

## **EXECUTIVE**

Minutes of a meeting of the Executive of the Bolsover District Council held in the Council Chamber, The Arc, Clowne on Monday, 1 November 2021 at 10:00 hours.

### **PRESENT:-**

Members:-

Councillor Steve Fritchley in the Chair

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

Officers:- Karen Hanson (Executive Director of Resources), Grant Galloway (Executive Director of Strategy and Development), Theresa Fletcher (Assistant Director of Finance and Resources & Section 151 Officer), Ian Barber (Assistant Director of Property Services and Housing Repairs), Pam Brown (Assistant Director of Leader's Executive), Chris Fridlington (Assistant Director of Development and Planning), Nicola Calver (Governance Manager), Jim Fieldsend (Team Leader - Solicitor), Katie Walters (Property Services Manager) and Amy Bryan (Senior Governance Officer).

### **EX48-21/22 APOLOGIES FOR ABSENCE**

There were no apologies for absence.

### **EX49-21/22 URGENT ITEMS OF BUSINESS**

There was no urgent business to be considered at the meeting.

### **EX50-21/22 DECLARATIONS OF INTEREST**

Members were requested to declare the existence and nature of any disclosable pecuniary interests and/or other interests, not already on their register of interests, in any item on the agenda and withdraw from the meeting at the appropriate time.

Councillors David Downes, Steve Fritchley and Sandra Peake all declared a significant other interest in Item 11 – Appointment of Design Consultants for Shirebrook Crematorium, as Members of Shirebrook Town Council. All three Councillors left the room for the consideration of the item and did not participate in the discussion or vote.

### **EX51-21/22 MINUTES**

Moved by Councillor Duncan McGregor and seconded by Councillor Sandra Peake **RESOLVED** that the minutes of a meeting of the Executive held on 4 October 2021 be approved as a true and correct record.

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### NON KEY DECISIONS

#### EX52-21/22      BUDGET MONITORING - QUARTER 2 APRIL TO SEPTEMBER 2021

Executive considered the report of the Portfolio Holder – Finance which provided an update on the financial position of the Council following the 2021/22 second quarter's budget monitoring exercise for the General Fund, the Housing Revenue Account (HRA), Capital Programme and Treasury Management activity.

#### General Fund

The original budget for 2021/22 showed a funding deficit of £0.291m. The current budget showed this had reduced to £0.067m deficit after the Council tax increase and other small movements were included.

A breakdown of the quarter 2 monitoring position by Directorate was included in the report. The overall position of the General Fund at the end of quarter 2 showed that there was a favourable variance of £0.275m. This was mainly due to receiving income in advance of spend for the year. The budget pressures that continued to be caused by the pandemic such as leisure income, would in part be covered by government funding. Although the budget for planning income had been reduced in the MTFP in light of the pandemic the Council had actually received £0.059m, more than half of the anticipated budget by the end of quarter 2.

#### Housing Revenue Account

The quarter 2 income figures showed an adverse variance of £0.163m. The loss in dwelling rents due to voids was £0.156m of this. Expenditure showed an overall favourable variance of £0.243m. Overall, the only significant issue at the end of the second quarter was the reduction in income caused by voids being at a level higher than budgeted for.

#### Capital Programme

In headline terms, the Capital Programme profiled budget for quarter 2 was £13.330m and the actual spend and known commitments totalled £7.831m, which was £5.499m behind the planned spend position.

There were no significant financial issues to report regarding capital expenditure, however it was noted that the delivery of the approved capital programme was behind the profiled position as at quarter 2.

#### Treasury Management

The treasury management activity undertaken in the second quarter of 2021/22 was in line with the plans agreed as part of the Treasury Management Strategy. The income received from investments was higher than budgeted, however, interest rates being received on investments was generally lower than estimated. A full assessment of investments and cash balances would be carried out in preparation of revised budgets.

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Moved by Councillor Clive Moesby and seconded by Councillor Duncan McGregor  
**RESOLVED** that –

- 1) the monitoring position of the General Fund at the end of the second quarter as detailed in Appendix 1 (a net favourable variance of £0.275m against the profiled budget) and the key issues highlighted with this report, be noted.
- 2) The position on the Housing Revenue Account (HRA), the Capital Programme and Treasury Management at the end of the second quarter (as detailed in Appendices 3, 4 and 5), be noted.

(Assistant Director of Finance and Resources)

### **REASON FOR DECISION:**

The report summarised the financial position of the Council following the second quarter's budget monitoring exercise for the General Fund, the Housing Revenue Account, Capital Programme and Treasury Management activity.

### **OTHER OPTIONS CONSIDERED:**

The budget monitoring report for 2021/22 was primarily a factual report which detailed progress against previously approved budgets. Accordingly, there were no alternative options to consider.

## **KEY DECISIONS**

### **EX53-21/22          CONTRACT FOR STAIR LIFT INSTALLATIONS AND SERVICING AND REPAIRS**

Executive considered a report of the Portfolio Holder – Housing which sought approval to award contracts for stair lift installations and servicing and repairs for the Council's housing stock to Oban Domestic Lift Services Limited.

The report explained that the scope of the contract was to install lifts when requested by Derbyshire County Council Occupational Health Team as part of the welfare adaption process and to service and maintain those stair lifts after they had been fitted. The contract would be a 2+1+1 contract, with the final two years being extended subject to approval.

Councillor Dooley asked about the Disabled Facilities Grants and the Executive Director of Resources agreed to put together a briefing note on the matter.

Moved by Councillor Sandra Peake and seconded by Councillor Duncan McGregor  
**RESