages 3 and 4.

Yours faithfully

A handwritten signature in black ink, appearing to read "J. S. Fielden".

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

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

- **Phone:** [01246 242424](tel:01246242424)
- **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 Wi-Fi 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

EXECUTIVE AGENDA

***Monday 23rd June 2025 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 To consider the minutes of the last meeting held on 19 th May 2025 <u>NON KEY DECISIONS</u>	5 - 8
5.	Scrutiny Report - Joint Review of Security Arrangements at The Arc: Policies, Protocols and Procedures	9 - 66
6.	Damp and Mould Policy	67 - 83
7.	Land to the rear of St Helen's Church Hall, Pinxton	84 - 91
8.	Appointment to Outside Bodies - Executive Functions	92 - 98
9.	Derby and Derbyshire Strategic Leadership Board	99 - 111
	<u>KEY DECISIONS</u>	
10.	Disposal of Land at Rowan Drive	112 - 116
11.	Warm Homes Social Housing Fund	117 - 121
12.	Warm Homes Local Grant	122 - 126

13. **Shirebrook Market Place: Reimagined - Update on Regeneration Funded Works** 127 - 140

14. **Exclusion of the public**

To move:-

“That under Section 100(A)(4) of the Local Government Act 1972 (as amended), the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in the stated Part 1 of Schedule 12A of the Act and it is not in the public interest for that to be revealed.” [The category of exempt information is stated after each item].

PART 2 - EXEMPT ITEMS

NON KEY DECISIONS

15. **Cyber Security Policy** 141 - 219
Exempt Paragraph 7

KEY DECISIONS

16. **Appointment of a Contractor to complete phase 2 of the flood defence works at Pleasley Vale** 220 - 231
Exempt Paragraph 3

MEMBERS ARE REQUESTED TO STAY AT THE CONCLUSION OF THE MEETING TO RECEIVE A PRESENTATION FROM SAVILLS ON THE COUNCIL'S HOUSING STOCK CONDITION SURVEY

EXECUTIVE

Minutes of a meeting of the Executive of the Bolsover District Council held in the Council Chamber, The Arc, Clowne, on Monday 19th May 2025 at 1000 hours.

PRESENT:-

Members:-

Councillor Jane Yates in the Chair

Councillors Mary Dooley, Donna Hales, Rob Hiney-Saunders and Tom Munro.

Officers:- Karen Hanson (Chief Executive), Jim Fieldsend (Monitoring Officer), Pam Brown (Director for Executive, Corporate Services and Partnerships), Cheryl Staples (Corporate Policy and Programme Officer) (to Minute No. EX103-24/25), Jessica Clayton (Programme and Major Projects Manager) (to Minute No. EX103-24/25), Fiona Herrington (Principal Accountant), Sharon Lynch (Principal Accountant) and Alison Bluff (Senior Governance Officer).

EX98-24/25.

APOLOGIES

Apologies for absence were received on behalf of Councillors John Ritchie, Clive Moesby and Phil Smith.

EX99-24/25.

URGENT ITEMS OF BUSINESS

There were no urgent items of business to consider.

EX100-24/25.

DECLARATIONS OF INTEREST

There were no declarations of interest made.

EX101-24/25.

MINUTES – 14TH APRIL 2025

Moved by Councillor Rob Hiney-Saunders and seconded by Councillor Tom Munro
RESOLVED that the Minutes of an Executive meeting held on 14th April 2025 be approved as a correct record.

EX102-24/25.

COUNCIL PLAN TARGETS PERFORMANCE REPORT (JANUARY TO MARCH 2025 (Q4))

Executive considered a detailed report, presented by the Corporate Policy and Programme Officer, which provided the Quarter 4 outturns for the Council's Plan targets 2024-2028.

EXECUTIVE

In summary, out of the 33 targets; 26 (79%) were on track, three (9%) had been extended, two (6%) were not on track and two (6%) had been achieved.

Our Customers – Providing excellent and accessible services: Eight targets in total, all on track.

Our Environment – protecting the quality of life for residents and businesses, meeting environmental challenges, and enhancing biodiversity: Eight targets in total, six on track, one extended and one not on track.

Our Economy – by driving growth, promoting the district and being business and visitor friendly: seven targets in total, five on track and two extended.

Our Housing – by delivering social and private sector housing growth: 10 targets in total, seven on target and one achieved, one achieved outside of target date and one not on track.

Dragonfly KPIs: Dragonfly a company wholly owned by the Council significantly contributed to the achievement of the Council Plan. A summary of their performance against key performance indicators was appended to the report.

Members noted that Derbyshire County Council were no longer wished to carry out welfare adaptations and this had been handed to the Council to deliver on their behalf.

Moved by Councillor Donna Hales and seconded by Councillor Mary Dooley
RESOLVED that the quarter four outturns against the Council Plan 2024-2028 targets be noted.

Reasons for Recommendation

This is an information report to keep Members informed of progress against the Council Plan targets noting achievements and any areas of concern.

Alternative Options and Reasons for Rejection

Not applicable to this report as providing an overview of performance against agreed targets.

The Corporate Policy and Programme Officer and the Programme and Major Projects Manager left the meeting.

EX103-24/25.

ROOD LANE, CLOWNE – OPTIONS APPRAISAL

Executive considered a detailed report presented by the Portfolio Holder for Growth, which sought Members approval to release Rood Lane, Clowne from the Bolsover Homes build programme and to agree future use of the site.

Land tenure and access had obstructed the site's development potential particularly as two existing Council properties would need to be demolished to establish suitable access along with a strip of land which would need to be subject to a compulsory purchase order (CPO).

EXECUTIVE

One option would be to use the site for Biodiversity Net Gain (BNG) which was now a mandatory requirement for major developments in England. A BNG value would need to be established for the site and involve an evaluation by Derbyshire Wildlife Trust (DWT) which would take approximately three months to conclude.

An alternative option would be to consider the use of the land for leisure purposes such as a sports playing pitch or formal green space. The Council had recently conducted an infrastructure study, and the evidence work (February 2025) identified that Clowne continued to have a shortfall in provision of both formal and semi-formal green space for its population.

The Leader noted that she and the Deputy Leader had visited the site, and both agreed with the options put forward in the report.

Councillor Hiney-Saunders welcomed the report and noted that it would give the residents in the area some certainty on what would happen with the land.

Moved by Councillor Tom Munro and seconded by Councillor Rob Hiney-Saunders
RESOLVED that 1) the Rood Lane site be removed from the Bolsover Homes build programme,

2) a report be presented to a future Executive meeting for alternate utilisation of the site, subject to considering;

- a) allocating the site for Biodiversity Net Gain purposes
- b) utilisation for leisure provision.

Reasons for Recommendation

To release Rood Lane from the Bolsover Homes new build scheme and consider alternate utilisation of the site to ensure the most effective future use of the land.

Considering alternate future use of the site would facilitate bringing an existing vacant Council property back in to use and generation of rentable income to the Housing Revenue Account (HRA).

Alternative Options and Reasons for Rejection

Members could choose to develop Rood Lane, Clowne however, this would mean that a compulsory purchase order would need to be undertaken, as well as resolving access issues to the site, securing suitable BNG elsewhere and demolition of 2No existing Council housing units to establish suitable access.

EX104-24/25.

ELMTON AND CRESWELL WELLBEING CENTRE SERVICE LEVEL AGREEMENT

Executive considered a detailed report presented by the Portfolio Holder for Partnerships, Health & Wellbeing, which sought Members approval for the Council to enter into a Service Level Agreement (SLA) in relation to the day-to-day management of Elmton with Creswell Parish Council's Heritage and Wellbeing Leisure Centre.

EXECUTIVE

The Council had undertaken the day-to-day running of the centre on behalf of the parish council from its opening with the full cost of the services borne by the parish council.

The parish council has recently received support from Derbyshire Association of Local Councils (DALC) and National Association of Local Councils (NALC) in reviewing their governance and financial arrangements and the review included consideration of the future of the Heritage and Wellbeing Centre and its financial position.

Options had been considered and the parish council had subsequently agreed to request the Council continue to manage the day-to-day operation of the centre. Further to this, the Council had provided the parish council with details of the full operating costs for 2025/26 which had been considered within their budget setting and financial planning. This included the full costs of staffing the facility, management of staff, operational activities and other responsibilities relating to the safe running of the centre.

Moved by Councillor Mary Dooley and seconded by Councillor Tom Munro

RESOLVED that 1) the Council continue with the day-to-day operational running of the Heritage and Wellbeing Centre on behalf of Elmtown with Creswell Parish Council,

2) the Council enter into a Service Level Agreement with Elmtown with Creswell Parish Council to manage and operate the Heritage and Wellbeing Centre on its behalf, with full costs being met by the parish council,

3) the Council continue to directly employ the staff working at the Heritage and Wellbeing Centre as required within the Service Level Agreement,

4) the Chief Executive, following consultation with the Leader and Portfolio Holder, is given the delegated authority to agree the final terms of the Service Level Agreement with the parish council.

Reasons for Recommendation

Elmtown with Creswell Parish Council do not currently have the skills and resources available to operate the leisure facility and had requested the assistance of the District Council in the day-to-day management of the site.

Alternative Options and Reasons for Rejection

An alternative option would be to decline the request from the parish council to agree a Service level Agreement for the continued operational running of the facility. In this instance, the parish council would be required to further consider their options for the running of the centre.

The meeting concluded at 1021hours.

BOLSOVER DISTRICT COUNCIL

Meeting of the Executive on 23rd June 2025

Joint Review of Security Arrangements at The Arc: Policies, Protocols and Procedures

Report of the Chairs of the Customer Services Scrutiny Committee and Local Growth Scrutiny Committee

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

PURPOSE/SUMMARY OF REPORT

To present to the Executive completed report for the recent Review of Security Arrangements at The Arc: Policies, Protocols and Procedures.

REPORT DETAILS

1. Background

1.1 The Customer Services Scrutiny Committee and Local Growth Scrutiny Committees agreed to undertake a joint review of security arrangements at The Arc, focussing on the policies, protocols and procedures in place and to examine how security for staff, public and Members can be improved as part of the 2024-25 Work Programme.

1.2 This review related directly to the remit of the Customer Services Committee:

- Emergency Planning
- Managing Complaints
- Customer Services
- Legal Requirements

As well as the Local Growth Scrutiny Committee:

- Facilities Management
- Legal Requirements

By working together, the Committees were able to bring a broader range of ideas and perspectives to the review, ensuring a more thorough and informed approach. This collaborative effort allowed for a more efficient use of resources and promoted a cohesive and integrated scrutiny process, which was particularly beneficial for such a large-scale and complex piece of work.

- 1.3 This review was initiated in response to growing concerns about the security of The Arc, its vulnerability to incidents of anti-social behaviour and potential critical risks that could threaten the safety of staff, Elected Members and the public.
- 1.4 With a focus on improving the safety, resilience and preparedness of The Arc, this review aimed to identify existing weaknesses, explore legislative compliance and make recommendations that will ensure the building remains a safe environment for all users.
- 1.5 The scrutiny review supports the Corporate Ambition of 'Customers'. The –review supports the Council's Targets: 'Continuing to work with partners from all sectors, ensuring priorities are aligned to benefit the residents of Bolsover District' and 'Continuous improvement to service delivery through innovation, modernisation and listening to customers' set out in the Council's Plan: The Future 2024 to 2028.
- 1.6 See the original review scope attached at Appendix 1 for further details on the project management of this scrutiny review.

2. Details of Proposal or Information

2.1 The aim of the review was:

- To ensure that the Council has a clear approach towards security protocols and procedures in at The Arc.

2.2 The objectives agreed were:

1. Assess the Council's current security policies and procedures at The Arc in relation to incidents of ASB and situations of critical danger for staff, Elected Members and customers.
2. To examine incidents and data of previous occurrences of ASB and security issues from recent years at The Arc and identify areas for improvement.
3. To examine the Council's current approach to staff training for security procedures and public education on protocols in dangerous security situations.

2.3 The key issues identified for investigation included:

- Ensuring the safety of staff and customers at Council facilities
- Exploring the potential for implementing a security guard team
- Reviewing current security protocols
- Evaluating staff training for handling critical situations
- Assessing areas where the Council is performing well and areas that need improvement

2.4 The two Committees completing the review met separately on 4 occasions each and held 2 joint meetings to consider the scope of the review, discuss key issues and potential recommendations, assess the evidence gathered and discuss the final draft of the report. Coordination and communication of each Committees'

ideas, thoughts and progress was delivered to each Committee by the Scrutiny Officer.

- 2.5 The Joint Committee sought evidence through a combination of document analysis, desktop research, consultations with key stakeholders and data review on past incidents.
- 2.6 By combining these various methodologies, the review provided a comprehensive evaluation of the Council's current security measures, identified areas for improvement and offered evidence-based recommendations for enhancing safety at The Arc.

3. Reasons for Recommendation

- 3.1 The Joint Committee have put together 11 recommendations to assist the Council in improving security and safety arrangements at The Arc.
 - **Clear accountability:** There is currently no specific officer or Cabinet Member responsible for overseeing security responsibilities and inter-departmental coordination at The Arc.
 - **Lack of a comprehensive security policy:** Existing procedures are fragmented; a unified policy would consolidate security arrangements and improve overall effectiveness.
 - **Unclear incident response roles:** Procedures would benefit from defined responsibilities and clear escalation pathways during emergencies to ensure swift and coordinated action.
 - **Need for regular review/testing of procedures:** Security protocols should be regularly reviewed and tested to ensure they remain effective and up to date.
 - **Training gaps for staff:** Frontline and operational staff need consistent, ongoing training in conflict management and emergency response to enhance preparedness.
 - **CCTV and perimeter security:** Consideration should be given to upgrading CCTV systems and perimeter security to improve monitoring and protection.
 - **Security considerations for committee meetings:** Additional safeguards, such as barriers, codes of conduct and camera monitoring, are needed to ensure safe and orderly proceedings.
 - **CTSA security audit:** A Counter Terrorism Security Advisor (CTSA) has provided valuable feedback and Members have received a security briefing to enhance awareness and preparedness.
 - **Emergency procedures under development:** Invacuation, evacuation and lockdown plans are currently being drafted but are not yet fully implemented; an accommodation review of the building is under development.
 - **Proactive ongoing improvement:** Security measures should be continuously updated to address emerging threats and ensure the ongoing safety of staff, Elected Members and the public.

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 the Executive endorses the recommendations of the review outlined in section 2 of the attached report (Appendix 2).
2. That Committee submits the report to Executive for approval, in accordance with the Scrutiny Committee Terms of Reference – Part 3.6 (3) of the Constitution.
3. That for recommendations approved by Executive, monitoring of these recommendations by the Scrutiny Committee takes place over a twelve-month period via post scrutiny monitoring reports with an update report to the Scrutiny Committee at the end of the monitoring period.

Approved by Councillor Clive Moesby, Portfolio Holder for Resources

IMPLICATIONS:

<u>Finance and Risk</u> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Details: There are no immediate financial implications arising directly from the recommendations of this report. However, several recommendations suggest that the Council may need to consider future investment. As such, it should be noted that potential funding may be required at a later stage, depending on how the recommendations are implemented – particularly recommendations 2.5, 2.6, 2.7 and 2.10, as outlined in the attached report within the appendices. This would be subject to Member approval of a future report. <div style="text-align: right;">On behalf of the Section 151 Officer</div>		
<u>Legal (including Data Protection)</u> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
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. <div style="text-align: right;">On behalf of the Solicitor to the Council</div>		
<u>Staffing</u> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Details: There are no staffing implications from this report, however it should be noted that several recommendations in the attached report including 2.10 and 2.11 have implications regarding staff training. <div style="text-align: right;">On behalf of the Head of Paid Service</div>		

Equality and Diversity, and ConsultationYes ☐No ☒**Details:**

N/A

EnvironmentYes ☐No ☒**Details:**

N/A

DECISION INFORMATION:☒ ***Please indicate which threshold applies:*****Is the decision a Key Decision?**

A Key Decision is an Executive decision which has a significant impact on two or more wards in the District or which results in income or expenditure to the Council above the following thresholds:

Revenue (a) Results in the Council making Revenue Savings of £75,000 or more or **(b)** Results in the Council incurring Revenue Expenditure of £75,000 or more.

Capital (a) Results in the Council making Capital Income of £150,000 or more or **(b)** Results in the Council incurring Capital Expenditure of £150,000 or more.

District Wards Significantly Affected:

(to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the District)

Please state below which wards are affected or tick **All** if all wards are affected:

Yes ☐No ☐**(a)** ☐**(b)** ☐**(a)** ☐**(b)** ☐**All** ☐

Is the decision subject to Call-In? <i>(Only Key Decisions are subject to Call-In)</i> If No, is the call-in period to be waived in respect of the decision(s) proposed within this report? <i>(decisions may only be classified as exempt from call-in with the agreement of the Monitoring Officer)</i> Consultation carried out: <i>(this is any consultation carried out prior to the report being presented for approval)</i> Leader <input type="checkbox"/> 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"/>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
	Yes <input type="checkbox"/> No <input type="checkbox"/>
	Yes <input type="checkbox"/> No <input type="checkbox"/>

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

DOCUMENT INFORMATION:

Appendix No	Title
1	Original Review Scope
2	Joint Review of Security Arrangements at The Arc: Policies, Protocols and Procedures (REPORT)

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>

BOLSOVER DISTRICT COUNCIL

SCRUTINY PROJECT MANAGEMENT – REVIEW SCOPE

NAME OF COMMITTEE:	Joint Scrutiny Committee: Customer Services Scrutiny Committee / Local Growth Scrutiny Committee
SUBJECT TO BE REVIEWED:	Joint Review of Security Arrangements at The Arc: Policies, Protocols and Procedures
REASON(S) FOR THE REVIEW:	Concerns raised due to incidents of anti-social behavior on Council property at the Arc and a lack of security guards on site. A matter of staff and public safety.
IDENTIFY APPROPRIATE CORPORATE PLAN AIMS, PRIORITIES AND TARGETS:	<p>CORPORATE PLAN AIM – Customers</p> <p>PRIORITIES –</p> <ul style="list-style-type: none"> • Increasing customer satisfaction with our services • Actively engaging with partners to benefit our customers <p>TARGETS –</p> <ul style="list-style-type: none"> • Continuing to work with partners from all sectors, ensuring priorities are aligned to benefit the residents of Bolsover District. • Continuous improvement to service delivery through innovation, modernisation and listening to customers
DIRECTORATE/SERVICES INVOLVED:	<p>Streetscene</p> <p>Partnerships</p> <p>Health and Wellbeing</p> <p>Resources</p>
AIMS AND OBJECTIVES OF REVIEW:	<p>Aim: To ensure that the Council has a clear approach towards security protocols and procedures in at the Arc.</p> <p>Objectives:</p> <ul style="list-style-type: none"> • Assess the Council's current security policies and procedures at The Arc in relation to incidents of ASB and situations of critical danger for staff, Elected Members and customers. • Examine incidents and data of previous occurrences of ASB and security issues from recent years at The Arc and identify areas for improvement. • Examine the Council's current approach to staff training for security procedures and public education on protocols in dangerous security situations.

KEY ISSUES:	<p>Safety of staff members and customers of Council facilities</p> <p>Security guards</p> <p>Security protocols</p> <p>Staff training for critical situations</p> <p>What the Council is doing well and what the Council is failing in</p>
METHOD(S) OF REVIEW:	<p>Presentation to Committee on the Council's existing policies and procedures from the appropriate officers</p> <p>Examining data of previous occurrences of ASB and security issues from the past several years</p> <p>Analysis of current relevant policies and strategies</p> <p>Assessment of Citizens Panel responses in relation to Council security services</p> <p>Consultation / presentation from external partners i.e., Community Safety Partnership</p>
IMPLICATIONS: (legislative, regulatory, etc)	N/A
DOCUMENTARY EVIDENCE: (Internal/External)	<p>Data on previous occurrences of ASB and security issues from the past several years</p> <p>Public Spaces Protection Orders - Guidance for councils (LGA)</p> <p>Bolsover District Council Constitution</p>
STAKEHOLDERS:	<p>*RELEVANT PORTFOLIO HOLDER MUST BE INVOLVED IN THE REVIEW</p> <ul style="list-style-type: none"> • Cllr Clive Moseby – Resources • Chief Executive • Monitoring Officer • Assistant Director of Leisure, Health and Wellbeing • Assistant Director Streetscene, Community Safety and Enforcement • Emergency Planning Officer • Service Director Executive, Customer Services, Communications and Partnerships
CONSULTATION/ RESEARCH:	<p>Interviews with staff on their views, experiences and knowledge of security procedures. Informal meetings with assistant directors and managers to gather evidence and discuss current policies/procedures in place.</p>
SITE VISITS:	None identified

TIMESCALE	ESTIMATED	REVISED	ACTUAL
Commencement	July 2024	September 2024	September 2024
Recommendations	December 2024	January 2024	January 2024
Interim Report	January 2025	March 2025	March / April 2025
Finish (Report to Committee)	March 2025	April 2025	May 2025
Report to Executive	May 2025	May 2025	June 2025

SCRUTINY REVIEW OUTCOMES

CONCLUSIONS:

Key findings arising from the review include:

- **Clear accountability:** There is currently no specific officer or Cabinet Member responsible for overseeing security responsibilities and inter-departmental coordination at The Arc.
- **Lack of a comprehensive security policy:** Existing procedures are fragmented; a unified policy would consolidate security arrangements and improve overall effectiveness.
- **Unclear incident response roles:** Procedures would benefit from defined responsibilities and clear escalation pathways during emergencies to ensure swift and coordinated action.
- **Need for regular review/testing of procedures:** Security protocols should be regularly reviewed and tested to ensure they remain effective and up to date.
- **Training gaps for staff:** Frontline and operational staff need consistent, ongoing training in conflict management and emergency response to enhance preparedness.
- **CCTV and perimeter security:** Consideration should be given to upgrading CCTV systems and perimeter security to improve monitoring and protection.
- **Security considerations for committee meetings:** Additional safeguards, such as barriers, codes of conduct and camera monitoring, are needed to ensure safe and orderly proceedings.
- **CTSA security audit:** A Counter Terrorism Security Advisor (CTSA) has provided valuable feedback and Members have received a security briefing to enhance awareness and preparedness.
- **Emergency procedures under development:** Invacuation, evacuation and lockdown plans are currently being drafted but are not yet fully implemented; an accommodation review of the building is under development.
- **Proactive ongoing improvement:** Security measures should be continuously updated to address emerging threats and ensure the ongoing safety of staff, Members and the public.

RECOMMENDATIONS:	<ol style="list-style-type: none"> 1. That the Council introduce a clear security responsibility framework: appoint a senior officer responsible for security at The Arc, tasked with overseeing the development, implementation and regular updates of security policies; assign a portfolio holder from the Cabinet to be responsible for security, as part of their remit. 2. That the Council develops a comprehensive security policy for The Arc that addresses ASB, emergency situations and the safety of staff, Elected Members and customers. 3. That the Council ensures there are clear roles and responsibilities for security procedures and incident response at The Arc. 4. That the Council ensure security procedures are regularly reviewed, updated and tested. 5. That the Council explores options available to develop improved CCTV and monitoring systems at The Arc. 6. That the Council consider strengthening perimeter security for external physical threats such as vehicle mitigation. 7. That the Council addresses security arrangements for committee meetings held at the Arc. 8. That the Council conduct a security audit with a Counter Terrorism Security Advisor. 9. That the Council ensure staff and Elected Members are familiar with emergency, evacuation and invacuation procedures and reporting processes. 10. That the Council provide staff training for conflict management and emergency situations (particularly operational staff and front-of-house staff) and continue to regularly provide training on security related issues to staff and Elected Members. 11. That the Council review and update Panic Button procedures and provide SIA training for appropriate members of staff (such as the Leisure Duty Managers and the Enforcement Officers).
DRAFT REPORT SENT TO DIRECTOR & ANY RELEVANT OFFICERS FOR COMMENT:	17 th April 2025
DATE DRAFT REPORT CONSIDERED BY PORTFOLIO HOLDER(S):	28 th April 2025
DATE SIGNED OFF BY COMMITTEE/CHAIR:	29 th May 2025
DATE CONSIDERED BY EXECUTIVE:	23 rd June 2025
POST-SCRUTINY MONITORING PERIOD:	June 2025 – June 2027 (6-month interim monitoring reports)
DATE OF EVALUATION OF PROCESS:	Every 6 months from June 2025



**Joint Review of Security Arrangements at
The Arc: Policies, Protocols and
Procedures**

July 2024 – May 2025

**CUSTOMER SERVICES SCRUTINY COMMITTEE
AND LOCAL GROWTH
SCRUTINY COMMITTEE**

Contents

Chairs' Foreword.....	3
1. Introduction.....	4
2. Recommendations.....	6
3. Scope of the review	16
4. Methodology	18
5. Analysis of evidence and key findings	19
5.1 Assess the Council's current security policies and procedures at The Arc in relation to incidents of ASB and situations of critical danger for staff, Elected Members and customers.	19
5.2 Examine incidents and data of previous occurrences of ASB and security issues from recent years at The Arc and identify areas for improvement. ...	29
5.3 Examine the Council's current approach to staff training for security procedures and public education on protocols in dangerous security situations.	34
6. Conclusions	39
Appendix 1: Stakeholders	41
Appendix 2: List of Acronyms.....	42
Appendix 3: HOT Principles Posters	43
.....	45
.....	46
Appendix 4: Customer Services Poster.....	47
Appendix 5: Bibliography.....	48

Chairs' Foreword

As the Chairs of Customer Services Scrutiny Committee and the Local Growth Scrutiny Committee, we present this report as a summary of our research and recommendations for improvement.

This review was initiated in response to growing concerns about the security of The Arc, its vulnerability to incidents of anti-social behaviour and potential critical risks that could threaten the safety of staff, Elected Members and the public. With a focus on improving the safety, resilience and preparedness of The Arc, this review aims to identify existing weaknesses, explore legislative compliance and make recommendations that will ensure the building remains a safe environment for all users. By undertaking this review, we aim to provide clear, actionable guidance to strengthen security policies, enhance staff training and improve emergency response strategies. Ultimately, the goal is to ensure that The Arc is well-equipped to handle current and future security challenges, safeguarding both its staff, Councillors and visitors.

We would like to take this opportunity to thank the Assistant Director of Streetscene, Community Safety and Enforcement for his guidance and expertise throughout this review as well as several other members of staff including the Director of Strategic Services, the Emergency Planning Officer, the Customer Services Manager, the Health and Safety Manager, the Community Safety Officer and the Facilities Management Team. We would also like to extend our thanks 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.

Councillor Victoria Waplington
Chair of the Customer Services Scrutiny Committee

Councillor Sally Renshaw
Chair of the Local Growth Scrutiny Committee

1. Introduction

This report outlines the findings of the joint review conducted by the Customer Services Scrutiny Committee and the Local Growth Scrutiny Committee on security Arrangements at The Arc, assessing the Council's policies, protocols and procedures. The review was prompted by growing concerns regarding incidents of anti-social behaviour (ASB) on Council property, as well as the perceived inadequacy of security staffing at the facility. These concerns raised significant issues related to the safety and wellbeing of both staff and the public, underscoring the importance of maintaining robust and effective security measures.

The Arc is a key public facility and multi-purpose building that serves a diverse range of users, including local residents, staff, politicians, children and other visitors. Given its wide-ranging functions and the vulnerability of its varied user groups, it is critical that the Council ensures comprehensive and effective security protocols. This includes addressing potential risks from ASB, safeguarding against violent incidents and ensuring appropriate emergency responses for a wide array of possible threats.

The timing of this review is particularly relevant in the context of current government initiatives and evolving legislation surrounding public safety. In particular, the introduction of Martyn's Law, part of the Protect Duty initiative, which is designed to strengthen protections against terrorism in public spaces, has placed an increased emphasis on enhancing security measures at public venues. Martyn's Law, which is set to require public venues with larger capacities to implement comprehensive security measures, will directly impact the way security is approached at facilities like The Arc. The review, therefore, aligns with these national legislative changes and ensures that the Council is proactively addressing its obligations under evolving security and counter-terrorism laws.

Furthermore, the review draws attention to the growing need for facilities to adapt their security protocols to address emerging threats. This includes considering the implementation of modern technologies, improving staff training and ensuring comprehensive emergency planning. In addition to this, the Council must be prepared for various crises, including potential terrorist attacks, large-scale protests and other high-risk incidents, which are becoming more prevalent across the UK.

The review focused on assessing the Council's existing security protocols, including access control, CCTV monitoring, panic alarm systems and emergency procedures. In doing so, it identified potential gaps in current practices, including the need for updated training, clearer responsibilities regarding security and the introduction of more comprehensive building security measures. The report also highlights the importance of having a dedicated security policy that aligns with both local needs and national security frameworks.

The issues addressed in this review are not only crucial for safeguarding the public and Council employees but are also integral to the overall wellbeing and trust of the community in its public services. Ensuring the physical security of Council facilities like The Arc is paramount to creating a safe and welcoming environment for all those who use its services. By addressing the concerns raised in this report and implementing

the necessary improvements, the Council will be better equipped to respond to any security incidents swiftly and effectively.

This review is part of the Council's ongoing commitment to providing a safe and secure environment for the residents of Bolsover District, ensuring that its facilities are fully compliant with both legislative requirements and best practice security standards. Through the recommendations made in this report, the Council will be better positioned to address security challenges and continue its mission of delivering high-quality services in a safe, secure and resilient environment.

2. Recommendations

PERFORM Code	Recommendation	Desired Outcome	Target Date	Lead Officer	Resources	Service Response/Details
CSSC23-24 2.1	That the Council introduce a clear security responsibility framework: appoint a senior officer responsible for security at The Arc, tasked with overseeing the development, implementation and regular updates of security policies; assign a portfolio holder from the Cabinet to be responsible for security, as part of their remit.	To establish clear accountability and responsibility for a key area of the Council's functionality.	Dec 2025 (6 months)	Assistant Director of Streetscene, Community Safety and Enforcement (AD for SSCS&E)	Staff resources	<p>The AD for SSCS&E has agreed to assume this responsibility.</p> <p>The Joint Committee, relevant portfolio holders and several senior officers held a meeting on 28th April to discuss which executive portfolio would be most appropriate.</p> <p>The Joint Committee and Exec Members agreed on the Portfolio Holder for Resources.</p>

PERFORM Code	Recommendation	Desired Outcome	Target Date	Lead Officer	Resources	Service Response/Details
CSSC/LGSC 24-25 2.2	That the Council develops a comprehensive security policy for The Arc that addresses ASB, emergency situations and the safety of staff, Elected Members and customers.	Improve security and safety arrangements at The Arc.	Dec 2026 (18 months)	AD for SSCS&E in collaboration with: Assistant Director of Health and Leisure; Health and Safety Manager; Emergency Planning Officer; Facilities Management Team	Staff resources	<p>This policy could include guidelines on managing potential security issues such as terrorist threats, riots and physical altercations and other security related policies and procedures all in one comprehensive document.</p> <p>The Health and Safety Manager is currently developing an Invacuation Procedure for The Arc.</p> <p>The Emergency Planning Officer is encouraging greater use of Resilience Direct.</p> <p>Other policies and reviews such as the Accommodation Review are being developed.</p> <p>This is starting foundation of an overarching comprehensive Security Policy.</p>

PERFORM Code	Recommendation	Desired Outcome	Target Date	Lead Officer	Resources	Service Response/Details
CSSC/LGSC 24-25 2.3	That the Council ensures there are clear roles and responsibilities for security procedures and incident response at The Arc.	Ensure that individuals know their roles and responsibilities and how to respond in a security emergency.	Dec 2025 (6 months)	AD for SSCS&E in collaboration with: Assistant Director of Health and Leisure; Health and Safety Manager; Emergency Planning Officer	Staff resources	<p>This framework is currently being developed to an extent in the new Invacuation Procedure, as well as by the Emergency Planning Officer through promoting better use of Resilience Direct. This framework could be included in the comprehensive security policy detailed in recommendation 2.2 and developed further.</p> <p>The Council should define security roles within the staff and management team to ensure accountability during incidents. Implement a clear escalation pathway for incidents, designating personnel responsible for communication with authorities.</p>

PERFORM Code	Recommendation	Desired Outcome	Target Date	Lead Officer	Resources	Service Response/Details
CSSC/LGSC 24-25 2.4	That the Council ensure security procedures are regularly reviewed, updated and tested.	Improve overall security and safety at The Arc.	June 2026 (12 months)	AD for SSCS&E in collaboration with: The Facilities Management Team; Health and Safety Manager; Emergency Planning Officer; Assistant Director of Health and Leisure	Staff resources	<p>The AD for SSCS&E agrees that the Council should establish a routine review process for security protocols, ensuring they remain relevant and effective, especially in light of developing legislation such as Martyn's Law.</p> <p>Reviews should test responses to various emergencies. The Senior Leadership Team (SLT) undertook security training and practice, simulating a security incident at The Arc in February 2025.</p> <p>It is essential these systems are regularly reviewed, updated and tested – this would require a collaborative multi-departmental effort involving SLT and managers.</p>

PERFORM Code	Recommendation	Desired Outcome	Target Date	Lead Officer	Resources	Service Response/Details
CSSC/LGSC 24-25 2.5	That the Council explores options available to develop improved CCTV and monitoring systems at The Arc.	Improve safety and security at The Arc.	June 2026 (12 months)	AD for SSCS&E in collaboration with: Director of Strategic Services; The Facilities Management Team; Assistant Director of Health and Leisure	Financial funding / Staff resources	As this would require specific funding and further research into a pragmatic plan that could be put together, the AD for SSCS&E in charge of CCTV will evaluate what steps need to be taken and decide on a plan to move forward. In March/April 2025, the Council installed a new AV system with cameras in the Council Chamber to record committee meetings. This addition, along with updates to governance procedures, provides an extra layer of security by monitoring meetings that may experience disruptions that could escalate to security incidents.
CSSC/LGSC 24-25 2.6	That the Council consider strengthening perimeter security	To improve security at The Arc and ensure the safety of all	June 2026	AD for SSCS&E in collaboration with:	Financial Funding	The AD will be considering methods of perimeter security. Further professional

PERFORM Code	Recommendation	Desired Outcome	Target Date	Lead Officer	Resources	Service Response/Details
	for external physical threats such as vehicle mitigation.	staff by mitigating future crisis situations.	(12 months)	Director of Strategic Services; Chief Executive Officer		advice is provided on Protect UK. The Chief Executive has also emphasised the importance of not allowing cars to park directly in front of the building entrance and noted that this issue should be taken into consideration.
CSSC/LGSC 24-25 2.7	That the Council addresses security arrangements for committee meetings held at The Arc.	By setting clear guidelines for respectful conduct, the Council can maintain a safe, orderly and productive environment for all participants.	Dec 2025 (6 months)	AD for SSCS&E in collaboration with: Governance and Civic Manager	Financial funding / Staff resources	The Governance Manager procured a new AV system for the Council Chamber which will help monitor incidents (installed March 2025); Governance has also purchased a rope barrier (with code of conduct signs attached) to separate the public gallery from Elected Members. Each chair in the gallery now has a laminated code of conduct card to remind the public of respectful behaviour during meetings.

PERFORM Code	Recommendation	Desired Outcome	Target Date	Lead Officer	Resources	Service Response/Details
						<p>Further suggestions from Members include: asking the public to sign an 'I agree...' statement before being admitted to Council meetings; including the code of conduct signs on the TV screens in the Chamber or on a big/clear notice board; training for Chairs on how to handle threatening situations in meetings.</p> <p>These arrangements aim to maintain a safe, respectful and orderly environment for statutory committee meetings, supporting democratic continuity and safety for Elected Members and staff.</p>
CSSC/LGSC 24-25 2.8	That the Council conduct a security audit with a Counter Terrorism Security Advisor.	Improve security at The Arc. Ensure the safety of all staff by mitigating	Achieved	AD for SSCS&E in collaboration with: Scrutiny Officer	Staff resources	<p>The AD for SSCS&E arranged for a CTSA to attend The Arc during February 2025.</p> <p>The Council has now engaged a counter-terrorism security expert to identify</p>

PERFORM Code	Recommendation	Desired Outcome	Target Date	Lead Officer	Resources	Service Response/Details
		future crisis situations.				<p>potential vulnerabilities at The Arc.</p> <p>The SLT received training with the CTSA on security protocols at The Arc, including a simulated security incident and response.</p> <p>The AD for SSCS&E received sensitive verbal feedback from the CTSA that will not be detailed in this report for security reasons.</p>
CSSC/LGSC 24-25 2.9	That the Council ensure staff and Elected Members are familiar with emergency, evacuation and invacuation procedures and reporting processes.	<p>Enhanced Staff Preparedness and Confidence</p> <p>Improved Emergency Response Efficiency</p> <p>Increased Safety for Staff and the Public</p>	June 2026 (12 months)	<p>Health and Safety Manager in collaboration with:</p> <p>Emergency Planning Officer,</p> <p>The Facilities Management Team,</p>	Staff Resources	<p>Staff should be trained in evacuation procedures for bomb threats and terrorism. Drills should be conducted to ensure preparedness and procedures should cover all potential emergency scenarios, including lockdowns and attacks.</p> <p>SLT have received training on Resilience Direct and drill</p>

PERFORM Code	Recommendation	Desired Outcome	Target Date	Lead Officer	Resources	Service Response/Details
				Assistant Director of Health and Leisure, AD for SSCS&E		training on handling a critical situation (Feb 2025). The invacuation procedure is currently being developed. All staff have received Terrorist Response Training as well as Run, Hide, Tell Training during 2024.
CSSC/LGSC 24-25 2.10	That the Council provide staff training for conflict management and emergency situations (particularly operational staff and front-of-house staff) and continue to regularly provide training on security related issues to staff and Elected Members.	Improved Staff Preparedness. Enhanced Workplace Safety. Reduced Risk of Escalation. Increased Response Efficiency. A safer, more efficient workplace.	June 2026 (12 months)	AD for SSCS&E in Collaboration with: Emergency Planning Officer, Employee Engagement Officer	Financial funding / Staff resources	The Council should provide mandatory and regular training for essential staff on conflict de-escalation, emergency evacuation and effective use of panic alarms. This is advised and supported by the Emergency Planning Officer. This will lead to a safer, more efficient workplace where staff are fully trained to handle emergencies and conflicts, reducing risk and promoting a secure environment for both staff and the public.

PERFORM Code	Recommendation	Desired Outcome	Target Date	Lead Officer	Resources	Service Response/Details
						<p>SLT have received training on Resilience Direct and drill training on handling a critical situation (Feb 2025).</p> <p>Members received a Security Briefing and Counter Terrorism training from the Derbyshire Constabulary in March 2025.</p>
CSSC/LGSC 24-25 2.11	That the Council review and update Panic Button procedures and provide SIA training for appropriate members of staff (such as the Leisure Duty Managers and the Enforcement Officers).	Ensure The Arc will always have a trained member of staff on-site to safely remove any member of the public who may be causing a physical or verbal disturbance – key to 2.3.	June 2026 (12 months)	AD for SSCS&E in collaboration with: Director of Health and Leisure	Funding / Staff Resources	<p>This was suggested by the AD for SSCS&E as a more efficient and less expensive alternative to an on-site security guard team. The Assistant Director of Leisure, Health and Wellbeing agrees this training would be beneficial and supports this decision.</p> <p>Evaluate the current panic button system and provide Leisure Managers with formal training in handling security incidents.</p>

3. Scope of the review

The Customer Services Scrutiny Committee and Local Growth Scrutiny Committee agreed to undertake a joint review of security arrangements at The Arc, focussing on policies, protocols and procedures, as part of their 2024-25 Work Programme.

This review related directly to the remit of the Customer Services Committee:

- Emergency Planning
- Managing Complaints
- Customer Services
- Legal Requirements

As well as the Local Growth Scrutiny Committee:

- Facilities Management
- Legal Requirements

By working together, the Committees were able to bring a broader range of ideas and perspectives to the review, ensuring a more thorough and informed approach. This collaborative effort allowed for a more efficient use of resources and promoted a cohesive and integrated scrutiny process, which was particularly beneficial for such a large-scale and complex piece of work.

This review was initiated in response to growing concerns about the security of The Arc, its vulnerability to incidents of anti-social behaviour and potential critical risks that could threaten the safety of staff, Elected Members and the public.

The scrutiny review supports the Corporate Ambition of 'Customers'. The review also supports the Council's Priorities of 'Increasing customer satisfaction with our services' and 'Actively engaging with partners to benefit our customers'. The review supports the Council's Targets: 'Continuing to work with partners from all sectors, ensuring priorities are aligned to benefit the residents of Bolsover District' and 'Continuous improvement to service delivery through innovation, modernisation and listening to customers' set out in the Council's Plan: The Future 2024 to 2028.

The aim of the review was:

- To ensure that the Council has a clear approach towards security protocols and procedures in at The Arc.

The objectives agreed were:

1. Assess the Council's current security policies and procedures at The Arc in relation to incidents of ASB and situations of critical danger for staff, Elected Members and customers.
2. To examine incidents and data of previous occurrences of ASB and security issues from recent years at The Arc and identify areas for improvement.

3. To examine the Council's current approach to staff training for security procedures and public education on protocols in dangerous security situations.

The key issues identified for investigation included:

- Ensuring the safety of staff and customers at Council facilities
- Exploring the potential for implementing a security guard team
- Reviewing current security protocols
- Evaluating staff training for handling critical situations
- Assessing areas where the Council is performing well and areas that need improvement

The Joint Committee comprised the following Members from the Customer Services Scrutiny Committee :

Councillor V. Waplington (Chair)
Councillor A. Davis
Councillor L. Fox
Councillor L. Powell

Councillor R. Turner (Vice-Chair)
Councillor Anne Clarke
Councillor Sandra Peake
Deborah Watson

As well as the following Members from the Local Growth Scrutiny Committee:

Councillor Sally Renshaw (Chair)
Councillor Tom Kirkham
Councillor William Fletcher
Councillor Jeanne Raspin

Councillor Jen Wilson (Vice-Chair)
Councillor Duncan Haywood
Councillor Ross Walker

Past Members of these Committees include:

Councillor D. Hales (Former Chair of the Customer Services Scrutiny Committee)
Councillor P. Smith
Councillor T. Munro (Former Chair of the Local Growth Scrutiny Committee)

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

4. Methodology

The two Committees completing the review met separately on 4 occasions each and held 2 joint meetings to consider the scope of the review, discuss key issues and potential recommendations, assess the evidence gathered and discuss the final draft of the report. Coordination and communication of each committees' ideas, thoughts and progress was delivered to each committee by the Scrutiny Officer.

The Joint Committee sought evidence through a combination of document analysis, desktop research, consultations with key stakeholders and data review on past incidents.

The research process was structured in several key stages:

Document Analysis: The review involved examining relevant Council policies and procedures related to security at The Arc. This included a review of security protocols, staff training materials and any existing assessments or reports on incidents of ASB and other security-related issues. By analysing these documents, the review identified areas where security measures were in place and assessed their effectiveness in addressing the safety concerns raised.

Data Review and Incident Analysis: A critical part of the review involved examining data on previous ASB incidents, security breaches and other relevant safety incidents that had occurred at The Arc over recent years. This helped to highlight trends, recurring issues and areas where security measures may have needed strengthening. The data was sourced from incident reports, Council records and available internal or external audits related to safety and security at the facility.

Stakeholder Consultation: Interviews and informal meetings were conducted with key staff members by the Scrutiny Officer, including security personnel, management and relevant department heads. These consultations gathered insights on the practical application of security protocols, the effectiveness of staff training and the challenges faced in maintaining a safe environment at The Arc.

Consultation with Relevant Portfolio Holders: A crucial element of the review involved consultation with the relevant portfolio holders and senior Council officers to ensure alignment with Council priorities and the identification of potential resources needed for improving security at The Arc.

By combining these various methodologies, the review provided a comprehensive evaluation of the Council's current security measures, identified areas for improvement and offered evidence-based recommendations for enhancing safety at The Arc.

5. Analysis of evidence and key findings

5.1 Assess the Council's current security policies and procedures at The Arc in relation to incidents of ASB and situations of critical danger for staff, Elected Members and customers.

Overview of Current Security Policies and Procedures at The Arc

It is important that the Council remains proactive and continuously assesses how to improve and strengthen security measures to ensure the safety and well-being of everyone using the building. The current security policies and procedures at The Arc present an opportunity for greater clarity in the governance of security responsibilities. Interviews with various departments revealed that no formal roles or specific officers are in place to specifically oversee overarching security arrangements at The Arc. Security issues are addressed from various perspectives by different staff members and departments, but there is limited coordination among the responsible teams. Consequently, security management could be improved, through clearer internal communication, defined roles and a more integrated approach across departments. To address these issues, it is recommended that security responsibilities at The Arc be clarified, a senior officer or staff member be designated to coordinate security across all functions at The Arc and improvements should be made to clarify processes, policies and protocols.

Existing Security Systems

Several protocols and procedures are currently in place to address potential security and emergency situations at The Arc. The existing security systems and measures at The Arc include various access control, surveillance and alarm systems designed to ensure safety and security. Staff doors are equipped with access control to limit public entry, with general access restricted to the hours of 7am to 7pm; emergency planners and building managers have 24/7 access. Access to the security office and server room is restricted to specific officers.

CCTV is installed throughout the facility but is not actively monitored; footage can only be reviewed onsite at a later time. The intruder alarm is activated outside of regular opening hours (9pm-6am Monday to Thursday, 6pm-8am on weekends) and it is monitored by a security contractor, IPM, who responds within 20 minutes for double alarm activations.

Panic Buttons and Alarm Systems

A Panic Alarm Procedure is in place to safeguard the wellbeing of Council employees, particularly those in public-facing roles. The procedure sets out guidance on the actions staff should take when confronted with aggressive, threatening, or violent behaviour from members of the public. If an employee feels at risk or unsafe, they are advised to withdraw from the situation and, if necessary, activate a panic alarm located

at designated points throughout the premises. Once activated, the alarm alerts designated managers and the external alarm monitoring service.

Managers from the Leisure Team and the Contact centre are to respond immediately to assess the situation and where appropriate, the monitoring station contacts named keyholders or the police. Staff are not expected to intervene or attempt to restrain individuals; their priority is to move to a place of safety. All incidents must be recorded using a Violent Incident Form and relevant senior managers must be notified within a specified timeframe. Regular testing of the panic alarm system should be carried out to ensure it remains fully operational.

These panic buttons are located at key areas such as the Meet and Greet desk and the Contact Centre. In the case of an incident the Leisure team are contacted to assess the situation. The fire alarm system is monitored during working hours, with the Facilities team responding to activations, while IPM is notified after hours and will contact the fire brigade if they cannot respond within 20 minutes. These systems provide a foundational level of building security; however, as they were last reviewed in 2017, they may now require updating and re-evaluation in light of this scrutiny review and evolving operational circumstances.

The general evacuation procedure, detailed in the Comprehensive Operating Guide (COG procedures), ensures the safe exit of staff, visitors and contractors during emergencies like fires or bomb threats. Regular training and drills should be conducted to ensure familiarity with these procedures. In the event of a bomb threat, staff are instructed to record details of any phone warnings and notify the Controlling Officer, however when questioned by scrutiny there was some ambiguity as to who the 'Controlling Officer' is referring to. Moving forward this role will refer to the AD of SSCS&E as per recommendation 2.1 of this report. Training for emergency security situations took place in February 2025 for senior members of staff to ensure that the Council is prepared for critical situations and crisis procedures are followed accurately.

Bolsover District Council Safety Committee

Bolsover District Council also has a Safety Committee. This is a collaborative body designed to promote cooperation between the Council and its employees in managing health and safety risks. It consists of 10 Members, with 5 representatives from the Council's management (including elected Councillors) and 5 employees, selected by the local Trade Union. The Committee's primary objective is to ensure the health and safety of not only the Council's employees but also service users, contractors and any other individuals impacted by the Council's operations. The Committee meets quarterly to review and discuss key safety issues, such as the adequacy of health and safety policies, accident trends, risk assessments and training. It also approves new or revised safety policies and procedures, ensures the effective implementation of health and safety measures and monitors compliance with legal requirements. Meetings are structured with a Chair and Vice-Chair elected from the members and a Secretary from the Governance team. Attendance is supported by employees, with a quorum of four members required for decision-making. Special advisers with expertise may also be invited to attend, although they have no voting rights. All discussions and decisions made by the Committee aim to foster a culture of safety across the Council and mitigate any risks to health and safety in the workplace.

Ongoing Improvements – Policy Developments (Invacuation)

Since this review's inception, the Committees wanted to ensure that procedures for emergency planning and incident management at The Arc were in place to avoid gaps in security preparedness. This included addressing issues such as the consistency of staff training and whether it should be formally integrated into policy, particularly in conflict management and emergency responses, as well as the possibility of an overarching 'Council Security Policy'. Members believe this 'Security Policy' could potentially include comprehensive detail on how to handle ASB, procedures for emergency situations to ensure the safety of staff, Elected Members and customers, as well as guidelines on managing incidents such as terrorist threats, riots/political protests and physical altercations, all in one comprehensive document (see page 24 for further details).

It is important to note that during this review, an Invacuation Procedure has been developed by the Health and Safety Manager, to address responses to marauding attackers, bomb threats and suspicious packages. This new policy includes protocols for moving building users to safe internal areas and handling chemical, biological, or radiological threats. This timely policy highlights emergency planning exercises and endorses regular training for relevant staff.

The new Health and Safety procedure for Invacuation at Bolsover District Council outlines the Council's commitment to ensuring the health, safety and welfare of employees and others within its premises. The procedure aligns with the Corporate Health and Safety Policy and serves as a guide for handling invacuation during emergencies. Invacuation refers to the controlled, inward movement of people within a building to safety, typically in response to threats such as terrorist attacks, local disturbances, or environmental hazards like fires or air pollution.

The procedure is based on a range of relevant legislation, including the Health and Safety at Work Act 1974, the Management of Health and Safety at Work Regulations 1999 and the Civil Contingencies Act 2004, which provide the legal framework for managing health and safety risks at the Council. Key definitions within the procedure include invacuation, which is the controlled movement of people into a safe area within a building and dynamic lockdown, which involves restricting access to a site to prevent a threat from entering or escalating. In contrast, evacuation refers to an orderly exit from the building, typically when there is a threat inside.

The responsibilities of both employers and employees are outlined. The Chief Executive and Senior Leadership Team are responsible for leading invacuation responses, ensuring all procedures are reviewed and risks reassessed regularly. They are also responsible for maintaining safety measures like emergency grab-bags and ensuring staff training is available and up-to-date. Employees, on the other hand, are expected to stay vigilant, follow safety procedures and participate in training and exercises to prepare for invacuation scenarios.

Managers are tasked with preparing risk assessments for potential invacuation scenarios within their respective sites. These risk assessments must be reviewed regularly to ensure the procedures remain effective and aligned with any new

threats. The procedure also emphasises the importance of reporting accidents during an invacuation through the Council's Electronic Accident Reporting System (EARS – see page 32).

Training for invacuation scenarios covers recognising threats, following safety protocols and using communication systems effectively. The Emergency Planning Team is responsible for delivering training and conducting periodic exercises to keep staff prepared for real-life emergencies. Additionally, managers are required to consult with employees and trade union representatives to ensure the procedures are well communicated and understood.

Specific guidance on implementing invacuation procedures is also provided. This includes identifying safe areas and lockdown locations within buildings, establishing clear communication methods during an incident and ensuring that building occupants are accounted for. The guidance covers how to handle different emergency situations, including the importance of sheltering and lockdown procedures to protect people within the building.

Finally, the procedure outlines the review process, ensuring that the policy is updated every two years or following significant incidents, legislative changes, or equipment updates. The goal of this comprehensive procedure is to safeguard the health and safety of all building occupants during emergencies by ensuring clear protocols, effective communication and thorough preparation.

The Health and Safety department recently distributed HOT principles posters, which are designed to inform staff of the actions to take in the event of specific incidents, including marauding attacks, acid attacks, bomb threats and suspicious items (Appendix 3). The Customer Services team has also developed a new poster to be displayed in customer services areas at The Arc (as well as at the Council's Contact Centres) to inform the public that staff members have the right to be treated with respect and that any form of verbal, physical or threatening abuse will not be tolerated. It highlights that staff can terminate calls or ask individuals to leave if they are subjected to abuse and that the police may be contacted in cases of serious misconduct. The message emphasises that staff are there to help and should be treated with kindness and respect (Appendix 4).

Furthermore, the Assistant Director of Health and Leisure is currently developing an accommodation review, which will address building-related issues and propose improvements. Some changes have already been made such as relocating the post room to a safer location (see page 29-30 for details).

Ongoing Improvements – Emergency Planning Officer

Soon after the beginning of this review, a new Senior Emergency Planning Officer (SEPO) was seconded to Bolsover District Council from Derbyshire County Council. The responsibilities of the SEPO include overseeing business continuity, emergency plans and maintaining a universal contact list, all aimed at mitigating emergencies and providing clear communication channels for various scenarios. An essential tool being encouraged by the SEPO is a greater use of Resilience Direct (RD), an online platform designed for civil protection practitioners to collaborate during emergencies. All

councils are encouraged to use RD and under the SEPO's guidance the Council is increasing its utilisation. The Senior Leadership Team members received RD training in October 2024, which included a "what if" exercise to test emergency response.

By uploading the Council's security protocols to RD, emergency services have immediate access to The Arc's policies during crises. Additionally, the SEPO advised the Council to utilise "Derbyshire Prepared", a website that offers comprehensive crisis and emergency procedures for the District.

Ongoing Improvements – Management of Unreasonable Behaviour Policy

The Management of Unreasonable Behaviour Policy outlines the procedures for addressing complaints and managing unreasonable conduct, habitual or vexatious complainants within the Council. It defines habitual or vexatious complainants as those who repeatedly pursue unrealistic or unreasonable complaints, refuse to cooperate with investigations, or engage in disruptive behaviours such as harassment or excessive demands. The policy allows for the identification of such complainants and outlines actions to manage them, including assigning a single point of contact, limiting communication and notifying complainants when their behaviour is considered vexatious. In extreme cases, legal action may be pursued. The policy also specifies the roles of various staff members, including senior managers, the Customer Standards and Complaints Officer and the Director responsible for complaints management, in ensuring complaints are handled fairly and effectively. It emphasises the importance of protecting employees from harassment and threats and provides clear guidance on addressing complaints to improve service delivery in taking reasonable and practicable steps to prevent abuse of the complaints process, Elected Members and officers of the Council .

The Management of Unreasonable Behaviour Policy, which outlines how the Council will address unreasonable behaviour, habitual or vexatious complainants, was presented to the Customer Services Scrutiny Committee February 2025 and then to the Executive in March 2025. This new policy includes defining such complainants, actions to manage vexatious behaviour (such as assigning a single point of contact and, in extreme cases, pursuing legal action), and measures to protect employees from harassment, threats, or abuse. Unreasonable complaints or customers can have significant resource implications for the Council the Policy aims to improve service delivery by constructively addressing complaints effectively and efficiently.

Furthermore, the Customer Services team has recently updated the Councils telephony system with a new corporate greeting message. This includes a reminder to customers about the expected standards of behaviour when interacting with officers over the phone. The message states: *"Welcome to Bolsover District Council. We are committed to providing a professional and fair service to everyone and in return we expect our customers to be respectful to our teams and be treated in a courteous manner"*.

The Council recognises that some customers may act out of character during periods of stress, anxiety or distress and that certain behaviours may be linked to disabilities or other individual circumstances. In keeping with our commitment to equality, diversity and inclusion, reasonable allowances will always be considered in such cases and

staff are supported to respond with empathy and professionalism. However, the Council also has a responsibility to safeguard the wellbeing of its staff, Members and contractors, as well as to protect the integrity of its processes and limited resources. Where behaviour or complaints are deemed unreasonable in tone, content or persistence, proportionate action may be taken in line with the Management of Unreasonable Behaviour Policy.

The Management of Unreasonable Behaviour Policy closely aligns with the Council's Customer Service Standards and our Promise to our Customers. Elected Members and officers are committed to delivering a first-class service to all residents and businesses within Bolsover District. At the core of this commitment is the principle of treating all customers fairly, valuing diversity and ensuring respectful and courteous interactions. The Council promises to provide the best possible experience; however, customers choose to get in touch and to respond with professionalism, empathy and clarity.

In return, the Council asks that customers engage with staff members respectfully and appropriately. This mutual expectation underpins the Management of Unreasonable Behaviour Policy and ensures that the rights and wellbeing of staff, Members and contractors are safeguarded. By setting clear standards for both staff and customers, the Council seeks to foster constructive communication, uphold the integrity of its processes and continuously improve service delivery.

A Comprehensive Security Policy for the Council

To ensure a cohesive and effective approach to security at The Arc, Bolsover District Council should consider consolidating the various ongoing policy developments into a single, overarching Comprehensive Security Policy. This policy would integrate key elements from existing and upcoming procedures, including the Invacuation Procedure currently being developed by the Health and Safety Manager, guidelines for managing ASB and emergency protocols for scenarios such as terrorist threats, riots and physical altercations. Additionally, the Unreasonable Behaviour Policy for addressing disruptive complainants, along with the guidance provided by the Emergency Planning Officer through platforms like Resilience Direct, should all be incorporated.

This unified policy would ensure consistency across all security-related procedures and offer a centralised framework for staff, Elected Members and customers to follow in times of crisis. By integrating these policies, the Council can better safeguard its personnel, Elected Members and customers while streamlining training, response efforts and communication during emergencies. Furthermore, a singular, well-organised document would enhance clarity and ensure that all staff and stakeholders are aligned in their understanding of procedures, reducing gaps or overlaps in security protocols. Combining these efforts into one comprehensive policy would demonstrate the Council's proactive approach to both staff welfare and public safety, reinforcing a culture of preparedness and resilience across The Arc.

Security Guards and SIA training

The panic button procedure requires refinement and updating, as it was last reviewed in 2017. Given that it has not been assessed in eight years, it may now need to be revisited and re-evaluated in light of this scrutiny review and changing operational circumstances. Particular attention should be given to the identification of responders and the training they have received.

While Duty Managers are contacted when the panic button is triggered, they have not undergone official training, relying instead on personal career experience. Front-of-house staff and managers should be adequately trained in conflict resolution or emergency response, to avoid poor management of aggressive behaviour. Instead of employing full-time security personnel, the focus should be on training selected staff members in conflict management and emergency procedures.

Rather than investing in a dedicated security guard team, which could cost between £50,000 and £60,000 annually, a more cost-effective solution would be to train specific staff members, such as Leisure Managers and/or Enforcement Officers in conflict management and emergency response. This approach would be particularly beneficial in situations where individuals become aggressive, such as during committee meetings in the Council Chamber, allowing trained staff to manage disruptive behaviour effectively without the need for a full-time security presence.

This would be a more efficient and less expensive alternative to traditional security guards. This suggestion is supported by the Assistant Director of SSCS&E and the Assistant Director of Leisure, Health and Wellbeing, agreeing that the training would be valuable in enhancing the overall security of The Arc.

By ensuring that relevant staff are trained through SIA certification, The Arc would always have a qualified individual on-site to manage any disturbances or security concerns. This training would not only empower staff to respond to conflict situations with confidence but also ensure that they are prepared to handle emergencies, providing a safer environment for both staff and visitors. Additionally, this would strengthen the Panic Alarm Procedure by ensuring that those responsible for responding to activations are properly trained to manage such situations effectively.

Risk Assessment and Physical Security Measures

The annual risk assessment for The Arc uses a matrix to evaluate risks based on severity and likelihood. The severity of potential injuries is rated from 1 (No Injury) to 5 (Catastrophic), while the likelihood ranges from 1 (Very Unlikely) to 5 (Very Likely). The resulting risk rating determines the necessary actions, with a rating of 20-25 indicating the need to stop activity and take immediate action, 15-16 requiring urgent action, 8-12 suggesting action to improve within specified timescales, 3-6 recommending monitoring with improvements at the next review and 1-2 indicating no action required but maintaining current controls.

The 2024 risk assessment was conducted by the Health and Safety Advisor, signed off on June 10, 2024, with a review date set for June 2026. The assessment focused on general activities at The Arc. For site security, the potential harm could be to

employees and property, with risks including physical violence or aggression. Current control measures include an intruder alarm, a barrier for restricted vehicle access, CCTV coverage in key areas, restricted access zones to segregate users, limited access to keys, regular intruder alarm tests and servicing, panic alarms at reception points, a secure interview room, perimeter fencing, weekly checks of the fencing, alarmed doors on restricted exit routes and mandatory counter-terrorism awareness training for employees.

The calculated risk rating is 2 (Severity) x 2 (Likelihood) = 4 (Low Risk). This reflects a proactive approach to safety with comprehensive measures in place to mitigate the risk of physical violence and ensure the site's security. Regular reviews and staff training further contribute to maintaining a safe environment.

While the current risk assessment indicates low risk, it is important to recognise that security threats can evolve. Even with robust existing measures such as CCTV, alarms and restricted access, emerging risks, including advances in intrusion tactics, changing socio-political climates, or human error, may increase the risk. To proactively address these potential threats, continuous investment in new technologies, scenario-based planning, regular staff training and enhanced security measures (such as perimeter security and CTSA audits) should be prioritised. By staying ahead of emerging threats and maintaining vigilance, the Council can ensure the long-term safety and resilience of The Arc.

Government Legislation and External Guidance

“Martyn’s Law,” formally known as the *Terrorism (Protection of Premises) Act 2025*, seeks to enhance protections against terrorism in public spaces by introducing new legal requirements for venues, including risk assessments, physical security measures and staff training. This law may impact The Arc, necessitating improvements in its preparedness for terrorism-related incidents, such as upgrades to physical security and the implementation of regular emergency training.

As part of the review’s development, the Assistant Director for SSCS&E recommended engaging with a Counter Terrorism Security Advisor (CTSA) to provide professional advice on identifying and mitigating terrorism-related risks at The Arc. CTSA’s offer free advisory services to local authorities, assessing site vulnerabilities, recommending physical security improvements and supporting compliance with counter-terrorism policies.

As part of the outcomes of this review, Members expressed a desire to engage with a CTSA. To support this, the review includes as a recommendation: *That the Council conduct a security audit with a Counter Terrorism Security Advisor*, (recommendation 2.8).

In February 2025, a CTSA conducted a site visit to The Arc and provided professional advice regarding required security enhancements. A verbal summary of the CTSA’s findings and recommendations was delivered to the Assistant Director of SSCS&E. These recommendations will inform the future delivery of services related to enhancing the Council’s overall security posture and will align with the strategic outcomes of this report. Due to the sensitive nature of the CTSA’s advice, specific details will not be

included in this report. Disclosure of this information could highlight vulnerabilities within the Council's infrastructure and pose a security risk if made publicly available or misused.

Although the Council has already completed this recommendation during the course of the review, Members agreed that it is important to retain the recommendation in the final report. Its inclusion reflects the proactive steps taken during the review period and demonstrates the Council's ongoing commitment to improving its overall security posture.

Developments to the Council Chamber

After several incidents that occurred in the Council chamber during the beginning of 2025 where members of the public caused some disturbances to several committee meetings, Members believed it was important to address the security arrangements for committee meetings held at The Arc – particularly in the Council Chamber. To support a safer and more controlled environment during statutory committee meetings, the Governance Manager has implemented several practical measures aimed at improving monitoring and reinforcing appropriate behaviour within the Council Chamber.

A rope barrier has been installed to physically separate the public gallery from the area occupied by Elected Members, helping to create a defined boundary that enhances both safety and decorum. Attached to the barrier are visible Code of Conduct signs outlining expectations for public behaviour. To reinforce these expectations further, each chair in the public gallery has been equipped with a laminated Code of Conduct card, offering attendees a clear, accessible reminder of the standards of respectful conduct required during meetings. Collectively, these improvements are designed to maintain a safe, respectful and orderly atmosphere that supports democratic continuity while safeguarding the wellbeing of Elected Members, staff and members of the public attending proceedings.

In March 2025, as part of ongoing governance improvements, a new audio-visual (AV) system was procured and installed in the Council Chamber. This development significantly enhances the Council's ability to monitor and record proceedings, offering a clearer and more secure method for documenting any incidents that may occur. Beyond improving transparency and accountability, the upgraded AV system adds an important layer of security by enabling effective monitoring of meetings that may experience disruption, helping to identify and manage situations that could escalate into security incidents. This enhancement complements wider updates to governance procedures and supports a safer, more controlled environment for both Elected Members and members of the public.

Members agreed to include security developments in the Council Chamber as part of the review's recommendations. While the Governance Manager has already taken significant steps to improve security, Members felt it was important to retain the recommendation—that the Council addresses security arrangements for committee meetings held at The Arc—to reflect ongoing progress made alongside the review. As the recommendation is only partly achieved and further improvements may still be considered, it will remain in the final report.

Recommendations:

That the Council introduce a clear security responsibility framework: appoint a senior officer responsible for security at The Arc, tasked with overseeing the development, implementation and regular updates of security policies; assign a portfolio holder from the Cabinet to be responsible for security as part of their remit.

That the Council develops a comprehensive security policy for The Arc that addresses ASB, emergency situations and the safety of staff, Elected Members and customers.

That the Council ensures there are clear roles and responsibilities for security protocols and incident response at The Arc.

That the Council ensure security procedures are regularly reviewed, updated and tested.

That the Council review and update Panic Button procedures and provide SIA training for appropriate members of staff (such as the Leisure Duty Managers and the Enforcement Officers).

That the Council explores options available to develop improved CCTV and monitoring systems at The Arc.

That the Council consider strengthening perimeter security for external physical threats such as vehicle mitigation.

That the Council conduct a security audit with a Counter Terrorism Security Advisor.

That the Council addresses security arrangements for committee meetings held at The Arc.

5.2 Examine incidents and data of previous occurrences of ASB and security issues from recent years at The Arc and identify areas for improvement.

Reviewing past incidents of anti-social behaviour and security concerns at The Arc provides valuable insight into areas where security arrangements can be strengthened. A range of incidents, including break-ins, vandalism, verbal abuse towards staff and the handling of suspicious packages, highlight the challenges faced in maintaining a safe and secure environment.

While effective reporting systems are in place, it is essential that incidents are formally recorded; if incidents are not recorded properly, it can make it more difficult to track trends and assess risks. Staff training for handling ASB varies across roles and responses to security issues often involve multiple teams, reflecting the complex nature of managing such situations. By examining these incidents and identifying patterns, opportunities can be explored to enhance existing policies, improve reporting processes and ensure that security measures continue to evolve in response to emerging challenges.

SECURITY INCIDENTS: CASE STUDIES

Suspicious Package Incident:

In 2024, the Council received a series of suspicious packages, triggering a response based on established safety protocols. The Council has a clear and comprehensive procedure for handling mail to mitigate risks associated with potentially hazardous items.

Upon identifying a suspicious package, staff are instructed to follow specific steps:

- Do not touch, move, or open the package.
- Place the package on a firm surface and display the "Suspicious Mail" warning sign next to it. Avoid further disturbance.
- Only call the police if instructed or if staff cannot reach someone but believe emergency intervention is necessary.
- Once the package is identified, staff must immediately take the Emergency Box and leave the room.
- Place the "Danger – Do Not Enter" sign on the Post Room door, but do not lock it unless directed by the Building Security Manager or emergency services.
- For suspected chemical, biological, or radiological (CBR) threats:
 - Remove outer clothing and place it in an isolation bag.
 - Avoid touching the eyes, nose, or skin.
 - Use cleaning wipes to cleanse hands and dispose of used tissues or wipes in the isolation bag.

The incident led to a police investigation to assess the nature of the threat and ensure any risks were properly addressed. Additionally, the Governance Team, responsible

for managing post at the time, used a paper-based logging system to track suspicious mail.

To enhance security, the postal service at The Arc has been relocated to a more secure, centralised location within the building. This move aims to reduce potential risks in more isolated areas. The change also improves staffing resilience and coverage, which is vital for maintaining smooth operations during incidents that require immediate attention.

This adjustment aligns The Arc's procedures with those of other local authorities, where postal services are also situated within customer services departments. By centralising the postal service, the Council aims to improve both safety and operational efficiency, ensuring that similar incidents can be more effectively managed in the future. These actions reflect the Council's proactive approach to improving security in response to emerging threats, reaffirming the commitment to safeguarding both staff and the public while enhancing overall operational security protocols.

Break-In Incidents at The Arc:

In August 2023, a series of break-ins occurred at The Arc, involving three young men who gained unauthorised access to the building and caused disturbances. They stole several valuable items from the building and left behind alcohol containers. The police were notified, however, there was a delay in the police response, as they did not arrive until over an hour later. Additionally, discrepancies were noted between the alarm panel logs and the incident report from the leisure centre reception, which raised concerns about the reliability of the alarm system.

In response to the break-ins, duty managers discussed security measures such as securing all fire exits and implementing overnight security. However, no overnight security measures were put in place. Post-incident, some security improvements were made to ensure valuables are locked away safely at night and specific fire exit doors are locked each night and unlocked in the morning.

The Senior Technical Officer was informed for insurance purposes, though the stolen items' value was too low to justify a property insurance claim. The Senior Technical Officer also advised that any future incidents should be reported for insurance purposes, as this could help identify patterns and mitigate risks. The Assistant Director of Health and Leisure informed the Chief Executive of the break-ins, though there was no official communication with Councillors, except for some senior Members who may have been briefed.

The investigation raised questions about the responsibility for security protocols and procedures; the investigation process highlighted the need for clearer communication and responsibility in handling such incidents.

Assault Incident Involving Deodorant Spray at The Arc:

In September 2024, a Council Manager was assaulted by children who sprayed deodorant directly in her face outside the Bolsover Contact Centre. The children had been loitering in the area and had been pressing the disabled access button, which

caused the door to remain open and prevent it from closing. The member of staff asked the children to leave the premises, but one of them continued to spray her with deodorant. The incident was formally reported and investigated. The investigation concluded that no further action was necessary as the injury was minor and there were no lost workdays. The case was officially closed on October 9, 2024.

It is essential to report and log incidents like this to ensure a clear record of events, monitor patterns of behaviour and assess risks to staff safety. By formally logging incidents, the Council can take appropriate action if necessary, identify areas for improvement and maintain accountability. Additionally, logging incidents helps with compliance with health and safety regulations, promotes a safer working environment and enables better preparation for preventing future occurrences.

Damage to Fire Alarm Call Point at The Arc:

In September 2023, a fire alarm call point at Bolsover District Council was damaged by children. The incident occurred in the West Wing near the old studio fire exit when the children slid open a fire door and hit the call point. Although the damage did not pose any significant risks or injuries, immediate safety checks and evacuation procedures were initiated as a precaution. Following the incident, the fire door was modified to prevent future occurrences. The investigation concluded that the incident was minor and no further investigation was required. The report was confirmed to be accurate and the building was secured.

It is essential to report and log incidents like this to maintain a clear record of any potential safety risks and to ensure that any necessary precautions are taken. By documenting such incidents, the Council can monitor for recurring issues, take corrective actions and ensure that safety measures are always up to date. Logging incidents also helps in ensuring compliance with health and safety regulations, improving emergency response procedures and creating a safer environment for staff and the public.

False Fire Alarm Triggered by Children at The Arc:

In May 2023, a false fire alarm was triggered at The Arc, Clowne, when children activated a break-glass call point located in the East corridor near the automatic side doors. The situation led to an immediate evacuation, though no fire or injuries occurred. The event was managed by the staff on duty and the incident was reported on the same day. The investigation concluded that the event was an isolated incident and no further action was necessary. A RIDDOR (Reporting of Injuries, Diseases and Dangerous Occurrences Regulations) report was not required, as the incident did not result in any injuries or significant risks.

It is essential to report and log incidents like this to ensure that all events, even false alarms, are properly recorded and assessed. By documenting such incidents, the Council can review safety protocols, ensure that evacuation procedures are effective and identify areas for improvement in preventing similar occurrences. Logging incidents also helps in maintaining compliance with health and safety regulations, ensuring that staff are well-prepared for emergencies and fostering a safer environment for everyone.

Incident of Anti-Social Behaviour Outside the Offices of the Executive and Senior Officers:

An incident of ASB occurred outside The Arc, near the Contact Centre, when a woman and a man were observed arguing and shouting by a senior Member. Despite the incident being witnessed by an official, it was not formally reported as an incident to be documented in the system. When questioned about the details of the situation, the senior Member could not provide any specifics, citing the fact that the incident had occurred several months prior.

Unfortunately, the lack of a written record at the time of the incident meant that there were no details available for review when questioned by the Scrutiny Officer. If the incident had been formally reported, it would have allowed for a more thorough follow-up and provided a clearer picture of recurring issues, helping to inform improvements in security protocols.

Electronic Accident Report System (EARS) and the Employment Protection Register

Members of the public can report incidents they witness by contacting the Council through various channels, including telephone via the Customer Services Team, email, or the Self-Service portal. Elected Members, while able to use the portal as constituents, are also advised to report any security-related incidents directly to a senior member of staff, such as a Director, Assistant Director, Head of Service, or the Chief Executive.

A structured system is in place for staff to report incidents at The Arc through the Electronic Accident Report System (EARS), accessible via ERIC for Council employees. This system allows for the documentation of both general accidents and violent incidents, ensuring that workplace safety concerns and security issues can be formally recorded. While the reporting system is well established and is usually used in most cases, it is essential that all incidents are officially documented to ensure a comprehensive understanding of recurring issues which can inform potential improvements.

The Employment Protection Register (EPR) is used for documenting incidents involving staff, with the aim of maintaining a safe environment by tracking and responding to potential risks. Alongside the course of this review, the Customer Services Manager and the Health and Safety (H&S) Manager have been collaborating on a proposal to enhance the EPR system by introducing a third option to differentiate between verbal and physical abuse. Since these types of abuse necessitate different responses, such a distinction would allow for more targeted and appropriate actions to be taken. A key section of the policy will focus on Habitual and Vexatious Complaints, setting out criteria that must be met for complaints to be categorised as such, specifically requiring at least two of the following conditions: frequency, severity, or persistence. This will be part of the Management of Unreasonable Behaviour Policy previously mentioned in chapter 5.1 on page 23-24.

Safety Committee and Oversight

The Safety Committee plays a key role in monitoring workplace incidents, meeting quarterly to review accident statistics and workplace safety programmes. However, its primary focus is on accident reporting rather than security incidents. While this structure helps maintain workplace health and safety, expanding the scope of the Committee to include security-related matters could provide further oversight and contribute to ongoing improvements in security arrangements. For further details on the Safety Committee please see page 20.

Support Policies Following Incidents

Employees who have taken time off due to an incident are required to complete a return-to-work form, which assesses their physical and mental wellbeing before resuming their duties. This process is supported by follow-up checks conducted by HR, ensuring that affected individuals receive appropriate assistance. Additionally, a 24/7 counselling service is available, providing staff with access to professional support if needed. These measures demonstrate a commitment to staff welfare and ensure that those impacted by security incidents have access to necessary resources.

Recommendation:

That the Council ensure staff and Elected Members are familiar with emergency, evacuation and invacuation procedures and reporting processes.

5.3 Examine the Council's current approach to staff training for security procedures and public education on protocols in dangerous security situations.

At the beginning of this review, both of the Scrutiny Committees that decided to work in collaboration on the issue of security were keen to address whether there is adequate training available for staff and Elected Members when they may face situations involving ASB or security-related incidents. It is essential to ensure that employees and Councillors are well-prepared and equipped with the necessary skills to effectively handle these situations, ensuring both their safety and the safety of others. The focus on this matter stems from the increasing awareness of security threats and the role of staff in maintaining a safe environment for the public and themselves. Additionally, the Committees were interested in understanding what educational resources or materials have been published by the Council to support staff in handling such incidents. The publication of relevant guidance and procedures is crucial to creating a culture of safety and preparedness throughout the Council.

To address these concerns, the Council has already implemented several key training initiatives aimed at equipping staff with the necessary knowledge and skills to handle potential security and safety incidents.

Since the appointment of the Senior Emergency Planning Officer in July 2024, a comprehensive programme of relevant training has been delivered to managers and senior staff to strengthen the Council's emergency preparedness and response capabilities detailed in the list below:

- September 2024 MAGIC Course - Staff undertaking strategic roles
- October 2024 RD refresher training - Staff undertaking strategic roles
- November 2024 Emergency response test - Office Hours
- December 2024 RD Initial training
- December 2024 Gov.notify Emergency response test – Out of Hours
- January 2025 RD refresher training - Staff undertaking strategic roles
- January 2025 RD refresher training – ReD1 exercise
- February 2025 Exercise ARC Defender Invacuation exercise
- March 2025 EPC COMAH exercise involving TCG/SCG personnel
- April 2025 ACT Awareness CTSA training
- April 2025 RD refresher training – ReD2 exercise
- April 2025 MAGIC Course Staff undertaking strategic roles - Tactical

Below is a list of future training dates and exercises that are currently scheduled for the coming months:

- June 2025 Flood Mapping Training
- July 2025 RD refresher training – ReD3 exercise
- October 2025 ARC Tabletop Security Exercise (IED / Gas explosion TBC)
- October 2025 RD refresher training – ReD4 exercise

Security Briefing for Elected Members - Derbyshire Constabulary

During this review, the Council organised security and counter terrorism training in partnership with Derbyshire Constabulary. The training was designed to provide security advice and guidance tailored to the roles of Councillors. It was delivered in an interactive format, allowing for participant engagement throughout the session.

The presentation lasted around one hour and included a comprehensive security briefing created by *Counter Terrorism Policing* specifically for elected officials. It combined both informative training and practical security advice, ensuring that Councillors were equipped with the knowledge and tools necessary to address potential security concerns. The interactive nature of the session aimed to keep participants engaged and ensure that the content was relevant to their roles.

The training is offered to all Councillors across the UK to ensure that elected officials are given the necessary support and resources to stay informed on security issues relevant to their duties. To ensure the information remains current and relevant, the training content is updated every 3 to 6 months. Re-training sessions are offered at these intervals to give Councillors the opportunity to refresh their knowledge and stay up-to-date with any changes to security protocols or emerging threats. This approach helps to maintain a high standard of preparedness among Councillors, ensuring they remain well-informed and capable of managing potential security risks effectively. Bolsover District Council should continue to utilise this training resource and keep Members up to date with emerging policies and threats. This training should be retaken by Members annually or at least every two years.

Counter Terrorism Training for Staff

In Spring 2024, the Council introduced mandatory Counter Terrorism Awareness Training for all staff. This training was delivered through an online platform, using the *Action Counters Terrorism* website for e-learning. It covered various aspects of identifying and responding to potential terrorist threats, equipping staff with the knowledge to recognise warning signs and take appropriate action in emergency situations. This initiative aimed to ensure that staff were sufficiently prepared to respond to such incidents, enhancing their overall awareness and safety protocols.

Run, Hide, Tell Staff Training

In December 2024, all Bolsover District Council staff were required to complete *Run, Hide, Tell* training. This training offers a simple and effective protocol for responding to dangerous situations, such as an active shooter or other emergencies requiring immediate action. The first step, *Run*, encourages individuals to flee the area if possible, using escape routes to reach a safe location. If running is not feasible, the second step, *Hide*, advises finding a secure, concealed location, ideally with a locked door and turning off devices to avoid detection. The final step, *Tell*, urges individuals to contact authorities once they are safe, providing crucial information about the threat. This training aims to reduce panic, guide individuals in crisis situations and promote safer, more effective responses to emergencies, ensuring a baseline level of preparedness across the Council.

Handling Suspicious Packages Staff Training

After the suspicious package incident in Summer 2024, additional training was held in September 2024 for staff at The Arc who regularly handle post. The training focused on procedures and safety protocols for dealing with suspicious packages, ensuring that staff were well-prepared to manage such situations and reduce risks.

Resilience Direct Senior Staff Training

There has been ongoing training related to Resilience Direct (a platform that supports emergency planning and response – see page 22-23 for details). Training sessions are essential to ensure senior staff can use this system effectively in crisis situations. In October 2024 the Senior Leadership Team participated in a training session to familiarise themselves with the platform. The session also involved a "what if" exercise, which helped participants to anticipate potential challenges and develop strategies for responding to emergency scenarios. The details of this training will be formally documented in the emergency plan, ensuring that there is a clear record of the training provided. Additionally, a master copy of this training documentation is stored at Derbyshire County Council for reference.

To further enhance the effectiveness of Resilience Direct, a User Guide has been created specifically for Bolsover District Council. The guide was prepared by the Senior Emergency Planning Officer who ensures it is regularly updated; the guide aims to provide a comprehensive resource for staff using the system. This guide not only provides essential instructions for navigating the platform but also acts as a useful reference for staff to access during emergencies. By ensuring that staff members are well-versed in using Resilience Direct, the Council aims to streamline communication and response efforts in the event of an emergency, thus improving the overall safety and security of the District.

Further Training for Staff

Ensuring that staff are well-prepared to handle security incidents and emergency situations is a key aspect of maintaining a safe working environment at The Arc. No generic corporate training is provided for staff regarding ASB or general security issues, unless the staff member holds a specific role that requires specialised training, such as community wardens. The Council's policy dictates that staff should not directly engage with ASB situations but should instead prioritise their own safety by removing themselves from the situation. Staff are advised to focus on de-escalating the situation, removing themselves from potential harm and contacting emergency services when necessary.

The Joint Committee believe that the Council should provide further training for certain members of staff, particularly those in operational and front-of-house roles, on conflict de-escalation, emergency evacuation and the effective use of panic alarms. This training should incorporate real-life scenario simulations to help staff develop the confidence and practical skills necessary to respond effectively to incidents. The importance of such training is advised and supported by the Emergency Planning Officer, reinforcing the need for a proactive approach to staff preparedness.

In addition to general conflict management training, staff should be well-versed in emergency response procedures for a range of critical incidents, including bomb threats and terrorist-related risks. Regular training should be conducted to ensure staff are familiar with evacuation protocols, invacuation procedures and lockdown responses, allowing for a swift and coordinated reaction in the event of an emergency. HOT principles posters are displayed in Council offices, designed to inform staff of the actions to take in the event of specific incidents, including marauding attacks, acid attacks, bomb threats and suspicious items (Appendix 3).

As part of ongoing improvements to security arrangements, the invacuation procedure is currently in development, aiming to provide clear guidance on managing threats that require staff and visitors to remain inside the building for safety. It is also essential that both staff and Elected Members are fully familiar with all emergency evacuation, invacuation and reporting procedures. By strengthening training initiatives and ensuring that emergency protocols are well understood, the Council can continue to promote a secure and resilient environment for both staff and the public.

Training for handling anti-social behaviour (ASB) and security incidents is currently provided to specific staff members, such as Community Enforcement Rangers. However, other frontline staff, including those in customer-facing roles, may benefit from additional guidance on managing difficult or confrontational situations. Consideration could also be given to providing lone worker training, ensuring that staff working alone are equipped with the necessary skills and procedures to manage potential risks safely. Expanding training opportunities would not only enhance staff confidence but also improve their preparedness in addressing a wider range of security concerns effectively.

There is no dedicated security guards stationed at The Arc. Instead, the Council advises staff to focus on de-escalating situations where possible and to contact the police when necessary. While this approach aligns with standard risk management procedures, it places a greater emphasis on staff judgment in handling incidents. Ensuring that employees feel confident in responding to security concerns is essential to security arrangements at The Arc.

Panic Button and SIA training

As mentioned in Chapter 5.1 on page 19-20 a review of the panic button procedure would be beneficial, along with clarification regarding the training received by those responsible for responding to the Panic Button.

Each customer-facing desk within the Council's facilities is equipped with a panic button, which, when activated, notifies a member of the Leisure Team. Upon receiving the alert, a Leisure Team Manager investigates the situation to assess and address any potential issues. However, it has been noted that no specific training has been undertaken by the Leisure Managers who are responsible for responding to the panic button alerts.

To enhance the effectiveness of this response, it is proposed that Security Industry Authority (SIA) training be provided for certain members of staff such as the Leisure Duty Managers or the Community and Enforcement Officers. This would help ensure

that certain staff are equipped with the necessary skills to handle security incidents more effectively and professionally. Offering SIA training would serve as a more cost-effective alternative to deploying a dedicated security guard team, as outlined in Chapter 5.1 (page 25). This approach would not only increase the safety and security of the facilities but also provide staff with valuable expertise in managing security situations.

Recommendation:

That the Council provide staff training for conflict management and emergency situations (particularly operational staff and front-of-house staff) and continue to regularly provide training on security related issues to staff and Elected Members.

6. Conclusions

The Joint Committee have put together 11 recommendations to assist the Council in improving security and safety arrangements at The Arc.

Key findings arising from the review include:

- **Clear accountability:** There is currently no specific officer or Cabinet Member responsible for overseeing security responsibilities and inter-departmental coordination at The Arc.
- **Lack of a comprehensive security policy:** Existing procedures are fragmented; a unified policy would consolidate security arrangements and improve overall effectiveness.
- **Unclear incident response roles:** Procedures would benefit from defined responsibilities and clear escalation pathways during emergencies to ensure swift and coordinated action.
- **Need for regular review/testing of procedures:** Security protocols should be regularly reviewed and tested to ensure they remain effective and up to date.
- **Training gaps for staff:** Frontline and operational staff need consistent, ongoing training in conflict management and emergency response to enhance preparedness.
- **CCTV and perimeter security:** Consideration should be given to upgrading CCTV systems and perimeter security to improve monitoring and protection.
- **Security considerations for committee meetings:** Additional safeguards, such as barriers, codes of conduct and camera monitoring, are needed to ensure safe and orderly proceedings.
- **CTSA security audit:** A Counter Terrorism Security Advisor (CTSA) has provided valuable feedback and Members have received a security briefing to enhance awareness and preparedness.
- **Emergency procedures under development:** Invacuation, evacuation and lockdown plans are currently being drafted but are not yet fully implemented; an accommodation review of the building is under development.
- **Proactive ongoing improvement:** Security measures should be continuously updated to address emerging threats and ensure the ongoing safety of staff, Elected Members and the public.

It is essential for the Council to take proactive steps to mitigate future security risks and ensure the ongoing safety and resilience of The Arc in the face of evolving threats. Security is a dynamic and continuously changing field and by implementing continuous improvements, embracing new technologies and ensuring that staff are well-prepared for emerging risks, the Council will be better positioned to protect both staff and visitors from potential harm in the future. Taking these measures ahead of time will help to avoid the need for reactive responses, especially as security challenges increase.

To conclude this joint review by the Local Growth and Customer Services Scrutiny Committees, it is recommended that the Council should establish a clear security responsibility framework by appointing a senior officer to oversee security at The Arc, alongside assigning a Cabinet portfolio holder to take responsibility for security matters. A comprehensive security policy should be developed, covering areas such

as antisocial behaviour (ASB), emergency situations and the safety of staff, Elected Members and customers. Clear roles and responsibilities for security protocols and incident response should also be defined, with regular reviews, updates and testing of security procedures.

Additionally, the Council should review and improve Panic Button procedures, offering SIA training for key staff members, such as Leisure Duty Managers and Enforcement Officers. The Council is also encouraged to explore options for upgrading CCTV and monitoring systems, as well as considering measures to strengthen perimeter security to address potential external threats, such as vehicle mitigation.

Security arrangements for committee meetings should be addressed to ensure adequate protection. A security audit with a Counter Terrorism Security Advisor is recommended to identify potential vulnerabilities. Furthermore, staff and Elected Members should be thoroughly familiar with emergency, evacuation and in-vacuation procedures. Ongoing training in conflict management, emergency situations and security-related matters should be provided regularly to ensure all staff, particularly those in front-of-house roles, are well-prepared for any security challenges.

By taking these recommended steps, the Council can improve security, ensure staff preparedness and create a safer environment for all those using The Arc. Regular reviews, updates and training, along with proactive security measures, will ensure that the Council's facilities remain secure and resilient against emerging threats.

Appendix 1: Stakeholders

Stakeholders engaged during the Review:

- Cllr Clive Moesby (Portfolio Holder for Resources including Community Safety & Enforcement/Risk Management)
- Cllr Mary Dooley (Portfolio Holder for Partnerships, Health & Wellbeing – including Customer Services and Leisure)
- Cllr Rob Hiney-Saunders (Portfolio Holder for Environment – including Emergency Planning and Corporate Health & Safety)
- Director of Governance and Legal Services (Monitoring Officer)
- Strategic Director of Services
- Assistant Director of Streetscene, Community Safety and Enforcement
- Assistant Director of Leisure, Health and Wellbeing
- Chief Executive Officer
- Emergency Planning Officer
- Customer Services Manager
- Health and Safety Manager
- Facilities Managers
- Health and Safety Advisor
- Community Safety and Enforcement Manager
- Community Safety Officer
- Counter Terrorism Security Advisor
- Governance Manager

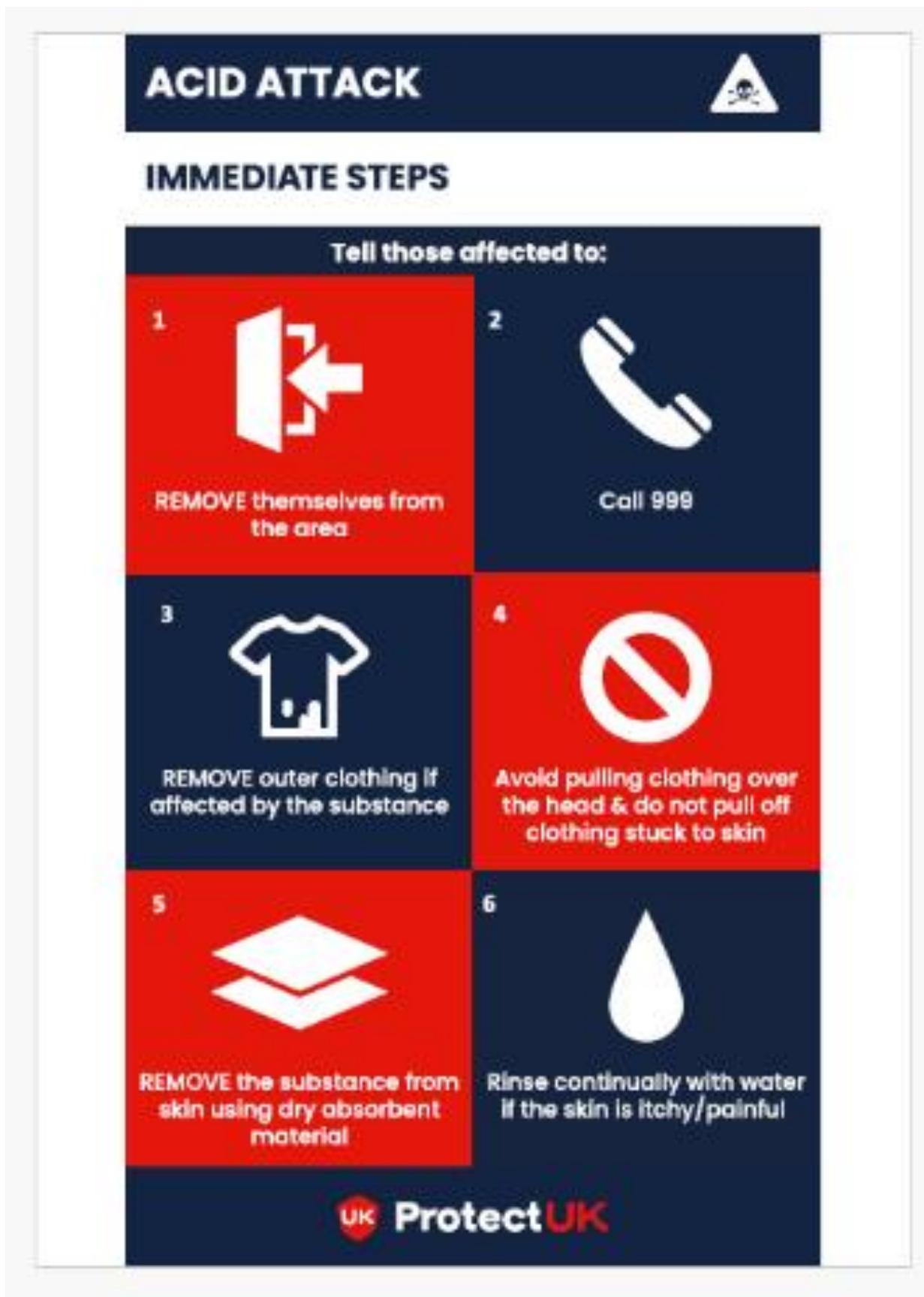
Stakeholders impacted by the Review:

- Cllr Clive Moesby (Portfolio Holder for Resources)
- Assistant Director of Streetscene, Community Safety and Enforcement
- Strategic Director of Services
- Chief Executive Officer
- Health and Safety Manager
- Assistant Director of Leisure, Health and Wellbeing

Appendix 2: List of Acronyms

• ASB	– Anti Social Behaviour
• AD for SSCS&E	– Assistant Director of Streetscene, Community Safety and Enforcement
• RD	– Resilience Direct
• AV system	– Audio Visual system
• CTSA	– Counter Terrorism Security Advisor
• SIA Training	– Security Industry Authority (Training)
• HOT Principles	– Hidden, Obvious, Typical (threats)
• SEPO	– Senior Emergency Planning Officer
• CBR Threats	– Chemical, biological or radiological threats
• RIDDOR	– Reporting of Injuries, Diseases and Dangerous Occurrences Regulations
• EARS	– Electronic Accident Report System
• EPR	– Employment Protection Register

Appendix 3: HOT Principles Posters



BOMB THREAT



IMMEDIATE STEPS

1



Stay calm and
listen carefully

2



Write down as much
detail as possible using the
bomb threat checklist

3



Keep the caller talking
and alert a colleague to
dial 999

4



Note the number of the
caller, otherwise, dial 1471
after the call

5



If the threat is a recorded
message, write down as
much detail as possible
and keep it safe

6



If the threat is received
via text message,
do not reply, forward or
delete the message

UNATTENDED & SUSPICIOUS ITEMS



IMMEDIATE STEPS

Confirm – whether the item has suspicious characteristics

1



Has the item been deliberately hidden?

2



Is the item obviously suspicious? E.g. visible wires

3



Is the item typical of what you would expect to find in this location?

4



Ask if anyone nearby has left the item

If you believe the item represents a possible risk to life

5



Clear the immediate area, control access to cordon and do not touch the item

6



Call 999
Do not use radios within 15 metres



ProtectUK

MARAUDING ATTACKER



IMMEDIATE STEPS

1



RUN – To a place of safety. This is a better option than to surrender or negotiate. If there is nowhere to run then...

2



HIDE – Turn your phone to silent and turn off vibrate. Barricade yourself in if you can

3



TELL – The Police by calling 999 when it is safe to do so

Appendix 4: Customer Services Poster

PLEASE TREAT OUR STAFF WITH RESPECT

- We are here to help.
- If staff are subjected to verbal or physical abuse or threatening behaviour, they have the right to terminate your call or ask you to leave.
- We will not tolerate any aggressive, violent or threatening behaviour.
- The Police may be informed of any abuse towards our staff.



OUR STAFF ARE HERE TO HELP. PLEASE TREAT THEM WITH KINDNESS AND RESPECT.

Bolsover
District Council

25-1273

Appendix 5: Bibliography

Bolsover District Council. *Accident Reporting and Investigation*. Health and Safety Team, Bolsover District Council.

Bolsover District Council. *Clowne Contact Centre/Leisure Reception Panic Alarm Procedure*. Bolsover District Council, May 2017.

Bolsover District Council. *Draft Invacuation Procedure*. Draft v5, 29 November 2024. Health and Safety Team, Bolsover District Council.

Bolsover District Council. *Employee Protection Register*. Health and Safety Team, Bolsover District Council.

Bolsover District Council. *GO! Active @ The Arc: Comprehensive Operating Guide*. Issue 2, November 2022. Bolsover District Council – Leisure and the Senior Leisure Management Team.

Bolsover District Council. *Health & Safety Policy*. August 2024. Health and Safety Team, Bolsover District Council.

Bolsover District Council. *Lone Working and Personal Safety Arrangement Including Employee Protection Register*. Bolsover District Council.

Bolsover District Council. *Risk Management Strategy 2022: Managing the Risks, Maximising the Opportunities*. Bolsover District Council.

Bolsover District Council. *The Arc Risk Assessment 2024*. By Jayne Stokes, Health and Safety Team, Bolsover District Council, June 10, 2024.

Isle of Wight Council. *Bomb Threat & Suspicious Item, Policy and Procedure*. Version 7.0, December 2019. By Steven Brockbank. Accessed February 20, 2025. [file:///C:/Users/thodun/Downloads/Bomb%20Threat%20and%20Suspicious%20item%20Policy%20and%20Procedure%20\(1\).pdf](file:///C:/Users/thodun/Downloads/Bomb%20Threat%20and%20Suspicious%20item%20Policy%20and%20Procedure%20(1).pdf).

Local Government Association. *Model Member Code of Conduct*. Local Government Association, May 2020. Accessed December 12, 2025. <https://www.local.gov.uk/sites/default/files/documents/LGA%20Model%20Member%20Code%20of%20Conduct.pdf>.

Local Government Association. *Public Spaces Protection Orders: Guidance for Councils*. Local Government Association, February 2018.

UK Government. *Terrorism (Protection of Premises) Draft Bill: Overarching Documents*. Accessed April 16, 2025. <https://www.gov.uk/government/publications/terrorism-protection-of-premises-draft-bill-overarching-documents#:~:text=Details,do%20what%20in%20an%20attack>

BOLSOVER DISTRICT COUNCIL

Meeting of the Executive on 23rd June 2025

Damp and Mould Policy

Report of the Assistant Director Housing Management

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

PURPOSE/SUMMARY OF REPORT

The purpose of this report is for Executive to consider and approve the adoption of the Damp and Mould Policy.

REPORT DETAILS

1. Background

- 1.1 Bolsover District Council, as a landlord, is responsible for maintaining the properties it owns and manages in line with the relevant regulations, legislation and guidance. This includes keeping tenants' homes safe from hazards under the Health and Safety Rating System (HHSRS) under the Housing Act 2004, one of those hazards is identified as damp and mould.
- 1.2 The Housing Ombudsman published a spotlight report on damp and mould in October 2021, which stated landlords should take a zero-tolerance approach to damp and mould.
- 1.3 The Social Housing (Regulation) Act 2023 introduced "Awaab's Law." This followed the death of Awaab Ishak, a two-year old child living with his parents who sadly passed away from a respiratory condition, which was found to be caused by damp and mould in the flat.
- 1.4 'Awaab's Law' requires landlords to fix reported health hazards within prescribed timescales and provides greater powers to the Regulator of Social Housing to ensure housing providers are managing condensation, damp and mould effectively.
- 1.5 The Housing Ombudsman also published a severe maladministration report in October 2024 specific to damp and mould – timeliness.
- 1.6 Awaab's Law will come into force for the social housing sector from **October 2025**, with a phased implementation approach. Specific to damp and mould, social

landlords are required to investigate reported damp and mould hazards within 14 days, with a written report issued within 48 hours. For hazards posing a significant risk to health or safety, repair work must begin within 7 days of the investigation. Emergency repairs, defined as those presenting an immediate and significant risk, must be completed within 24 hours. Where work cannot be undertaken within this timescale alternative accommodation would need to be provided.

2. Details of Proposal or Information

- 2.1 We have produced a Damp and Mould Safety Policy which is attached at Appendix 1. The key aim of this policy is to raise awareness of the issues surrounding damp and mould for those living in our properties and to set out the Council's zero-tolerance approach to addressing and resolving reports of damp and mould in its tenanted properties.
- 2.2 In addition the Policy will;
- Provide a clear framework for identifying, reporting, and addressing damp and mould issues.
 - Ensure timely and effective responses to reports of damp and mould, and to ensure that repairs to alleviate damp (for example work to guttering and drains, replacing tiles, repairing leaks to pipework, etc.) are carried out as quickly and efficiently as possible to minimise impact on the health of the resident and damage to the structure, fixtures and fittings of the property.
 - Promote tenant awareness and provide access to information in a variety of formats, and access to support to help residents prevent and reduce risks of damp and mould in their homes.
 - To ensure all tenants are treated in a fair, respectful, empathetic and consistent way.
 - Comply with relevant legislation and regulatory standards, including the Housing Health and Safety Rating System (HHSRS).
- 2.3 The Council will ensure that all resident facing housing officers and operatives are responsible for spotting damp and mould, reporting and recording information they gather. Relevant training will be provided. We will ensure that Dragonfly Management staff and subcontractors will be competent to diagnose and remedy damp / mould issues. And that all reports of damp and mould will be fully assessed and responded to appropriately to minimise the risk of conditions returning.
- 2.4 This Policy explains the Council's legal obligations and goes into detail about how we will ensure we meet these legal obligations, specifically how we will triage and inspect reports of damp and mould and how we will ensure we meet the timescales as set out in Awaab's Law.
- 2.5 The Policy has some definitions around the subject of damp and mould and refers to tenant responsibilities in ensuring they take reasonable measures to help reduce conditions that lead to condensation, damp and mould. This reiterates the tenancy

agreement and the requirement that a tenant reports a repair and allows access upon 72 hours notice for repairs to be actioned.

- 2.6 The Policy also sets out how we will monitor and report on our performance of these legal requirements, including an escalation process for when there is non-compliance.

3. Reasons for Recommendation

- 3.1 The Policy is considered necessary so that members of the public are aware of the Council's responsibilities and our approach to how we ensure damp and mould is actioned within legislative timescales.

4 Alternative Options and Reasons for Rejection

- 4.1 No alternative options are proposed as the policy is required to meet relevant regulations, legislation and guidance.

RECOMMENDATION(S)

That Executive approve the adoption of the Damp and Mould Policy.

Approved by Councillor Phil Smith, Portfolio Holder for Housing

IMPLICATIONS:

<u>Finance and Risk</u>		
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
Details:		
There are no direct financial 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 legal obligations are listed within the policy. The policy has been developed in line with the legal and regulatory requirements.		
Failure to discharge our responsibilities and obligations surrounding a hazard such as damp and mould could result in disrepair claims under Homes (Fitness for Human habitation) Act 2018, Defective Premises Act 1972 or Environmental Protection Act 1990.		
Failure to comply with the Social Housing (Regulation) Act 2023 including Awaab's Law could result in unlimited fines, poor inspection results or imposing other management arrangements to manage social housing.		
On behalf of the Solicitor to the Council		

<u>Staffing</u> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
Details: There are no Staffing implications in the Report or arising from the proposed Damp and Mould Policy as this will be delivered by existing officers.	
On behalf of the Head of Paid Service	
<u>Equality and Diversity, and Consultation</u> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
Details: An Equality Impact Assessment (EIA) is being undertaken and the policy aims to address equality and diversity issues to enable tenants to be safe in their homes and free from damp and mould. Young families, disabled and older residents are more at risk if the policy is not followed.	
<u>Environment</u> Yes <input type="checkbox"/> No <input type="checkbox"/>	
Please identify (if applicable) how this proposal/report will help the Authority meet its carbon neutral target or enhance the environment.	
Details: There are no specific implications for Climate Change and Sustainability arising from this report. When addressing issues with damp and mould, and improving insulation and ventilation, this will also improve the energy efficiency of our homes.	

DECISION INFORMATION:

<input checked="" type="checkbox"/> Please indicate which threshold applies:	
Is the decision a Key Decision? A Key Decision is an Executive decision which has a significant impact on two or more wards in the District or which results in income or expenditure to the Council above the following thresholds:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Revenue (a) Results in the Council making Revenue Savings of £75,000 or more or (b) Results in the Council incurring Revenue Expenditure of £75,000 or more.	(a) <input type="checkbox"/> (b) <input checked="" type="checkbox"/>
Capital (a) Results in the Council making Capital Income of £150,000 or more or (b) Results in the Council incurring Capital Expenditure of £150,000 or more.	(a) <input type="checkbox"/> (b) <input checked="" type="checkbox"/>
District Wards Significantly Affected: <i>(to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the District)</i> Please state below which wards are affected or tick All if all wards are affected:	All <input type="checkbox"/>

Is the decision subject to Call-In? <i>(Only Key Decisions are subject to Call-In)</i>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If No, is the call-in period to be waived in respect of the decision(s) proposed within this report? <i>(decisions may only be classified as exempt from call-in with the agreement of the Monitoring Officer)</i>	Yes <input type="checkbox"/> No <input type="checkbox"/>
Consultation carried out: <i>(this is any consultation carried out prior to the report being presented for approval)</i>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Leader <input type="checkbox"/> 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"/>	Housing Stock Management Group, Housing Liaison Board, Customer Service Scrutiny Committee

Links to Council Ambition: Customers, Economy, Environment, Housing
Ambition: Housing Priority: <ul style="list-style-type: none"> ○ 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. ○ Building more, good quality, affordable housing, and being a decent landlord Target HOU04: Work towards compliance with the Social Housing Consumer Standards, ensuring tenants' voice is key when developing new council housing policies, procedures, and improvements.

DOCUMENT INFORMATION:

Appendix No	Title
1	Damp and Mould Policy

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>

DECEMBER 2024



Damp and Mould Policy

2025-2028

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](tel: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	Damp and Mould Policy
Current status – i.e. first draft, version 2 or final version	First Draft
Policy author (post title only)	Assistant Director Housing Management
Location of policy (whilst in development)	
Relevant Cabinet Member (if applicable)	Portfolio Holder Housing
Equality Impact Assessment approval date	
Partnership involvement (if applicable)	
Final policy approval route i.e. Executive/ Council	Executive
Date policy approved	
Date policy due for review (maximum three years)	
Date policy forwarded to Performance & Communications (to include on Extranet and Internet if applicable to the public)	

Contents

1. Introduction	5
2. Scope	5
3. Aims and Objectives	5
4. Strategic Context	6
5. Definitions	6
6. Roles and Responsibility for Implementation	7
7. Legislation, Guidance and Regulatory Standards	7
8. Responsibilities	8
9. Responding to a report	9
10. Data and Records	11
11. Resident Engagement	11
12. Performance Reporting	11
13. Significant Non-Compliance and Escalation	12

1.Introduction

Bolsover District Council is committed to ensuring that all tenants live in safe, healthy, and well-maintained homes. We recognised the impact that damp and mould can have on the health and wellbeing of our tenants.

This Policy has been developed to respond to the problems highlighted by the Housing Ombudsman, Regulator of Social Housing and to comply with Awaab's Law.

Dragonfly Management (Bolsover) Ltd "Dragonfly Management" is the Council's wholly owned company who delivers the repairs and maintenance service on behalf of the Council. Within this policy, "the Council" this includes the Housing Department and Dragonfly Management delivering their service to the Council.

2. Scope

This policy outlines the Council's approach to managing damp and mould in homes (habitable rooms). It is aimed at ensuring residents receive appropriate information regarding the causes and control of damp, and mould as well as how the Council carry out our duties in relation to the provision of a "healthy and safe" home. The policy does not apply to outbuildings, passageways, or porches.

This policy covers all assets of Bolsover District Council that fall within Housing Revenue Accounting (HRA).

This policy is relevant to all employees, residents, contractors, stakeholders, and other persons who may work on, occupy, visit, or use premises owned or managed by the Council, or who may be affected by The Council's activities or services.

The policy should be used by all to ensure they understand the obligations placed upon the Council and Dragonfly Management to maintain a healthy and safe environment within the home of each resident, and within all communal areas of buildings and other properties we own and/or manage. Adherence to this policy is mandatory.

3. Aims and Objectives

The key aim of this policy is to raise awareness of the issues surrounding damp and mould for those living in our properties and to set out the Council's zero-tolerance approach to addressing and resolving reports of damp and mould in its tenanted properties.

In addition the Policy will;

1. Provide a clear framework for identifying, reporting, and addressing damp and mould issues.

2. Ensure timely and effective responses to reports of damp and mould, and to ensure that repairs to alleviate damp (for example work to guttering and drains, replacing tiles, repairing leaks to pipework, etc.) are carried out as quickly and efficiently as possible to minimise impact on the health of the resident and damage to the structure, fixtures and fittings of the property
3. Promote tenant awareness and provide access to information in a variety of formats and access to support to help residents prevent and reduce risks of damp and mould in their homes. **INSERT WEBSITE LINK**
4. To ensure all tenants are treated in a fair, respectful, empathetic and consistent way.
5. Comply with relevant legislation and regulatory standards, including the Housing Health and Safety Rating System (HHSRS).

4. Strategic Context

4.1 This Policy and its delivery is compatible with the following Council policies and documents:

- **Tenancy Agreement** – a contract between a tenant and the Council setting out the legal terms and conditions of the tenancy.
- **Housing Repairs Handbook** – sets out how the Council will provide a repairs service to tenants. The Handbook also sets out the tenants' responsibilities for maintaining their home.
- **The Council's Compliments, Comments and Complaints Policy**
- **Lettable standard** - sets out the minimum standard properties will meet when they are let to new tenants

5. Definitions

This is not an exhaustive list and highlights commonly used terminology.

- **Damp: refers to** an excess of moisture in a building, typically resulting from either condensation, penetrating damp or rising damp. It can cause damage to buildings and harm the health of occupants if not treated
- **Condensation:** occurs when warm, moist air touches a cooler surface such as tiles, windows, or walls. If left for a long period of time, it can cause damp and/or mould.
- **Penetrating damp:** water penetrates the fabric of the building from the outside to the inside, for example, because of a leaking roof.
- **Rising damp:** water that rises through fabric and brick walls of a building after being absorbed from the surrounding ground.

- **Mould:** is a type of fungus. It spreads through spores, which are invisible to the naked eye but are in the air around us all the time and can quickly grow on surfaces where dampness persists, or water has formed into a visible covering. It appears as fuzzy or slimy patches in various colours, often black or yellow. Mould needs to be removed carefully to avoid spreading spores and to prevent it causing ill health.
- **Vulnerable Tenant;** a tenant who has characteristics that mean they are less able to cope with a situation which may impact on their health, safety or wellbeing and have an increased need for support.
- **Habitable rooms;** policy only applies to living areas within the home, not outbuildings, passageways or porches

6. Roles and Responsibility for Implementation

The Council has overall responsibility for the Policy. The Council will formally approve this policy and review it every three years (or sooner if there is a change in legislation or regulation).

Dragonfly Management has operational management and delivery responsibility for repairs and maintenance and ensuring compliance with damp and mould legislation.

It is the responsibility of all officers to ensure the Damp and Mould Policy is understood and implemented. Monitoring of the performance and delivery of the Policy will be reported to Housing Stock Management Group on a quarterly basis.

7. Legislation, Guidance and Regulatory Standards

- **Housing Act 2004, Housing Health and Safety Rating System (HHSRS),** This places a legal duty on landlords to assess and regularly review the condition of their properties to ensure that properties are safe and free from hazards. This includes issues related to damp and mould.
- **Housing Act 2004, Part 1,** this requires the local authority to take into account the impact of health and safety hazards in housing on vulnerable occupants, when deciding on what action to take to improve conditions.
- **Homes (Fitness for Human Habitation) Act 2018:** This act requires landlords to ensure their properties are fit for human habitation at the beginning and throughout the tenancy. This includes addressing issues like damp and mould.
- **Environmental Protection Act 1990:** This act can be used to address statutory nuisances, including damp and mould, that are prejudicial to health.
- **Defective Premises Act 1972** – this sets out a duty of care to carry out repairs, ensuring that all individuals who could be affected by relevant defects are

reasonably safe from person injury or damage to their property as a result of the defects.

- **Landlord and Tenant Act 1985:** This act requires landlords to keep the structure and exterior of the property in repair. The Council will respond to and fix repairs which are required to address damp and mould issue.
- **Decent Homes Standard:** This standard requires social housing to be free of serious hazards, including those caused by damp and mould.
- **Building Regulations 2010:** When undertaking controlled work, such as improvements to heating and ventilation systems, landlords must comply with these regulations.
- **Awaab's Law:** Coming into effect from October 2025, this law mandates that social landlords must investigate and fix dangerous damp and mould within set time periods and repair all emergency hazards within 24 hours.

8. Responsibilities

The Council's Responsibilities:

- All resident facing colleagues and operatives are responsible for spotting damp and mould, reporting and recording information they gather.
- We will ensure that all reports of damp and mould will be fully assessed and responded to appropriately to minimise the risk of conditions returning.
- Dragonfly Management staff and subcontractors will be competent to diagnose and remedy damp / mould issues.
- A detailed stock condition survey will be carried out on each property at least every 5 years, including an assessment against HHSRS to ensure that properties remain free from Category 1 and 2 hazards.
- Relevant Managers within the Council and Dragonfly Management are responsible for ensuring the policy is understood and followed for existing and new colleagues.

Tenant Responsibilities:

- The tenants' responsibilities are set out in the Tenancy Agreement and including the requirement to notify the Council immediately if any repairs are required at the Property which are the Council's responsibility.

- The tenant must give the Council, or its contractors access to the property provided a minimum of 72 hours prior written notice have been given to inspect for repairs, carrying out repairs, servicing equipment and/or for any other reasonable housing management purpose.
- All residents should seek advice and permission before carrying out any changes within their homes to ensure that any alterations do not contribute to damp and mould.
- Tenants are asked to carry out small practical measures to help reduce conditions that lead to condensation, damp and mould by:
 - Keeping temperatures within the home between 18 and 21
 - Drying washing outside where possible
 - Not putting furniture against outside walls to allow air flow
 - Opening windows or trickle vents during the day
 - Using mechanical ventilation where installed in the property, for example extractor fans in kitchens and bathrooms, and Positive Input Ventilation systems (PIV)
 - Informing the Council if their household circumstance changed, particularly if someone moves into the property.
- An information leaflet is on the Council's website **INSERT LINK**, this is regularly updated and sent out to tenants.

9. Responding to a report

Residents/tenants can report suspected damp and mould through a variety of methods

- Logging a repair - [repair online](#)
- By speaking to a Customer Adviser at one of our [contact centres](#), this can be either over the telephone (01246 242424) or in person.
- By [email](#).
- Via our Twitter page @BolsoverDC
- By writing to us at Bolsover District Council, The Arc, High Street, Clowne, Derbyshire S43 4JY

Process for dealing with reports of damp and mould

All initial reports of damp and mould will be recorded within the Housing Management System, utilising the repair diagnostics software to determine the priority, with consideration given to any tenant vulnerabilities.

Where an Inspection is required, an appointment will be offered to attend the property as soon as possible within 10 working days.

During the inspection an assessment will be made by the Repairs Coordinator to establish the cause of the damp or mould. They will discuss any actions that can be taken to reduce the occurrence of mould by both the Council and the tenant.

The inspection outcome will be recorded on a form to capture all relevant information as set out below (Total Mobile generated form saved to swordfish)

- How and when the investigation was conducted, and the job title of the individual who conducted the investigation.
- Any following investigations that are required, and if so when they will take place
- If a hazard was found and if so what
- Whether the hazard is likely to pose a significant risk to residents' health or safety
- If it does pose a risk:
 - [If applicable] what temporary repairs are needed to make the property safe until the problem can be permanently rectified
 - what the Council will do to permanently rectify the problem and the likely timescales for this
- How to contact the Council with any queries

A copy of the report will be issued to the tenant within 2 working days of the inspection.

If the inspection result finds that there is a significant risk to the tenant, the Council will start work within 5 working days to make the property safe. This may include treatment of mould.

For minor works not affecting the tenants health, the repairs will be raised and completed as quickly as possible within the Councils existing repair priorities.

Specific vulnerabilities and tenants needs will be considered as part of this prioritisation process alongside the assessment of the risk.

Where there is a need for a technical specialist (e.g. specialist damp survey) this will be requested and completed within 10 working days. The tenant will be kept informed of the outcomes and any further work required.

Where is it deemed necessary for emergency works, these will be raised and completed within 24 hours of the inspection.

Following completion of the works, quality assurance checks will be carried by contacting the tenant to confirm if the issue has been resolved and ensure the tenants is satisfied with the completed works. This will be within 3 months of the work.

Tenants must allow access to carry out inspections and to carry out work to prevent damp and mould. Where access is not allowed, the Council will keep records of all attempts to carry out its duties to ensure compliance with legislation. The Council will follow its no access procedure and may take legal action against the tenant.

10. Data and Records

Information obtained from reports of damp and mould will be recorded and all remedial works actioned using our housing management computer system.

Data collection will be analysed to ensure we take a proactive and preventative approach to damp and mould.

We will use the data collection to identify trends in certain property types and will use this to inform future planned investment programmes such as loft insulation or window replacement.

11. Resident Engagement

The Council consider good communication essential to raise awareness of damp and mould. We will provide information leaflets and signpost to useful resources. We will ensure that this information is effective in helping residents avoid mould issues within their homes and is available in a number of different formats.

Supporting our tenants

Upon receipt of the repair, and/or the initial inspection we will seek to identify any health conditions of the tenant and the household which may create a need to prioritise the repairs.

Where extensive works may be required we will consider the individual circumstances of the household, and any vulnerabilities, and whether it is appropriate to move the tenant out of their home. In these circumstances we will provide alternative temporary accommodation until the works or repairs are completed.

The Council will share information clearly and transparently and will ensure that information is available to residents via regular publications and information on its website.

12. Performance Reporting

The Council will report robust key performance indicator (KPI) measures for damp and mould repairs against the timescales set out above.

Performance will be reported internally to The Council, Dragonfly Board and SLT on a quarterly basis. Dragonfly Management Limited will engage with tenants and develop its approach / systems to report on a regular basis. The position reported will be based on the following criteria:

Data – the total number of:

- Properties
 - Properties with open damp and mould cases
 - Total number of remedial works outstanding from D&M cases
 - Total number of overdue remedial works from D&M cases (broken down by how long outstanding under 3 months, 3-6 months, 6-12 months and 12months +)
 - Number of D&M cases classed as HHSRS hazards
 - Average time taken from receipt of D&M case to survey being completed.
 - Average time taken to complete remedial works following survey being completed
 - Number of cases where a tenant has been decanted as a result of the Hazard and work required
- **Narrative - an explanation of the:**
 - Current position;
 - Corrective action required;
 - Anticipated impact of corrective action; and
 - Any mitigation of risk to tenants
 - Progress with completion of follow-up works

13. Significant Non-Compliance and Escalation

The Councils definition of significant non-compliance is any incident which has the potential to result in a potential breach of legislation or regulatory standard, or which causes a risk to health or safety. All non-compliance issues will be reported and escalated as soon as possible, and no later than 24 hours after the incident was identified, or of a Council or Dragonfly employee or agent becoming aware of it.

Any non-compliance issue identified at an operational level will be formally reported to the Senior Repairs Coordinator (Dragonfly Management) in the first instance, who will agree an appropriate course of corrective action with the Head of Property (Dragonfly Management) and report details of the same to the SLT at Dragonfly and the Council.

In cases of serious non-compliance, The Council will consider whether it is necessary to disclose the issue to the Regulator of Social Housing as required by the regulatory framework.

BOLSOVER DISTRICT COUNCIL

Meeting of the Executive on 23rd June 2025

Land to the rear of St Helen's Church Hall

Report of the Portfolio Holder for Growth

Classification	This report is Public
Contact Officer	Amelia Carter Senior Economic Development Officer

PURPOSE/SUMMARY OF REPORT

To set out the options and recommend the freehold transfer of the Council's land to the rear of St Helen's Church Hall, Pinxton for no consideration in order to deliver the outcomes of the Regeneration Funding which has been allocated to the project.

REPORT DETAILS

1. Background

- 1.1 The Regeneration Fund was allocated to Bolsover District Council in the Autumn Statement of 2023. The Investment Plan was approved on 22 May 2024 and the Memorandum of Understanding was signed in February 2025.
- 1.2 One of the projects within the Investment Plan is the refurbishment of Pinxton Church Hall. £700,000 was awarded from the Regeneration Fund for this project and £53,333 from the East Midlands Combined County Authority as part of the Rural Economic Prosperity Funding (REPF). The project has to be completed by March 2026, unless a variation is submitted and approved by the Minister for Housing Communities and Local Government
- 1.3 Significant work has been undertaken to explore both the refurbishment and new build options for the site, including condition surveys, measured surveys, utility surveys, RIBA 0-2 refurbishment concept drawings for a refurbishment and RIBA 0-2 concept drawings for a new build and indicative cost plans for both options. A RIBA 3 drawing pack is currently being prepared for a new build, in addition to a cost plan, to develop the design and to get a greater understanding of the costings for this option.
- 1.4 The site of the hall is in split ownership between the Diocese of Derby and Bolsover District Council (see Appendix A). The Council's land has been long associated and used by the Church Hall. Enquiries have been made with the Council's Legal department and, due to the absence of deed information, the arrangements which led to the Diocese using this piece of land for the last couple of decades are unclear.

- 1.5 The public access planning file reference BOL487/0170 shows that planning consent was applied for and granted for the change of use of the site from the rear garden of 99 Glebe Avenue into a parking area for the church hall. The application was made on behalf of Pinxton Parochial Church Council and permissions were granted in 1987.
- 1.6 The site is approximately 416m² and is only accessible from Church Street East. There are no rights of access across the land owned by the Diocese to the Council's land. There are also no rights of access from 97 or 99 Glebe Avenue onto the site.
- 1.7 The Council's parcel of land has been valued on the basis of the land being used as amenity/community use by the Council's Land Valuer as follows:
- Freehold value between £5,000 and £10,000
 - Leasehold value £720 per annum (The market value at £11,500 de-capitalised at a yield of 6% for a 99-year term)
- 1.8 An independent valuation has also been completed and the freehold valuation was estimated to be approximately £10,000.

2. Details of Proposal or Information

- 2.1 Local authorities are given powers under the Local Government Act 1972 Act to dispose of land, the only constraint is that a disposal must be for the best consideration reasonably obtainable (except where there is consent from the Secretary of State).
- 2.2 The Secretary of State has provided specific consent for the disposal of any interest in land which the authority considers will help it to secure the promotion or improvement of the economic, social or environmental well-being of its area.
- 2.3 It is considered that the disposal of the site for less than best consideration will result in the promotion of the social wellbeing of Pinxton residents by facilitating the re-development of the hall for the benefit of the whole community. Further the Council's land will be used as community garden area which will promote the environmental wellbeing of the area (See Appendix B).
- 2.4 A requirement of the funding is that land titles must be clear and undisputed. It is therefore recommended that the whole site has the same registered owner.
- 2.5 Conversations have taken place with the Diocese about how to resolve the land ownership issue. Currently, they do not wish to transfer their land asset (the church hall) to the Council. In addition, no business case has been prepared to explore this option or the associated risks/opportunities of the Council in taking on this asset. The Diocese also currently do not wish to purchase additional assets as part of their estate and do not have budgets available to do this.
- 2.6 In addition, if the Diocese were to pay for the land, there would be additional VAT implications for the project which would negatively impact on the budget. This is

likely to substantially reduce the possibilities of both refurbishment and rebuild options on the site.

- 2.7 Should the land be formally transferred by the Council to the Diocese, it will promote the social and environmental wellbeing of Pinxton. It will do this by allocating amenity space to be used in connection with a community facility, in accordance with the Local Government Act (1972). Restrictive covenants can be imposed to control this use. Appendix B sets out how the land could be used and form part of a redevelopment scheme on the site.

3. Reasons for Recommendation

- 3.1 The Council's land has been long associated and used by the Church Hall (over two decades) for no consideration i.e. no financial benefit to the Council.
- 3.2 The Council's Legal department has advised the site could potentially be pursued by the Diocese if they choose to explore claiming adverse possession rights to the site.
- 3.3 A nil consideration would result in all the VAT being fully recoverable allowing for the full budget allocated by the funders to be spent on the project.
- 3.4 The disposal of the asset will promote the social wellbeing of Pinxton which allows the Council to dispose of its asset for less than best consideration, in accordance with the Local Government Act 1972.

4 Alternative Options and Reasons for Rejection

- 4.1 A peppercorn lease transfer could be considered. However, this has been discounted as it would result in more expensive legal fees agreeing the terms of the lease. The leasehold transfer would have no greater benefit to the Council as restrictions covenants can be imposed on a freehold transfer.
- 4.2 Sale of the Council's land to adjacent neighbours could be considered. However, this would result in no amenity space being available for hall users, and will reduce the scope of the hall, and its connection to the proposed landscaping/community garden to the rear. It is also a possibility that the adjacent neighbours may not be interested in purchasing the site.
- 4.3 Requiring the Diocese to pay for the site could be considered. However, they have already said they do not have the budget to purchase the site. If the Council were to sell the land to the Diocese for a consideration it would result in the VAT not being recoverable for the project, thereby reducing the scope of the project.

RECOMMENDATION(S)

1. Approve the freehold transfer of the land to the Diocese for no consideration i.e. no financial benefit to the Council on terms to be agreed by the Monitoring Officer.

2. That the Council acknowledges that the transfer of the land to the Diocese will contribute to the promotion of the economic, social or environmental wellbeing of the area.

Approved by Councillor Tom Munro, Portfolio Holder for Growth

IMPLICATIONS:

<u>Finance and Risk</u>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Details: There are no cost implications from this report for Bolsover District Council as all expenditure incurred will be financed by external contributions. If the land had been transferred for some consideration, the Council would have received a capital receipt, which could only have been used to fund further capital expenditure to that value (approximately £5,000 - £10,000). By transferring the land for no consideration, the VAT position is not affected, and the Council does not have to incur costs on specialist VAT advice. On behalf of the Section 151 Officer		
<u>Legal (including Data Protection)</u>	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
Details: Section 123 of the Local Government Act requires the Council to obtain best consideration on the disposal of land except with the consent of the Secretary of State The General Disposal Consent (England) 2003 "Disposal of land for less than the best consideration that can reasonably be obtained" provides permission for Councils to dispose of land for less than best consideration when the purpose for which the land is disposed contributes to the promotion or improvement of economic, social of environmental wellbeing. On behalf of the Solicitor to the Council		
<u>Staffing</u>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Details: There are no staffing implications arising within this report. On behalf of the Head of Paid Service		

Equality and Diversity, and ConsultationYes ☐No ☒**Details:****Environment**Yes ☐No ☒**Details:**

The land transfer offers the potential for the community to carry out landscaping/amenity space which could enhance the biodiversity on site, depending on what types of habitats are planted. The landscaping works are a good opportunity for the community to be involved in the project, and advice can be provided by the Council on native species and planting which will benefit local ecology and biodiversity.

DECISION INFORMATION:☒ ***Please indicate which threshold applies:*****Is the decision a Key Decision?**

A Key Decision is an Executive decision which has a significant impact on two or more wards in the District or which results in income or expenditure to the Council above the following thresholds:

Revenue (a) Results in the Council making Revenue Savings of £75,000 or more or **(b)** Results in the Council incurring Revenue Expenditure of £75,000 or more.

Capital (a) Results in the Council making Capital Income of £150,000 or more or **(b)** Results in the Council incurring Capital Expenditure of £150,000 or more.

District Wards Significantly Affected:

(to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the District)

Please state below which wards are affected or tick **All** if all wards are affected:

Yes ☐No ☒(a) ☐(b) ☐(a) ☐(b) ☐All ☐

Is the decision subject to Call-In? <i>(Only Key Decisions are subject to Call-In)</i>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
If No, is the call-in period to be waived in respect of the decision(s) proposed within this report? <i>(decisions may only be classified as exempt from call-in with the agreement of the Monitoring Officer)</i>	Yes <input type="checkbox"/> No <input type="checkbox"/>
Consultation carried out: <i>(this is any consultation carried out prior to the report being presented for approval)</i>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
Leader <input checked="" type="checkbox"/> Deputy Leader <input checked="" type="checkbox"/> Executive <input checked="" type="checkbox"/> SLT <input type="checkbox"/> Relevant Service Manager <input checked="" type="checkbox"/> Members <input type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/>	

Links to Council Ambition: Customers, Economy, Environment, Housing
This project will create positive impacts on the residents and environment of Pinxton.

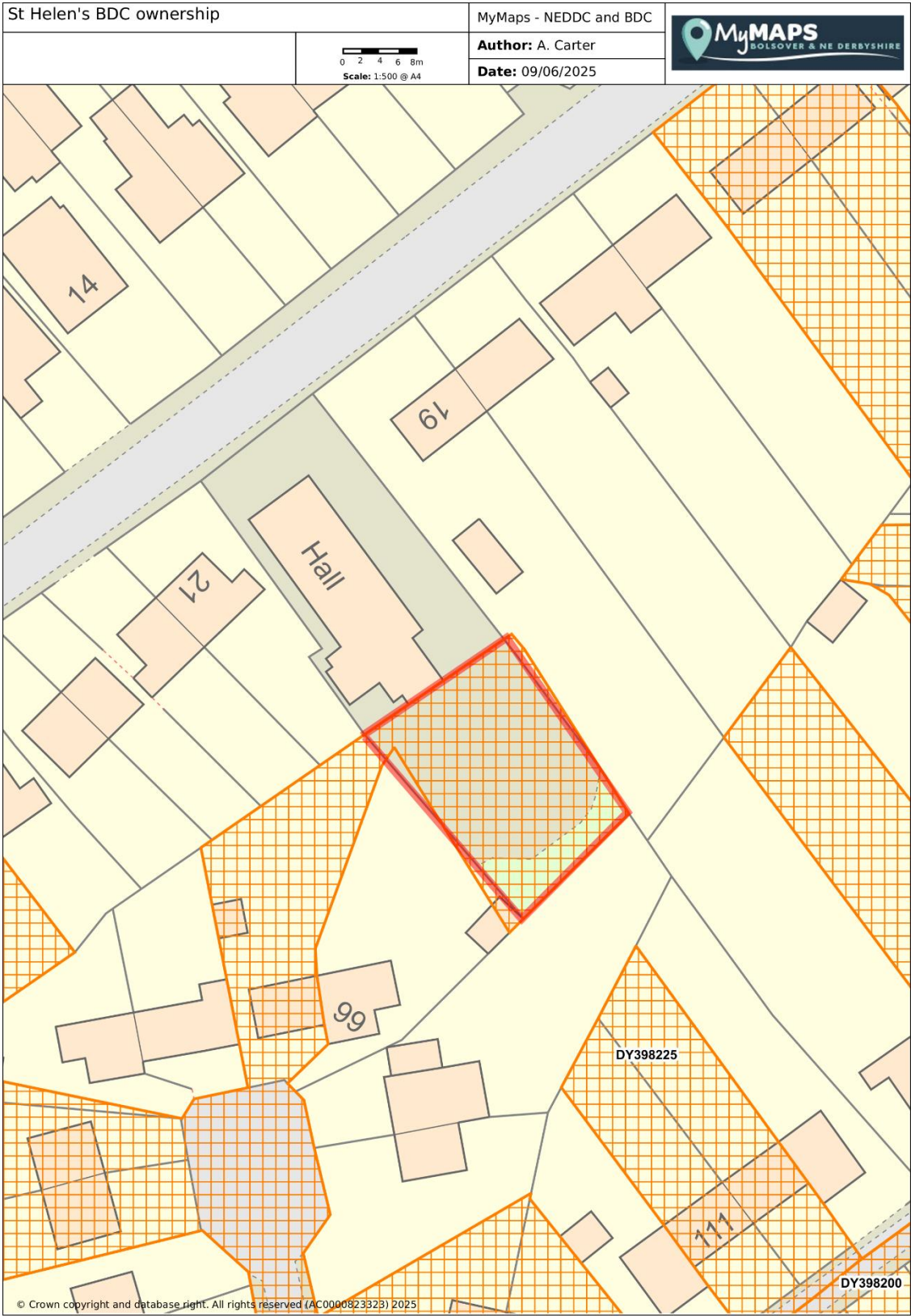
DOCUMENT INFORMATION:

Appendix No	Title
Appendix A	Site Plan
Appendix B	Plan showing proposed use of the land

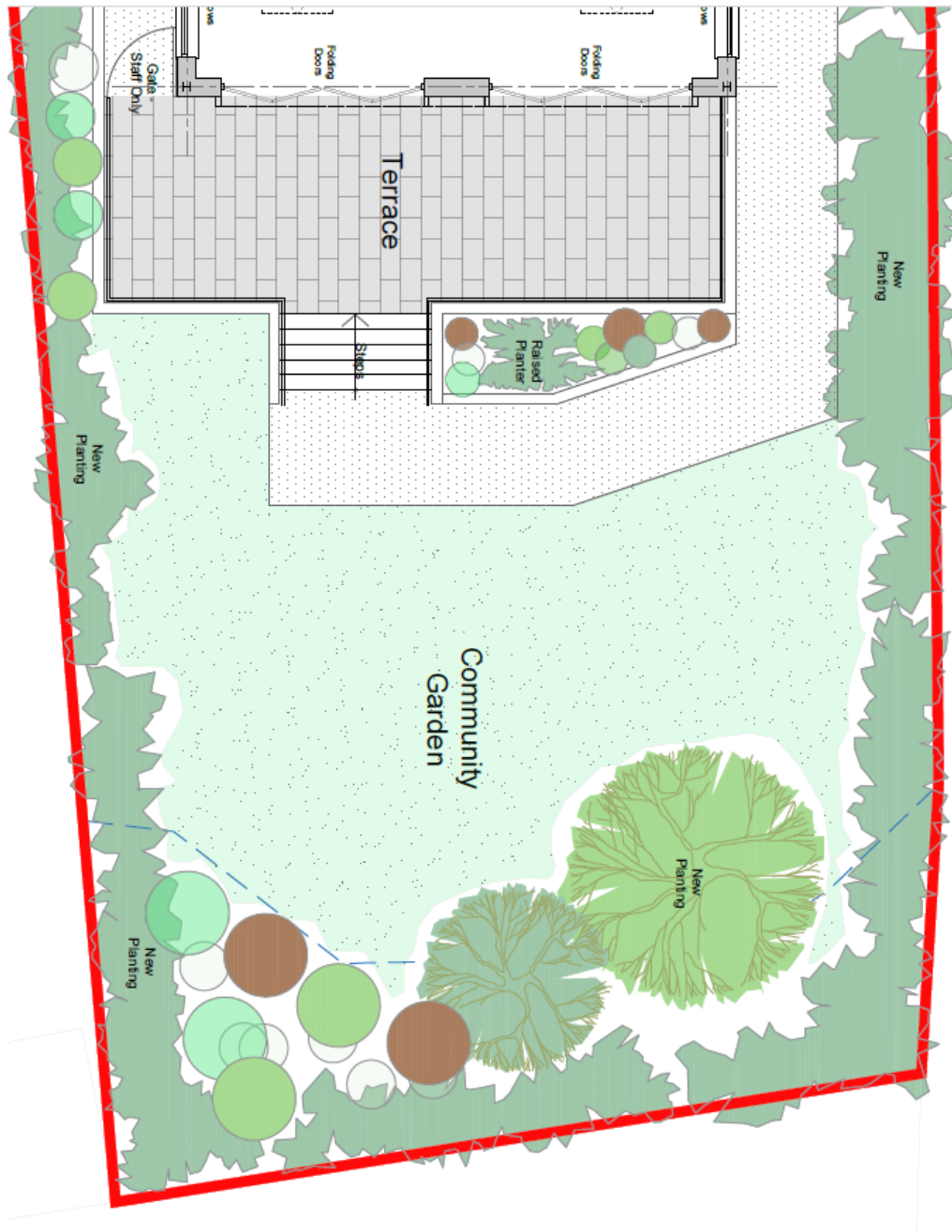
Background Papers
<i>(These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Executive, you must provide copies of the background papers).</i>
Regeneration Fund Investment Plan

DECEMBER 2024

Appendix A – Site Plan showing the land to the rear of Pinxton Church Hall in Bolsover District Council ownership.



Appendix B – Indicative site plan to illustrate how the land to the rear of the Church Hall could be used for amenity space for the benefit of the Hall and the community.



Bolsover District Council

Meeting of Executive on 23rd June 2025

Appointments to Outside Bodies (Executive Functions) 2025/26

Report of the Director of Governance and Legal Services & Monitoring Officer

Classification	This report is Public
Contact Officer	Jim Fieldsend Director of Governance, Legal Services & Monitoring Officer

PURPOSE/SUMMARY OF REPORT

To ensure the effective Executive representation of the Council on external organisations (Outside Bodies) (Executive Functions) for the 2025/26 Municipal Year as appointed and feedback to the Executive any issues of relevance/importance.

1. Background

- 1.1 The Leader of the Council determines the appointments for Executive Members to represent the Council on external organisations (Outside Bodies) (Executive Functions).

2. Details of Proposal or Information

- 2.1 The Leader's nominations of Executive Members to represent the Council on external organisations (Outside Bodies) (Executive Functions) is set out in Appendix 1 to this report.
- 2.2 The term of office for each appointment will be for the 2025/26 Municipal Year, unless otherwise specified by the Leader.

3. Reasons for Recommendation

- 3.1 To appoint representatives to ensure the effective representation of the Executive on external organisations (Outside Bodies) (Executive Functions) for the 2025/26 Municipal Year.

4. Alternative Options and Reasons for Rejection

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

RECOMMENDATION(S)

That Executive receive the appointment of Executive Members to serve as representatives on the organisations (Outside Bodies) (Executive Functions) as attached at Appendix 1 to this report, for the 2025-26 Municipal Year.

Approved by Councillor Jane Yates, Leader of the Council

IMPLICATIONS:

<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 type="checkbox"/> No <input checked="" type="checkbox"/>		
Details: There are no legal or data protection implications arising from this report. On behalf of the Solicitor to the Council		
<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		
<u>Equality and Diversity, and Consultation</u> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Details: N/A		
<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. Details: There are no environmental implications arising from this report.		

DECISION INFORMATION:

<input checked="" type="checkbox"/> Please indicate which threshold applies:	
Is the decision a Key Decision? A Key Decision is an Executive decision which has a significant impact on two or more wards in the District or which results in income or expenditure to the Council above the following thresholds:	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Revenue (a) Results in the Council making Revenue Savings of £75,000 or more or (b) Results in the Council incurring Revenue Expenditure of £75,000 or more.	(a) <input type="checkbox"/> (b) <input type="checkbox"/>
Capital (a) Results in the Council making Capital Income of £150,000 or more or (b) Results in the Council incurring Capital Expenditure of £150,000 or more.	(a) <input type="checkbox"/> (b) <input type="checkbox"/>
District Wards Significantly Affected: <i>(to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the District)</i> Please state below which wards are affected or tick All if all wards are affected:	All <input type="checkbox"/>

Is the decision subject to Call-In? <i>(Only Key Decisions are subject to Call-In)</i>	Yes <input type="checkbox"/> No <input type="checkbox"/>
If No, is the call-in period to be waived in respect of the decision(s) proposed within this report? <i>(decisions may only be classified as exempt from call-in with the agreement of the Monitoring Officer)</i>	Yes <input type="checkbox"/>
Consultation carried out: <i>(this is any consultation carried out prior to the report being presented for approval)</i>	Yes <input type="checkbox"/> No <input type="checkbox"/>
Leader <input type="checkbox"/> 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"/>	

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

DOCUMENT INFORMATION:

Appendix No	Title
1	Appointments to Outside Bodies (Executive Functions) 2025/26

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).

DECEMBER 2024

APPOINTMENTS TO OUTSIDE BODIES 2025/26 (EXECUTIVE FUNCTIONS)

Organisation	2025/26 Representative(s)
Active Derbyshire Partners Group (1 representative)	Councillor Mary Dooley
AGE UK Derby and Derbyshire (formerly AGE Concern Chesterfield and District) (1 representative)	Councillor Mary Dooley Or Junior Cabinet Member Councillor Catherine Jeffery
Association of Public Service Excellence (APSE) (1 representatives)	Councillor Rob Hiney-Saunders
Bolsover Community Safety Partnership (1 representative)	Councillor Clive Moesby Or Junior Cabinet Member, Councillor Duncan Haywood
Bolsover Countryside Partnership (1 representative)	Councillor Rob Hiney-Saunders Or Junior Cabinet Member, Councillor Jeanne Raspin
Bolsover Partnership Executive Board (2 representatives)	Councillor Donna Hales Councillor Mary Dooley
Bolsover Health & Wellbeing Partnership (1 representative)	Councillor Mary Dooley Or Junior Cabinet Member, Councillor Catherine Jeffery
Chesterfield Royal Hospital NHS Foundation Trust (1 representative)	Councillor Mary Dooley Or Junior Cabinet Member, Councillor Catherine Jeffery
Citizens Advice North East Derbyshire (1 representative & 1 sub)	Councillor Mary Dooley Junior Cabinet Member, Councillor Catherine Jeffery

Organisation	2025/26 Representative(s)
Chesterfield and District Crematorium Joint Committee (2 representatives)	Councillor Mary Dooley Junior Cabinet Member, Councillor Catherine Jeffery
DEFRA Rural & Farming Network (1 representative)	Councillor Rob Hiney-Saunders Or Junior Cabinet Member, Councillor Jeanne Raspin
Derbyshire Health & Wellbeing Board (1 representative) One elected member holding a relevant Cabinet portfolio or committee chairperson from each district or borough council in Derbyshire	Councillor Mary Dooley
Derbyshire Law Centre (1 representative)	Councillor Donna Hales Councillor Phil Smith
Derbyshire Partnership Forum (1 representative & 1 sub)	Councillor Jane Yates Councillor Donna Hales
Derbyshire Safer Communities Board (1 representative)	Councillor Clive Moesby
Derbyshire Unemployment Workers Centre (1 representative)	Councillor Mary Dooley Or Junior Cabinet Member Councillor Catherine Jeffery
District Councils Network (1 representative)	Councillor Jane Yates
D2 Strategic Leadership Board (1 representative & 1 sub)	Councillor Jane Yates Councillor Donna Hales (substitute)
East Midlands Mayoral Combined Authority	Leader: Councillor Jane Yates Deputy Leader (Substitute): Councillor Donna Hales and Cllr John Ritchie

Organisation	2025/26 Representative(s)
East Midlands Councils – Executive Board Expressions of interest can be made to be a member of the following: <ul style="list-style-type: none"> ▪ Regional Employers’ Board ▪ Regional Migration Board 	No BDC appointment Leader of the Council will be represented by Councillor Tricia Gilby of Chesterfield Borough Council.
Industrial Communities Alliance (1 representative & 1 sub)	Councillor Tom Munro Councillor John Ritchie Councillor Rowan Clarke (Junior Cabinet Member for Growth)
Integrated Care Partnership	Councillor Mary Dooley
Joint Board (2 representatives)	Councillor Jane Yates Councillor Donna Hales
Junction Arts (1 representative & 1 sub)	Councillor Mary Dooley Junior Cabinet Member, Councillor Catherine Jeffery
LGA General Assembly (1 representative)	Councillor Jane Yates
Markham Vale Liaison Committee (1 representative)	Councillor Tom Munro
EMMCA COMMITTEES:	
Transport & Digital Connectivity Committee	Councillor Jane Yates (substitute)
Investment Committee	Councillor Jane Yates Councillor Clive Moesby (substitute)
Overview & Scrutiny Committee	Councillor Donna Hales (substitute) Councillor Tom Munro (substitute)

BOLSOVER DISTRICT COUNCIL

Meeting of Executive on 23rd June 2025

Derbys and Derbyshire Strategic leadership Board

Report of the Director of Governance and Legal Services & Monitoring Officer

Classification	Open
Contact Officer	Jim Fieldsend, Director of Governance and Legal Services & Monitoring Officer

PURPOSE/SUMMARY OF REPORT

To change the Council's representatives on the D2 Strategic Leadership Board
To amend the terms of reference of the Board.

REPORT DETAILS

1. Background

- 1.1 On 4th March 2024 the Executive agreed to establish and participate in a new Joint Committee of Derby and Derbyshire's councils, the D2 Strategic Leadership Board (D2SLB), to collaborate, co-ordinate and drive forward agendas where it is recognised that more can be achieved by councils working together to improve outcomes for people and places across Derbyshire. The membership of D2SLB is all of the Derbyshire Districts, Derby City and Derbyshire Council who work collectively to tackle the county's challenges;
- 1.2 When agreeing to the establishment of D2SLB and various governance arrangements the Executive appointed Cllr Steve Fritchley as the Council's representative and Cllr Duncan McGregor as substitute.
- 1.3 As the Executive specifically named Cllrs Fritchley and McGregor as representatives the Executive will need to pass a resolution to replace them on the board.
- 1.4 In addition the terms of reference that were agreed by Executive on 4th March 2024 have been amended. A copy of the revised terms of reference are attached. This document refreshes the governance arrangements including clarifying the purpose of the board and the constituent's roles and responsibilities and amending the procedural arrangements of the board.

2. Details of Proposal or Information

- 2.1 To agree to the Leader and Deputy Leader of the Bolsover District Council replacing Cllrs Fritchley and McGregor respectively as representative of the D2SLB.

2.2 To agree the revised terms of reference

3. Reasons for Recommendation

3.1 It is expected that the Council's representatives on D2SLB should be the Leader and Deputy Leaders of each member council

4 Alternative Options and Reasons for Rejection

4.1 There are no alternatives.

RECOMMENDATION(S)

That Executive:

1. Appoints the Leader as the Council's representative on the D2 Strategic Leadership Board and the Deputy Leader as substitute.
2. Agree to the revised terms of reference as set out in Appendix 1

Approved by Councillor Jane Yates, Leader of the Council

IMPLICATIONS:

<u>Finance and Risk</u>			Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Details:				
On behalf of the Section 151 Officer				
<u>Legal (including Data Protection)</u>			Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Details:				
On behalf of the Solicitor to the Council				
<u>Staffing</u>			Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Details:				
On behalf of the Head of Paid Service				
<u>Equality and Diversity, and Consultation</u>			Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Details:				

Environment Yes ☒ No ☐

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

Details:

DECISION INFORMATION:

☒ **Please indicate which threshold applies:**

Is the decision a Key Decision?

A Key Decision is an Executive decision which has a significant impact on two or more wards in the District or which results in income or expenditure to the Council above the following thresholds:

Yes ☐ No ☒

Revenue (a) Results in the Council making Revenue Savings of £75,000 or more or **(b)** Results in the Council incurring Revenue Expenditure of £75,000 or more.

(a) ☐ (b) ☒

Capital (a) Results in the Council making Capital Income of £150,000 or more or **(b)** Results in the Council incurring Capital Expenditure of £150,000 or more.

(a) ☐ (b) ☒

District Wards Significantly Affected:

(to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the District)

Please state below which wards are affected or tick **All** if all wards are affected:

All ☐

If Yes, is the call-in period to be waived in respect of the decision(s) proposed within this report? *(decisions may only be classified as exempt from call-in with the agreement of the Monitoring Officer)*

Yes ☐ No ☒

Consultation carried out:

(this is any consultation carried out prior to the report being presented for approval)

Yes ☒ No ☐

Leader ☒ **Deputy Leader** ☐ **Executive** ☐ **SLT** ☐
Relevant Service Manager ☐ **Members** ☐ **Public** ☐
Other ☐

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

DOCUMENT INFORMATION:

Appendix No	Title
1	Revised terms of reference

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>

DECEMBER 2024

THE DERBYSHIRE STRATEGIC LEADERSHIP BOARD

Terms of Reference

1 INTRODUCTION

- 1.1 The Derbyshire Strategic Leadership Board (SLB) is established as a joint committee under section 101(5) of the Local Government Act 1972, section 9EB of the Local Government Act 2000 and regulation 11 of the Local Authorities (Arrangement for the Discharge of Functions) (England) Regulations 2012.
- 1.2 The SLB brings together the county's ten local authorities with a view to collaborative working across existing and new partnership activity. The SLB recognises that defining and delivering Derbyshire's future needs goes beyond the remit of individual local authorities, and those of their many partners, acting alone. It seeks to add value at a strategic level.
- 1.3 The SLB is not a self-standing legal entity nor a body corporate but is part of its constituent authorities. The SLB does not have the functions of acquiring or holding assets, employing staff or entering into contracts. For the avoidance of doubt, such functions should be undertaken by one of the councils, either the Host Authority or Derbyshire County Council (DCC) as Accountable Body for the Retained Business Rates, subject to their agreement as appropriate. The SLB will not hold funds or monies on behalf of the constituent authorities. Any legal commitment entered into pursuant of a decision of the SLB must be made by all constituent authorities.

Purpose

- 1.4 The SLB is established for the following purposes:
 - (a) Formulate and collaborate on Derbyshire's local government reorganisation proposals
 - (b) Provide collective strategic leadership and improved joint working for local government in Derbyshire
 - (c) Collaborate as partners to develop joined-up approaches to complex, connected and challenging agendas where constituent authorities share common interests
 - (d) Progress shared ambitions for the area, co-ordinating resources better and more sustainably
 - (e) Provide an interface with the East Midlands Combined County Authority (EMCCA) to generate and secure collective influence by providing a sounding board for Derbyshire's representatives on the EMCCA Board

- (f) Be the nominated body for the purposes of making non-constituent body appointments to the EMCCA
- (g) Co-ordinate City, District, Borough and County agendas where there is common recognition in the value of tackling challenges together, in areas such as economic development and regeneration, business and skills, health and wellbeing, transport and the environment, etc
- (h) Provide strategic oversight for Derbyshire wide Economic Development projects, to include the approval of the workplan of the Derbyshire Economic Partnership officers, the approval of the use of the Retained Business Rates (held by DCC as the Accountable Body) and the approval of prioritisation of Economic Development projects at a county-level

1.5 Accordingly, the SLB will:

- (a) Achieve joined up approaches within and between a variety of shared policy agendas and service delivery agendas
- (b) Rationalise and simplify existing partnership and governance arrangements related to these areas and
- (c) Provide the lead forum for collaborative activity between councils in Derbyshire on matters relating to the EMCCA and local government reorganisation, to secure collective influence.

1.6 The overall aim of SLB is to be a collaborative and representative partnership of all Derby and Derbyshire councils, to maximise shared aims to the benefit of local citizens and businesses.

1.7 It is envisaged that collaboration based on these principles will enable constituent authorities to tackle challenges at regional, county and local place levels more effectively.

2 MEMBERSHIP

Constituent authorities

2.1 All local authorities within Derby and Derbyshire are eligible to join the SLB as constituent authorities (subject to agreement by each respective council), namely:

- (a) Amber Valley Borough Council
- (b) Bolsover District Council
- (c) Chesterfield Borough Council
- (d) Derby City Council

- (e) Derbyshire County Council
- (f) Derbyshire Dales District Council
- (g) Erewash Borough Council
- (h) High Peak Borough Council
- (i) North East Derbyshire District Council
- (j) South Derbyshire District Council

Members

- 2.2 All constituent authorities will appoint one elected member to the SLB and nominate one elected member as a substitute.
- 2.3 Each member shall have one vote (including substitute members). An authority's substitute member can only attend and vote if their member is not present.
- 2.4 All appointments as members or substitute members of the SLB shall be for a term of one year, but an individual may be reappointed to serve as a member or substitute member any number of times.
- 2.5 All constituent authorities shall be entitled at any time to terminate the appointment of a member or substitute member appointed by it and to appoint another of its elected members in their place. Where a constituent authority exercises this power it shall give written notice of the new appointment and the termination of the previous appointment to the Monitoring Officer for the Host Authority and the new appointment shall take effect from the date specified in the notice.
- 2.6 Should a change of political control occur at a constituent authority, it will be for that authority to confirm any changes in appointments to the SLB in accordance with the constitutional arrangements of that authority. A member or substitute member of the SLB who ceases (for whatever reason) to be an elected member of the council that appointed them shall immediately cease to be a member or substitute member of the SLB, and the relevant authority shall as soon as practicable give written notice of this to the Monitoring Officer for the Host Authority and appoint another of its elected members in their place.
- 2.7 A person may resign as a member or substitute member of the SLB by written notice served on the Proper Officer of the authority that appointed them and the resignation shall take effect on receipt of the notice by the Proper Officer. The relevant authority shall as soon as practicable give written notice of this to the Monitoring Officer for the Host Authority and appoint another of its elected members in that person's place.

- 2.8 Where a constituent authority operates Executive arrangements (within the meaning of the Local Government Act 2000), the appointment, removal and replacement of members and substitute members of the SLB shall be decided in accordance with the constitutional requirements of that Council, but it is anticipated that all members and substitute members appointed by it shall be members of its Executive, including its Executive Leader or Elected Mayor.
- 2.9 All appointments, removals and replacements of members and substitute members of the SLB by constituent authorities shall be made by notice in writing addressed to the Monitoring Officer for the Host Authority. Any such notice shall be deemed to have been given when received by the Monitoring Officer.
- 2.10 Any constituent authority that does not operate Executive arrangements and that wishes to co-opt an additional member or members can only do so following consultation with and a majority vote of all voting members of the Joint Committee and shall have no voting rights. An individual's co-option shall terminate as soon as their involvement with the organisation that gave rise to the co-option ceases; and such co-option shall be endorsed annually by the Joint Committee and subsequently confirmed formally by the appointing authority.
- 2.11 An officer of each constituent authority may accompany the appointed member or their substitute to a meeting of the Board to provide advice to that member or substitute. The officer shall not be able to vote or take an active part in the meetings of the Board.

Roles and responsibilities

- 2.12 All SLB members (including any substitute members) will:
- (a) Collectively be the ultimate policy makers of the SLB (subject to the SLB's voting arrangements)
 - (b) Ensure that they have sufficient authority to represent their organisation on policy and practice issues, and to properly represent its views
 - (c) Maintain the highest standards of conduct and ethics
 - (d) Prepare for, attend and fully participate in meetings
 - (e) Ensure that all necessary approvals of their constituent authority are obtained
 - (f) Keep their constituent authority informed about progress and communicate effectively and accurately the outcomes of SLB meetings
 - (g) Ensure prompt progress and delivery on any agreed actions outside formal meetings

- 2.13 Members will at all times observe the Code of Conduct for Members in force in their own council and any breaches will be reported to the Monitoring Officer of their own council.
- 2.14 No remuneration shall be payable to SLB members other than allowances payable in accordance with the Members' Allowances Schemes in operation at their constituent authorities.

3 CHAIR AND VICE CHAIR

- 3.1 The Chair of the SLB will be appointed annually by the SLB from among its voting members.
- 3.2 The SLB will appoint a Vice Chair to deputise for the Chair when the latter is not present or available.
- 3.3 In the event that there are more than two members nominated for the role of Chair (or Vice Chair), and there is not a clear majority of votes in favour of one member, then the name of the member with the fewest votes will be eliminated and that process will continue until a Chair (or Vice Chair) is elected with a majority of votes.
- 3.4 The Chair or Vice Chair of the SLB will cease to hold such office when they resign or cease to be a member of the SLB in accordance with the provisions set out at paragraphs 2.5 to 2.7 above.
- 3.5 A vacancy occurring in the positions of Chair or Vice Chair shall be filled by election at the next meeting of the SLB. The person elected will serve for the remainder of the term of office of the outgoing Chair or Vice Chair.
- 3.6 Where neither the Chair nor Vice Chair are in attendance, the SLB will appoint a Chair from amongst its members to preside over the meeting.

4 FUNCTIONS AND RESPONSIBILITIES

- 4.1 The SLB will be responsible for recommending improvements to the delivery of functions already within the remit of constituent authorities to improve the economic, environmental and social wellbeing of the areas within Derbyshire, including:
- (a) Provide a forum for consideration of opportunities for joint working across Derbyshire
 - (b) Provide or assume democratic oversight for existing SLB and partnership arrangements
 - (c) Act as a conduit to inform and support the work of the EMCCA, in particular feeding into the EMCCA-led Investment Strategy for the region

- (d) Determine the prioritisation of issues affecting Derby and Derbyshire to influence commissioning at a regional level
- (e) Commission strategic outline and full business cases for individual constituent authorities to consider opportunities for more collaborative working
- (f) Determine requests from individual authorities or groups of authorities to work collaboratively on specific projects or work streams
- (g) Provide a forum for constituent authorities and their representatives to provide challenge to each other with the aim of increasing collaboration to deliver efficient, effective and economic services
- (h) To oversee the alignment of relevant local authority action on climate change, waste and sustainability
- (i) To oversee the alignment of relevant local authority plans for economic prosperity
- (j) To oversee the alignment of local authority interaction with the health sector in Derbyshire
- (k) Communicate and, where unanimously agreed, align activity across Derbyshire on a range of other key public priorities that affect citizens
- (l) Delegate responsibilities to Sub-committees or officers as the SLB deems appropriate and keep any governance arrangements associated with the SLB under review
- (m) Approve the Derbyshire Economic Development Strategic Work Plan, the use of the Retained Business Rates (held by DCC as the Accountable Body) and the prioritisation of county wide Economic Development projects

Sub-Committees

- 4.2 The SLB may establish Sub Committees as required to enable it to execute its responsibilities effectively and delegate tasks as it sees fit to those groups, which may be formed of officers, SLB members or such third parties as the SLB considers appropriate.

5 PROCEDURAL ARRANGEMENTS

- 5.1 The SLB will exercise all its powers and duties in accordance with the law, these terms of reference and in accordance with the Procedure Rules of the Host Authority. Where there is a conflict between the procedural Rules of the Host Authority and these terms of reference, these terms of reference will take precedence.

Meetings

- 5.2 The SLB shall meet in public at least quarterly throughout a municipal year in accordance with its agreed calendar of meetings, but additional meetings may take place should the need arise. In addition, SLB members may meet informally between meetings as necessary.
- 5.3 The Host Authority shall settle the agenda for any meeting of the SLB after consulting, where practicable, the Chair or in their absence the Vice Chair; and shall incorporate in the agenda any items of business and any reports submitted by the Chief Executive, Chief Finance Officer or Monitoring Officer of any of the constituent authorities.
- 5.4 The Chair may invite any person, whether a member or officer of one of the constituent authorities or a third party, to attend the meeting and speak on any matter before the SLB.
- 5.5 Where agenda items require independent experts or speakers, the officer or constituent authority proposing the agenda item should indicate this to the Host Authority with details of who is required to attend and in what capacity. The participation of independent experts or speakers in SLB meetings will be subject to the discretion of the Chair.

Quorum

- 5.6 The quorum shall be three members. No business will be transacted at a meeting unless a quorum exists at the beginning of a meeting. If at the beginning of any meeting, the Chair after counting the members present declares that a quorum is not present, the meeting shall stand adjourned.

Decisions

- 5.7 The SLB may make recommendations but shall not have the power to make decisions that would bind any of its constituent authorities.

Voting

- 5.8 While a guiding principle of the SLB is that decisions should be made by consensus, which will lead the Board to coalesce around agendas where there is a shared view about how to proceed, should there be circumstances where a vote is required each Member of the SLB shall have one vote, other than in the following circumstances:
- (a) Where matters reserved to upper tier authorities are to be discharged, e.g. waste or public transport functions that are reserved to county and unitary authorities
 - (b) Where matters reserved to lower tier authorities are to be discharged, e.g. planning or housing functions that are reserved to borough, district and unitary authorities
 - (c) Where matters reserved to specific geographies are to be discharged, e.g.

local planning functions that are reserved to the councils in that part of Derbyshire only

- (d) Where matters reserved in a combination of the above are to be discharged, e.g. shared services arrangements involving specific councils not others
- (e) Where matters are reserved to non-constituent bodies of the EMCCA including the nomination of non-constituent members to EMCCA.

- 5.9 In such circumstances members from authorities that have no formal remit will not be entitled to vote. No constituent authority represented on the SLB will be entitled to vote on or to discharge a function belonging to another for which it has no responsibility in law.

Vacancies

- 5.10 The proceedings of the SLB shall not be invalidated by any vacancy among its members or substitute members or by any defect in the appointment or qualifications of any member or substitute member.

6 RECORDS OF PROCEEDINGS

- 6.1 The SLB shall make arrangements for the names of members and substitute members present at any meeting to be recorded.
- 6.2 Minutes of the proceedings of a meeting of the SLB shall be kept in such form as the SLB may determine.
- 6.3 Any such minutes are to be agreed as a true record and signed at the same or next suitable meeting of the SLB by the member chairing that meeting.
- 6.4 A member of the SLB has the right to have their vote on any matter recorded in the minutes of the meeting at which the vote was cast.
- 6.5 Minutes of all SLB meetings will be published on the websites of all constituent authorities or a link published on the Host Authority website.

7 OFFICERS

- 7.1 The Section 151 Officer (appointed under Section 73 of the Local Government Act 1975) and Monitoring Officer (appointed under section 5 of the Local Government and Housing Act 1989) of the Host Authority will serve as the statutory officers in support of the SLB.
- 7.2 The SLB may call upon any officer of any of the constituent authorities for advice and assistance, as it considers necessary to carry out its functions.

8 SCRUTINY

- 8.1 Any constituent authority may call-in for scrutiny any decision of the SLB in accordance with that authority's constitution but within the timeframe and in accordance with the Procedure Rules provided in the Host Authority's constitution. Whilst a decision of the SLB is subject to call-in by any constituent authority, no action shall be taken to implement that decision unless the call-in process upholds it.

9 WINDING UP OF THE SLB AND CESSATION OF MEMBERSHIP

- 9.1 The SLB may be wound up immediately by a unanimous vote of all constituent authorities.
- 9.2 Where a constituent authority determines through its own governance arrangements that it no longer wishes to be a member of the SLB, that authority may cease its membership with effect from the date of its decision. However, constituent authorities will remain liable for any previously agreed financial contributions until the end of the financial year for which those contributions were agreed regardless of any decision to cease membership.

BOLSOVER DISTRICT COUNCIL

Meeting of the Executive on 23rd June 2025

Disposal of Land at Rowan Drive, Shirebrook

Report of the Assistant Director for Housing Management

Classification	This report is Open
Contact Officer	Victoria Dawson Assistant Director Housing Management

PURPOSE/SUMMARY OF REPORT

To seek approval for the disposal of Land at Rowan Drive, Shirebrook.

REPORT DETAILS

1. Background

- 1.1 The land in question is edged red on the Plan at Appendix 1. The site is located in Shirebrook approximately 0.6 of a mile to the north-east of the town centre on a Council housing estate. The site is situated between Rowan Drive and Recreation Road.
- 1.2 The former garages have been demolished largely due to their condition and there is minimal income generated from the parking bays which are currently let. The site has been considered for alternative uses, including biodiversity offset which was not suitable. Redevelopment by the Council has also been considered but this has been discounted as not being financially viable.



2. Details of Proposal or Information

- 2.1 There are a number of vehicular and pedestrian accesses off the former garage site into the rear gardens of the properties on Recreation Road. An exercise has been undertaken to identify which of these accesses are by way terminable licences, and which permanent and this would need to be disclosed to any future purchaser. It is assumed that these accesses would not affect the viability of the development of the land.
- 2.2 In addition there are a number of privately owned garages on garage plots, land which is let to the owners by the Council. These are terminable upon notice.
- 2.3 Identified on the plan at Appendix A are the 3 red/hatched areas. These are 3 garage structures on the site which are not in the Council's possession and would be excluded from any Sale.
- 2.4 The site has previously been considered and subsequently discounted for Bolsover Homes development.
- 2.5 The land has been valued at £225,000 and in accordance with the Council's Disposal and Acquisition Policy this matter was referred to the Council's Assets Management Group who have recommended that the land be disposed of with any established access rights being made aware to the future buyer.

Reasons for Recommendation

- 3.1 The former garages have been demolished largely due to their condition and there is minimal income generated from the parking bays which are currently let. The land requires ongoing maintenance by the Council. Disposal would generate a capital receipt for the Council.

4 Alternative Options and Reasons for Rejection

- 4.1 Alternative uses for the site have been considered and discounted.

RECOMMENDATION(S)

That Executive approve disposal of the former garage site at Rowan Drive, Shirebrook .

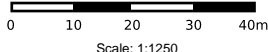
Approved by Councillor Phil Smith, Portfolio Holder for Housing

IMPLICATIONS:

<u>Finance and Risk</u> Yes <input type="checkbox"/> No <input type="checkbox"/>		
Details: The disposal of this land would result in a capital receipt for the Council. This will be used to finance future capital expenditure. <div>On behalf of the Section 151 Officer</div>		
<u>Legal (including Data Protection)</u> Yes <input type="checkbox"/> No <input type="checkbox"/>		
Details: The Council is required to sale the land for the best consideration possible in accordance with Section 123 of the Local Government Act 1972 <div>On behalf of the Solicitor to the Council</div>		
<u>Staffing</u> Yes <input type="checkbox"/> No <input type="checkbox"/>		
Details: <div>On behalf of the Head of Paid Service</div>		
<u>Equality and Diversity, and Consultation</u> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> <i>(Please speak to the Equality and Diversity Officer for advice)</i>		
Details: None arising from this report		
<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. <i>(Please speak to the Climate Change Officer for advice)</i> Details: None arising from this report		

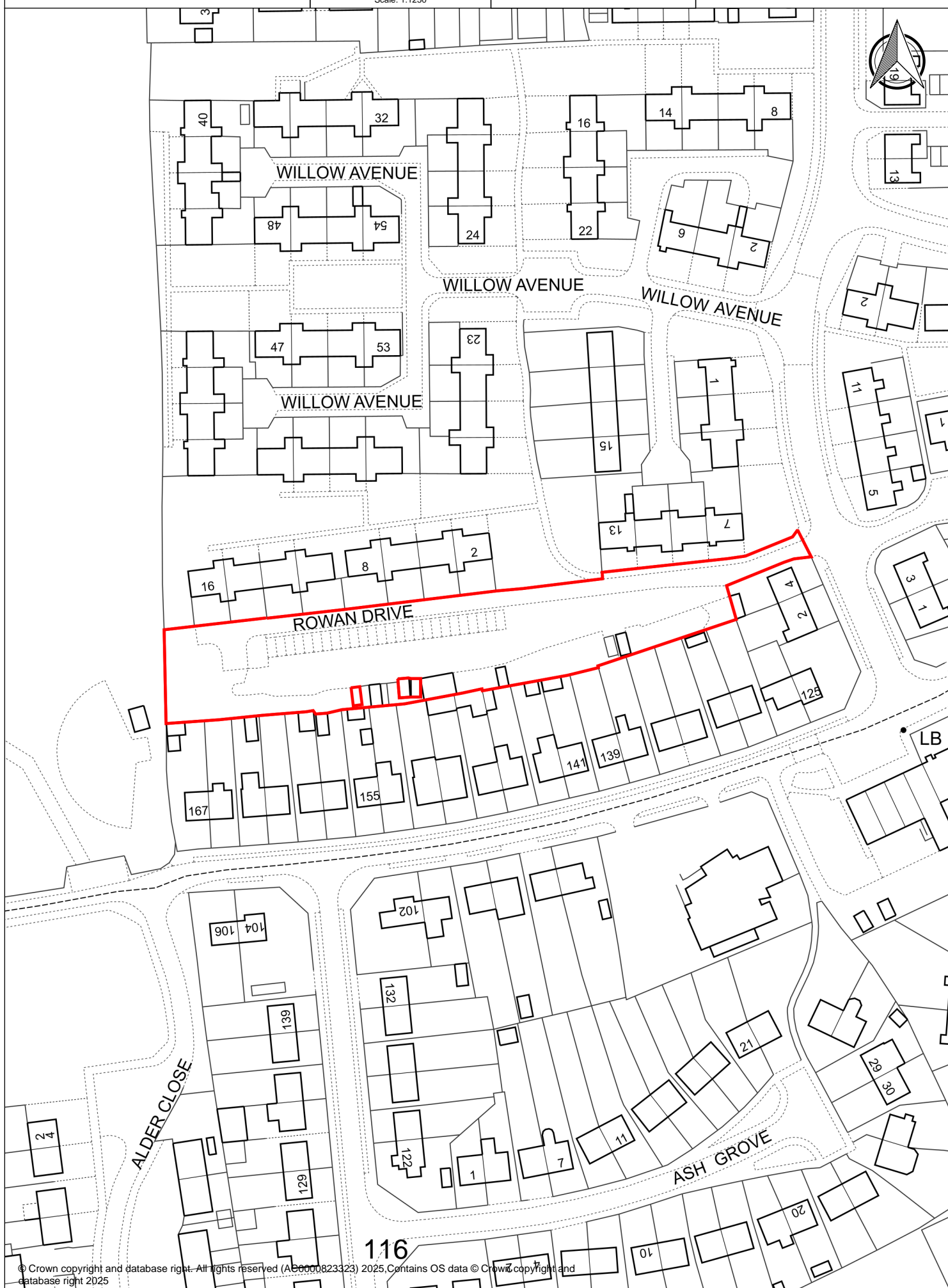
DECISION INFORMATION:

<p><input checked="" type="checkbox"/> Please indicate which threshold applies:</p>	
<p>Is the decision a Key Decision?</p> <p>A Key Decision is an Executive decision which has a significant impact on two or more wards in the District or which results in income or expenditure to the Council above the following thresholds:</p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>
<p>Revenue (a) Results in the Council making Revenue Savings of £75,000 or more or (b) Results in the Council incurring Revenue Expenditure of £75,000 or more.</p>	<p>(a) <input type="checkbox"/> (b) <input type="checkbox"/></p>



Author:

Date: 15/04/2025



BOLSOVER DISTRICT COUNCIL

Meeting of the Executive on 23rd June 2025

Warm Homes: Social Fund

Report of the Assistant Director for Housing Management

Classification	This report is Open
Contact Officer	Victoria Dawson, Assistant Director Housing Management

PURPOSE/SUMMARY OF REPORT

To make Executive aware of the of the Warm Homes: Social Fund, to accept the grant funding and agree to match fund this amount to be able to make substantial improvements to the energy efficiency of Council homes across the district.

REPORT DETAILS

1. Background

- 1.1 Warm Homes Social Fund is a government fund which allows Local Authorities and Registered Providers to install energy efficiency upgrades and low carbon measures to their housing stock.
- 1.2 The programme seeks to raise the energy performance of as many social homes currently below Energy Performance Certificate (EPC) band C up to that level as possible by 2030, as part of the journey for the social housing stock towards Net Zero by 2050.
- 1.3 The funding presents an opportunity for Bolsover District Council to invest in our housing stock to meet the (EPC) level C standard, delivering warm energy efficient homes, lower carbon emissions and fuel bills to tackle fuel poverty.
- 1.4 Bolsover District Council working with the Midlands Net Zero Hub consortium bid for this funding and have been successful. For the project to progress, there is a requirement that the Council should match fund this amount. It is proposed to utilise the Housing Revenue Account Unallocated Major Repairs Reserve to meet the match funding requirement.

2. Details of Proposal or Information

- 2.1 In 2024, the Council launched 'Bolsover District - The Future', a new corporate vision which set priorities to protect the environment and ensure we would towards achieving the national ambition to achieve net zero by 2050. In addition, the vision commits to ensuring that as a landlord we provide good quality housing options and that retrofit homes to make them more environmentally sustainable, recognising the impact that this has on health and wellbeing.

- 2.2 In 2024, the Government confirmed the requirement for social housing landlords to achieve EPC C for every property by 2030 (not an average across the stock).
- 2.3 It is currently estimated that 1000 of council rented homes have an EPC that is D or below. This grant funding provides the Council with an opportunity to scale up the installation of energy efficiency measures. This work will need to be delivered regardless of whether government funding is accessed. It is therefore prudent to gain as much benefit from grant funding as possible.
- 2.4 The Council has received £ £811,065, Warms Home Social Fund grant funding. This is to be match funded by HRA unallocated Major Repairs Reserves to provide £838,236.00 towards the project. This gives a total of £1.649m to be spent over 3 years. The provision project delivery and spend is shown below.

	FY25/26	FY26/27	FY27/28	Total
Homes Upgraded	26	33	32	91
Homes to EPC C	26	33	32	91
Energy Savings (kWh)	120,120	152,460	147,840	420,420
Grant spend (£)	£231,733.00	£294,122.00	£285,210.00	£811,065.00
Co-funding spend for homes to EPC C (£)	£239,496.00	£303,976.00	£294,764.00	£838,236.00
Revised grant spend profile	29%	36%	35%	100%

- 2.5 The scheme will enable improvements to approx. 90 Council owned homes, which are currently performing at a level below EPC C to be completed by the required 31 March 2028 deadline. The intention is that we will install 4 air source heat pumps and a number of solar panels with batteries.
- 2.6 Dragonfly Management will deliver the scheme for the council operating under a service level agreement/Memo of understanding.

Reasons for Recommendation

- 3.1 This is a demonstration of the Council's commitment to the decarbonisation of Council homes to ensure that households are better able to keep warm, while reducing carbon emissions. The properties selected to benefit from this proposed programme of works are some of the least energy efficient within the Council's housing stock. The government has confirmed that social housing properties will have to meet a minimum Energy Performance Certificate (EPC) rating of Band C by 5 2030. This project will help to meet this requirement.

4 Alternative Options and Reasons for Rejection

- 4.1 The Council can decline the offer and continue instead to develop a programme of schemes in preparedness for any additional funding opportunities that may become available. However, it cannot be guaranteed that such opportunities will arise, and the housing stock will still require measures to bring all properties to a minimum EPC C requirement by 2030.

RECOMMENDATION(S)

1. The Social Housing Fund Wave 3 allocation be accepted to enable the delivery of a programme of energy efficiency improvements to upgrade.

2. That the Assistant Director Housing Management be given delegation in conjunction with the Portfolio Holder for Housing to sign the required grant agreement.
3. That a budget of £838,236.00 is allocated to the project, to be met from the Housing Revenue Account Unallocated Major Repairs Reserve;

Approved by Councillor Phil Smith, Portfolio Holder for Housing

IMPLICATIONS:

<u>Finance and Risk</u> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
Details: A supplementary budget of £838,236.00 will be required to match the grant funding to progress the project. This can be met from the Housing Revenue Account Unallocated Major Repairs Reserve.		
On behalf of the Section 151 Officer		
<u>Legal (including Data Protection)</u> Yes <input type="checkbox"/> No <input type="checkbox"/>		
Details: The requirements for the delivery of the scheme, including eligibility criteria, are set out in the Guidance for Local Authorities, produced by DESNZ. The government has confirmed that landlords' properties will have to meet a minimum Energy Performance Certificate (EPC) rating of Band C by 2030. This project will help to meet this requirement.		
On behalf of the Solicitor to the Council		
<u>Staffing</u> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Details: There are no staffing implications arising from the report.		
On behalf of the Head of Paid Service		
<u>Equality and Diversity, and Consultation</u> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
<i>(Please speak to the Equality and Diversity Officer for advice)</i>		
Details: None arising from this report		
<u>Environment</u> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
Please identify (if applicable) how this proposal/report will help the Authority meet its carbon neutral target or enhance the environment. <i>(Please speak to the Climate Change Officer for advice)</i>		
Details: This is a demonstration of the Council's commitment to the decarbonisation of Council homes to ensure that households are better able to keep warm, while reducing carbon emissions.		

DECISION INFORMATION:

<p><input checked="" type="checkbox"/> Please indicate which threshold applies:</p> <p>Is the decision a Key Decision? A Key Decision is an Executive decision which has a significant impact on two or more wards in the District or which results in income or expenditure to the Council above the following thresholds:</p> <p>Revenue (a) Results in the Council making Revenue Savings of £75,000 or more or (b) Results in the Council incurring Revenue Expenditure of £75,000 or more.</p> <p>Capital (a) Results in the Council making Capital Income of £150,000 or more or (b) Results in the Council incurring Capital Expenditure of £150,000 or more.</p> <p>District Wards Significantly Affected: <i>(to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the District)</i> Please state below which wards are affected or tick All if all wards are affected:</p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>(a) <input type="checkbox"/> (b) <input type="checkbox"/></p> <p>(a) <input checked="" type="checkbox"/> (b) <input type="checkbox"/></p> <p>All <input type="checkbox"/></p>
<p>Is the decision subject to Call-In? <i>(Only Key Decisions are subject to Call-In)</i></p> <p>If No, is the call-in period to be waived in respect of the decision(s) proposed within this report? <i>(decisions may only be classified as exempt from call-in with the agreement of the Monitoring Officer)</i></p> <p>Consultation carried out: <i>(this is any consultation carried out prior to the report being presented for approval)</i></p> <p>Leader <input type="checkbox"/> Deputy Leader <input 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>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>

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

Ambition: Environment

- Maximising our influence and opportunities within the East Midlands Combined County Authority to collectively lead the way in moving from fossil to fusion and play our part in achieving our national ambition to achieve net zero by 2050.
- Reducing our carbon footprint whilst supporting and encouraging residents and businesses to do the same.

Ambition: 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.
- Maximising our influence and opportunities within the East Midlands Combined County Authority to create affordable, good quality housing options and to retrofit existing homes to be more environmentally sustainable.

DOCUMENT INFORMATION:

Appendix No	Title
A	

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).

N/a

DECEMBER 2024

BOLSOVER DISTRICT COUNCIL

Meeting of the Executive on 23rd June 2025

Warm Homes: Local Grant

Report of the Assistant Director for Housing Management

Classification	This report is Open
Contact Officer	Victoria Dawson, Assistant Director Housing Management

PURPOSE/SUMMARY OF REPORT

To make Executive aware of the Warm Homes: Local Grant, to accept the grant funding to be able to make substantial improvements to the energy efficiency of resident's homes across the district.

REPORT DETAILS

1. Background

- 1.1 Warm Homes Local Grant is a government fund which allows Local Authorities to work with eligible residents to install energy efficiency upgrades and low carbon measures to homes across the district.
- 1.2 The scheme aims to deliver both energy costs and carbon savings for eligible households and will cover all fuel types. To be eligible for the scheme residents will need to be a homeowner or private sector landlord whose property has an Energy Performance Certificate D or below. There are three qualifying pathways that a household can take:
 - Gross household income under £36,000 or
 - Receiving a specified means tested benefit or route 2 of Energy Company Obligation flex or
 - live in an Index of multiple deprivation (IMD) area 1-2. These households will automatically qualify for the scheme.

There are a variety of energy measures that could be installed under the scheme

- 1.3 It is anticipated that there will be considerable interest from property owners whether owner occupiers or private landlords and the Council will need to be prepared and manage expectations whilst seeking to help as many residents live in a warmer home.

2. Details of Proposal or Information

- 2.1 In 2024, the Council launched 'Bolsover District - The Future', a new corporate vision which set priorities to protect the environment and ensure we work towards achieving the national ambition to achieve net zero by 2050.
- 2.2 This grant funding would allow the Council to support low income and vulnerable households in improving the energy efficiency of their homes.
- 2.3 It is proposed that Bassetlaw District Council deliver the project on behalf of Bolsover, under the current Service Level Agreement between the two Authorities.

3 The provisional allocation and project delivery spend is detailed below:

	Capital	A&A (admin and Ancillary)	FY Total
FY 25/26	£166,875	£31,125	£198,000
FY 26/27	£557,690	£47,310	£605,000
FY 27/28	£520,435	£46,065	£566,500
Total	£1,245,000	£124,500	£1,369,500

Reasons for Recommendation

- 3.1 By accepting the grant, the Council is meeting its corporate ambitions of working towards net zero and would be supporting low income and vulnerable households in improving the energy efficiency of their homes.

4 Alternative Options and Reasons for Rejection

- 4.1 The Council could refuse to accept the grant, but this is not considered an option. The Council could look to deliver the project in-house, however additional resource over and above the allocated admin and ancillary allowance would be required, and so outsourcing to Bassetlaw is the preferred option.

RECOMMENDATION(S)

1. The Warm Homes Local Grant Fund of £1.2m be formally accepted.
2. The Service Level Agreement with Bassetlaw District Council is extended to enable them to deliver the scheme on behalf of Bolsover District Council.

Approved by Councillor Phil Smith, Portfolio Holder for Housing

IMPLICATIONS:

<u>Finance and Risk</u> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
Details: All expenditure incurred on this scheme will be funded either by external Warm Homes Local Grant or from within the unallocated HRA Major Repairs Reserve, which is already included within the approved Capital Programme. On behalf of the Section 151 Officer		
<u>Legal (including Data Protection)</u> Yes <input type="checkbox"/> No <input type="checkbox"/>		
Details: SLA agreements between Bassetlaw and Bolsover will need expanding to facilitate this new method of partnership working between the two authorities. On behalf of the Solicitor to the Council		
<u>Staffing</u> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
Details: There are no staffing implications arising from the report. On behalf of the Head of Paid Service		
<u>Equality and Diversity, and Consultation</u> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> (Please speak to the Equality and Diversity Officer for advice)		
Details: None arising from this report		
<u>Environment</u> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
Please identify (if applicable) how this proposal/report will help the Authority meet its carbon neutral target or enhance the environment. <i>(Please speak to the Climate Change Officer for advice)</i> Details: Funding will assist in the decarbonisation of private sector homes to ensure households are better able to keep warm, while reducing carbon emissions.		

DECISION INFORMATION:

<p><input checked="" type="checkbox"/> Please indicate which threshold applies:</p> <p>Is the decision a Key Decision? A Key Decision is an Executive decision which has a significant impact on two or more wards in the District or which results in income or expenditure to the Council above the following thresholds:</p> <p>Revenue (a) Results in the Council making Revenue Savings of £75,000 or more or (b) Results in the Council incurring Revenue Expenditure of £75,000 or more.</p> <p>Capital (a) Results in the Council making Capital Income of £150,000 or more or (b) Results in the Council incurring Capital Expenditure of £150,000 or more.</p> <p>District Wards Significantly Affected: <i>(to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the District)</i> Please state below which wards are affected or tick All if all wards are affected:</p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>(a) <input type="checkbox"/> (b) <input type="checkbox"/></p> <p>(a) <input checked="" type="checkbox"/> (b) <input type="checkbox"/></p> <p>All <input type="checkbox"/></p>
<p>Is the decision subject to Call-In? <i>(Only Key Decisions are subject to Call-In)</i></p> <p>If No, is the call-in period to be waived in respect of the decision(s) proposed within this report? <i>(decisions may only be classified as exempt from call-in with the agreement of the Monitoring Officer)</i></p> <p>Consultation carried out: <i>(this is any consultation carried out prior to the report being presented for approval)</i></p> <p>Leader <input type="checkbox"/> Deputy Leader <input 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>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p>

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

Ambition: Environment

- Maximising our influence and opportunities within the East Midlands Combined County Authority to collectively lead the way in moving from fossil to fusion and play our part in achieving our national ambition to achieve net zero by 2050.
- Reducing our carbon footprint whilst supporting and encouraging residents and businesses to do the same.

Ambition: 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.
- Maximising our influence and opportunities within the East Midlands Combined County Authority to create affordable, good quality housing options and to retrofit existing homes to be more environmentally sustainable.

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).

N/a

DECEMBER 2024

Bolsover District Council

Meeting of the Executive on 23rd June 2025

Report of the Portfolio Holder for Growth

SHIREBROOK MARKET PLACE: REIMAGINED – UPDATE ON REGENERATION FUNDED WORKS

Classification	This report is Public
Report By	Chris McKinney Senior Devolution Lead for Planning Policy, Strategic Growth and Housing
Contact Details	chris.mckinney@bolsover.gov.uk

PURPOSE / SUMMARY OF REPORT

- To update Members on the Regeneration Funded works relating to the Shirebrook Market Place: REimagined project
- To set out the legal position of the project and the agreements required with Shirebrook Town Council.
- To obtain the approval to enter into the contract with the Principal Contractor for the works to be completed.

REPORT DETAILS

1. Background

- 1.1 Members will be aware that the Council has developed the Shirebrook Market Place: REimagined project in partnership with Shirebrook Town Council to deliver significant public realm improvements to Shirebrook Market Place, which is in turn intended to lead to greater footfall and vitality in the town centre that will support the economic performance of the town.
- 1.2 Phase 1 of the project focussed on the Memorial Gardens (the Memorial surround and the southern garden space) and was delivered by Jamieson Contracting Limited, appointed under a Pagabo Framework in November 2023. This phase of works was funded from the Valencia Communities Fund and the UK Shared Prosperity Fund. The value of the contract was £168,299.90 and was completed in September 2024.
- 1.3 The Regeneration Fund has secured £2million for the completion of the Pavilion building and associated landscaping. This budget includes for all client fees and costs, as well as the Principal Contractor's works and all sub-contracted packages.
- 1.4 Whilst waiting on the confirmation of the Regeneration Funding, the remaining funding from the UK Shared Prosperity Fund was committed to both Dragonfly

Development Limited (DDL) and Lathams (as the retained Architects) to produce the RIBA Stage 4 drawing pack for both phases 2 and 3 (the public realm works and the new Pavilion building respectively). This produced a full package of works and detailed cost schedule for finishing the whole scheme, which has been reviewed to ensure value engineering options are considered and the scheme delivers value for money. The **phasing plan and drawings** illustrating the Pavilion building and the public realm works are attached as **Appendix A** to this report.

- 1.5 The contract value for completing the works package for both phases 2 and 3 is **£1,857,537.29**. This budget includes completing phase 3 (£1,068,181 of the £2,000,000 allocated) with the remainder of the contract sum (£789,356.29) required to complete the public realm works as shown in phase 2.

2. Details of Proposal or Information

- 2.1. The approved delivery arrangements for the operational oversight of each of the projects is through an appointed Client Lead, who all report into the Project Sponsor and Project Control Board. Dragonfly Management (Bolsover) Limited (DMBL) are responsible for the operational delivery of the funding, and report on action to the Strategic Commissioning Board who bring recommendations for decision to the Executive.
- 2.2 Both the Dragonfly Project Control Board (PCB) and the Council's Strategic Commissioning Board have considered this project at its most recent meetings (25 April and 15 May respectively) and were in agreement that the remaining public realm works should be funded from the underspend of the £2,000,000 budget, to allow the works to Shirebrook Market Place to be completed in its entirety. The Council's Strategic Commissioning Board recommended that the Chief Executive, on behalf of the Strategic Commissioning Board, should seek approval from Executive for the underspend of £789,357 be allocated to fund the costs of the remaining public realm works.
- 2.3 Each of the project leads is supported by a client team, which will include the appointment of an Employer's Agent, Cost Manager, Principal Designer, Architect, Mechanical and Electrical Consultant, Clerk of Works, and if required, input from further disciplines, such as Highways, Landscape Architects and / or Urban designers. Each of the client teams appoint a Principal Contractor, who shall in turn appoint the necessary sub-contractors to undertake the works required under each project. A number of the Regeneration Fund projects have agreement for the direct award to Dragonfly Development Limited (DDL), these are: Shirebrook Market Place Pavilion, The Green Skills and Retrofit Centre in Shirebrook, and demolition of the Former Co-Op in Bolsover.
- 2.4 DMBL was established to deliver capital regeneration schemes, housing and commercial developments, as well as project management consultancy services on behalf of the Council under the 'Teckal Exemption' and as set out in the Public Contracts Regulations 2015 (regulation 12). It is an accepted position that the Council does not need to go out to the market where services can be delivered in house, which complies with both the PCR 2015 and new Procurement Act 2023 and in line with the confirmation email received from MHCLG on 12 November 2024 and subsequent advice note obtained by DMBL from Freeth's, dated 3 April 2025, which takes account of the new Procurement Act 2023 (PA23).

- 2.5 On this basis, the Council follows its Financial and Contract Procedure Rules and may award the contract for the works to DDL via DMBL.
- 2.6 Shirebrook Town Council is the landowner of the Market Place. As such, the District Council will be required to prepare a Development Agreement with Shirebrook Town Council that puts in place the contractual arrangements for the District Council undertaking the works and handover to the Town Council at practical completion. It will also set out arrangements for the Town Council to take ownership and maintenance responsibility of the new Pavilion building and all public realm areas following practical completion.
- 2.7 This Development Agreement will be structured around a set of prepared **Heads of Terms** that outline this agreement and these are attached as **Appendix B** to this report.
- 2.8 These Heads of Terms have been shared with the Town Council on 27 May 2025 and will be formally considered by the Town Council at their meeting on 11 June 2025. Subject to agreement by both the Town Council at that meeting, and Executive's approval through this report, a development agreement will be drafted for agreement.

3. Reasons for Recommendation

- 3.1 The Council has developed the Shirebrook Market Place: REimagined project in partnership with Shirebrook Town Council to deliver significant public realm improvements to Shirebrook Market Place.
- 3.2 The Council is now in the position where the full package of works has been prepared and detailed cost schedule for the works received. This is within the available budget and allows for a reasonable contingency. Allocating the underspend of £789,357 will enable the full scheme to be completed.
- 3.3 There is a commitment from Shirebrook Town Council to this scheme, and a Development Agreement will document both parties' involvement and responsibilities for delivering the scheme.

4 Alternative Options and Reasons for Rejection

- 4.1 Alternative delivery options have been considered by both the Project Control Board and the Strategic Commissioning Board, including not undertaking the phase 2 works, but the proposed course of action is considered to more strongly align to the overall ambition of the Council to achieve sustainable regeneration utilising MHCLG's Regeneration Fund.

RECOMMENDATION(S)

- 1) Executive approves that the underspend of £789,357 to be allocated to fund the costs of the remaining public realm works.
- 2) Executive approves the appointment of Dragonfly Development Limited (DDL) to deliver the contract for the value of £1,857,537.29.

- 3) Executive delegates authority to the Monitoring Officer to enter into a Development Agreement with Shirebrook Town Council based on the Heads of Terms as set out in the report.

Approved by Councillor Tom Munro, Portfolio Holder for Growth

IMPLICATIONS:

Finance and Risk: Yes ☒ No ☐

Details: All expenditure incurred will be met from the grant funding allocated, provided it is incurred in line with the Memorandum of Understanding the District Council has signed with MHCLG. There is a contingency allocated from within the £2,000,000 budget which will sit with the Client Team and be used to cover any unforeseen costs.

On behalf of the Section 151 Officer

Legal (including Data Protection): Yes ☐ No ☒

Details: Legal Services will be required to prepare the Development Agreement and will be sought from outside of the organisation due to limited capacity within Legal Services at this time. There are no data protection implications.

On behalf of the Solicitor to the Council

Environment: Yes ☒ No ☐

Details: The Shirebrook Market Place: REimagined project is intended to significantly improve the physical and environmental appearance of Shirebrook Market Place.

Staffing: Yes ☐ No ☒

Details: There are no human resources implications arising from this report.

On behalf of the Head of Paid Service

DECISION INFORMATION:

☒ ***Please indicate which threshold applies:***

Is the decision a Key Decision?

A Key Decision is an Executive decision which has a significant impact on two or more wards in the District or which results in income or expenditure to the Council above the following thresholds:

Revenue (a) Results in the Council making Revenue Savings of £75,000 or more or **(b)** Results in the Council incurring Revenue Expenditure of £75,000 or more.

Capital (a) Results in the Council making Capital Income of £150,000 or more or **(b)** Results in the Council incurring Capital Expenditure of £150,000 or more.

Yes ☒ No ☐

(a) ☐ (b) ☐

(a) ☒ (b) ☐

District Wards Significantly Affected: <i>(to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the District)</i> Please state below which wards are affected or tick All if all wards are affected: <ul style="list-style-type: none"> • Shirebrook 	All <input type="checkbox"/>
--	-------------------------------------

Is the decision subject to Call-In? <i>(Only Key Decisions are subject to Call-In)</i> If No, is the call-in period to be waived in respect of the decision(s) proposed within this report? <i>(decisions may only be classified as exempt from call-in with the agreement of the Monitoring Officer)</i> Consultation carried out: <i>(this is any consultation carried out prior to the report being presented for approval)</i> Leader <input checked="" type="checkbox"/> Deputy Leader <input type="checkbox"/> Executive <input type="checkbox"/> SLT <input type="checkbox"/> Relevant Service Manager <input type="checkbox"/> Members <input checked="" type="checkbox"/> Public <input type="checkbox"/> Other <input checked="" type="checkbox"/>	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> The proposal has been presented to the Strategic Commissioning Board; Leader; CEO; and Portfolio Member for Growth
---	---

Links to Council Ambition: Customers, Economy, Environment, Housing
<u>Economy</u> <ul style="list-style-type: none"> • Actively working with partners to support enterprise, innovation, jobs and skills. • Promoting the district and working with partners to increase and support the creative, cultural and tourism sector. <u>Environment</u> <ul style="list-style-type: none"> • Ensuring all area, neighbourhoods and streets in the district, irrespective of housing tenure or type, are places where people want to live, feel safe, and are proud to live. • Working with stakeholders, strategic and local partnerships to deliver shared strategies and priorities that support the local environment.

DOCUMENT INFORMATION:

Appendix No	Title
A	The scheme phasing plan and drawings illustrating the Pavilion building and the public realm works

B	Prepared Heads of Terms for the Development Agreement with Shirebrook Town Council
---	--

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).

DECEMBER 2024

Accessible bay with line markings for 1200 access zone to side

Swap Yorkstone to Brett Landscaping Invicta Paving (Equal mix of Citrine, Moonstone & Pearl) to match surround to statue. Extend paved area around building to reduce extent of resin. New dark grey paving setts to edge (2 rows of setts to create border) - spec Brett Landscaping Invicta Paving in Onyx

Resin centre square replaced with light buff through coloured tarmac to provide a more durable surface for market traders to place their stalls and set up.

New dark grey paving setts to edge of tarmac square (2 rows of setts to create border) - spec Brett Landscaping Invicta Paving in Onyx

Resin border replaced with buff through coloured tarmac to provide a more durable surface vehcile movement.

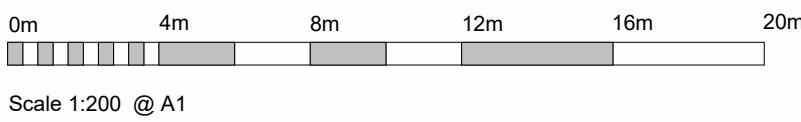
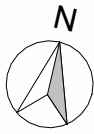
Extent of works reduced, footpath around the edge of the square to be widened and tarmac used to match existing finish.

Bollard no. reduction to ~34 based on using planters with raised edges to beds and dense planting

Southern parking bays removed and planted bed extended to minimise hard standing and line marking requirements

Works to pavement omitted

- Key**
- CB = cabinet
 - Gu = gully
 - LP = lamp post
 - MH = manhole
 - SP = sign post
 - IC = inspection chamber



© This drawing and the building works depicted are the copyright of the Architect and may not be reproduced except with written consent. Figured dimensions only are to be taken from this drawing. All contractors must visit the site and be responsible for taking and checking all dimensions relative to their work. Lathams are to be advised of any variation between drawings and site conditions.



Proposed Planted bed edging:
Legacy Edging Legacy 6 structural Steel edging

Planted bed with raised edging spec: Legacy Edging Legacy 6 200mm in galvanized steel or suitable equivalent. Planter with raised edge to act as deterrent to vehicle movement and remove need for bollards. Planted bed to be robust perennial mix of low maintenance planting

In abeyance - subject to site investigations.
Mains cabinet left in position, brick work stripped and box reclad in ppc steel to match planters

Planted bed with raised edging spec: Legacy Edging Legacy 6 200mm in galvanized steel or suitable equivalent. Planter with raised edge to act as deterrent to vehicle movement and remove need for bollards. Planted bed to be robust perennial mix of low maintenance planting

P03	JF	Revised to reflect extended V.E.	23.04.25
P02	JF	Revised to pickup discussion around electrical supply & required investigations.	07.04.25
P01	JF	First Issue	25.03.25

Rev	Drawn	Revision Description	Date
Status	S3	Suitable for Review and Comment	

Derby 1 College Place Derby DE1 3DV +44 (0)1332 385 777	Nottingham 50 St Mary's Gate Nottingham NG1 1QA +44 (0)115 648 5012
London 70 Cowcross Street London EC1M 6EJ +44 (0)20 7498 0672	enquiries@lathamarchitects.co.uk lathamarchitects.co.uk

Lathams

ARCHITECTURE + URBANISM

Project
Shirebrook Market Place

Client
Bolsover District Coucil

Drawing Title
Proposed Site Plan - V.E.
RIBA Stage 4 - Technical Design

Drawing Number	Status	Revision
2210	S3	P03

File Name

Project - Originator - Zone - Level - Type - Role - Drawing Number - Status - Revision
7561-LAT-XX-RL-DP-A-2210-S3-P03

Scale	Date	Drawn	Checked
1 : 200	23.04.25	JF	AS

Lathams Job Number	Original Size
7561	A1

HEADS OF TERMS

PROPOSED DEVELOPMENT AGREEMENT FOR THE SHIREBROOK RE: IMAGINED PROJECT

DATE: 20 MAY 2025

This document sets out the principal terms and conditions on and subject to which the following parties (the Parties) are willing to enter into a Development Agreement, provided the Parties agree and sign a detailed and legally binding Development Agreement (the Development Agreement).

The contents of this document are not exhaustive, and they are not, and are not intended to be, legally binding except where they are specifically stated below to be binding.

1. THE PARTIES

- (1) SHIREBROOK TOWN COUNCIL, whose administrative offices are at 209 Station Rd, Shirebrook, Mansfield NG20 8AF (the Client), and
- (2) BOLSOVER DISTRICT COUNCIL, whose administrative offices are at The Arc, Clowne, S43 4JY (the Developer)

2. THE PROJECT

- 2.1 The Project will include works to construct a new pavilion building and all associated public realm works in accordance with the Drawing Pack attached to these Heads of Terms as Appendix 1.
- 2.2 The proposed start date of the Project is a date to be agreed between the Parties
- 2.3 The proposed end date of the Project is a date to be agreed between the Parties.
- 2.4 If work starts before the Development Agreement is signed by both of the Parties, the Development Agreement is to have retrospective effect.
- 2.5 The Developer will provide the following resources: human: Client Lead Officer and Project Sponsor; and financial: The Developer will contribute £2,000,000 (two million pounds) of Regeneration Funding from the Ministry of Housing, Communities and Local Government
- 2.6 The Client will provide the following resources (human and other): Town Clerk; Chair of the Town Council, and any appointed representative who will be required to attend meetings as and when required throughout the delivery of the project
- 2.7 The Project is expected to make use of the following third-party resources which are to be procured and appointed under contracts by

the Developer: Project Management resource including client lead officer (Bolsover District Council), Project Administration (Dragonfly Management (Bolsover) Limited), Client Agent (Whiteley Eaves), cost manager (Whiteley Eaves), and administrative and financial support (Dragonfly Management (Bolsover) Limited); Principal Designer Role CDM2015 (Lathams); Principal Contractor CDM 2015 (Dragonfly Development Limited); and all appointed sub-contractors as required to deliver the requirements of the project scope.

- 2.8 The Developer will be responsible for putting in place arrangements to allow those third-party resources to be used for the purposes of the Project.
- 2.9 The Developer's contribution is to be limited to what the funding provided by any third-party funding allows the Developer to do.

3. FINANCIAL CONTRIBUTION AND EXTERNAL FUNDING

- 3.1 The Client's financial contribution will be: £0.00 (nil pounds)
- 3.2 The Developer's financial contribution will be an amount no greater than £2,000,000 (two million pounds). Any saving / underspend which is achieved throughout the delivery of the project shall be retained by the Developer.
- 3.3 The Client will re-imburse the following expenditure to the Developer: any and all additional costs incurred by the Developer as a result of variations to the Contract which are specified by the Client, and which fall outside of the scope as agreed and detailed within the Development Agreement; any additional works, finishes, fittings or equipment (FFE) which are requested by the Client to be installed by the Developer and/or its appointed third parties, which fall outside of the scope as agreed and detailed within the Development Agreement.
- 3.4 The Developer will allow a contingency to cover increases in pre-lims, inflation, TPI, or salaries of the key personnel, which may occur during the project
- 3.5 The Project is supported by the external funding: Regeneration Funding from Ministry of Housing, Communities, and Local Government (MHCLG)
- 3.6 The marketing and communications requirements which apply to the external funding are attached to these Heads of Terms. Both Parties will comply with those conditions.

- 3.7 The document retention requirements which apply to the external funding are attached to these Heads of Terms. The Client will ensure full compliance with the requirements throughout the delivery of the works. Both Parties will comply with those conditions.

4. BACKGROUND

- 4.1 The Client will provide the following Background: all documents, plans, maintenance records, and legal documentation which relates to the site where the works will be undertaken.
- 4.2 Other companies in the Developer's group will need to use the Client's Background for the purposes of the Project.

5. OWNERSHIP

- 5.1 The Client will own the new pavilion building and all associated public realm works in accordance with the Drawing Pack attached to these Heads of Terms as Appendix 1.
- 5.2 The Client will, upon Practical Completion, have full freehold ownership as well as full financial and operational liability for the new pavilion building and all associated public realm works in accordance with the Drawing Pack attached to these Heads of Terms as Appendix 1., including repairs and maintenance.
- 5.3 The Developer will, upon Practical Completion, be responsible for rectification of any known building defects which present as a result of works undertaken within the Scope, for a period of twelve months only.

6. CLIENT OBLIGATIONS

- 6.1 To put in place all necessary insurances for the pavilion building and all public realm areas upon practical completion of the project.
- 6.2 To issue a licence to the Developer to enable it to undertake the development.
- 6.3 To produce a business plan for the viable operation of the pavilion building and advertise the available premises to procure an end user for the commercial space of the new pavilion building.
- 6.4 To obtain any statutory consents and insurances prior to letting the commercial space.
- 6.5 To enter into a lease agreement for the commercial letting of the pavilion building on terms favourable to the Client, and at market value as determined by an independent RICS Valuer.

- 6.6 To produce and implement a maintenance schedule/s for the new pavilion building and all public realm areas, including both the hard and soft landscaping.
- 6.7 To enforce Traffic Regulation Orders on the Market Place to restrict vehicular access and parking on the Market Place following Practical Completion in order to protect BDC capital investment
- 6.8 To monitor and report on activities / events hosted on the Market Place, to inform the Developer of outputs and outcomes which are as detailed in Appendix 2.

7. CONFIDENTIALITY AND FREEDOM OF INFORMATION REQUESTS

- 7.1 Each Party will keep the other Party's confidential information confidential.
- 7.2 Each Party shall be responsible for the handling of personal and sensitive data and shall not be shared by either Party to the other Party without the consent of the individual concerned and is only to be used for the purposes of delivering the project within the terms of the Development Agreement.
- 7.3 Each Party will provide its own response in connection with a Freedom of Information request made in connection with this project.

8. LIABILITY

- 8.1 The Client will be liable for any breach of the client obligations as set out in this Heads of Terms document.
- 8.2 The Developer will be liable for the reinstatement of damage caused to the surrounding areas which fall outside of the project area.

9. CONFIDENTIALITY

- 9.1 This section 9 is legally binding.
- 9.2 The contents of this document are confidential to both of the parties.
- 9.3 Neither Party will at any time disclose to any person any confidential information concerning the business, affairs, customers, clients, suppliers, products, services or Intellectual Property of the other Party or of any member of the group of companies to which the other Party belongs, except as permitted by paragraph 9.4 below.
- 9.4 Each Party may disclose the other Party's confidential information:
 - 9.4.1 as permitted by the proposed Development Agreement, if the Parties enter into that agreement.

- 9.4.2 in confidence and only to the extent necessary to secure external funding, to any person providing or contemplating providing any funding for the Project.
 - 9.4.3 to its employees, officers, representatives or advisers who need to know that information for the purposes of negotiating the proposed Development Agreement and the terms of any external funding (the Negotiations); and
 - 9.4.4 so far as may be necessary to comply with the law, the order of any court of competent jurisdiction or any governmental or regulatory authority.
- 9.5 Neither Party will use the other Party's confidential information for any purpose except the Negotiations.

10. GENERAL

- 10.1 This section 10 is legally binding.
- 10.2 Each Party will pay its own costs incurred in connection with the negotiation, preparation, and the execution of these Heads of Terms, the proposed Development Agreement (whether or not it is entered into) and any documents referred to in either of those documents.
- 10.3 Either Party may, at any time before the Development Agreement has been entered into, withdraw from the Negotiations without having to give any reason for doing so and without incurring any liability to the other Party.

11. GOVERNING LAW AND THIRD-PARTY RIGHTS

- 11.1 This section 11 is legally binding.
- 11.2 These Heads of Terms and any dispute or claim (including non-contractual disputes or claims) arising out of or in connection with them or their subject matter or formation are governed by, and are to be construed in accordance with, English law. The English Courts will have exclusive jurisdiction to deal with any dispute (including non-contractual claims and disputes) which has arisen or may arise out of, or in connection with, these Heads of Terms, except that a Party may bring proceedings to protect its Intellectual Property or Confidential Information in any jurisdiction.
- 11.3 The Development Agreement (if it is entered) and any dispute or claim (including non-contractual disputes or claims) arising out of or in connection with it or its subject matter or formation will be governed by, and that agreement will be construed in accordance with, English law. The English Courts will have exclusive jurisdiction to deal with any dispute (including non-contractual claims and disputes) which arises or may arise out of, or in connection with, the Development Agreement, except

that a Party may bring proceedings to protect its Intellectual Property or Confidential Information in any jurisdiction.

- 11.4 No one except a Party, its successors and permitted assignees, will have any right to enforce any of the terms set out in these Heads of Terms.

SIGNED on behalf of the Developer: **SIGNED on behalf of the Client:**

Name:

.....

Name:

.....

Position:

.....

Position:

.....

Signature:

.....

Signature:

.....

Agenda Item 15

By virtue of paragraph(s) 7 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

Agenda Item 16

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted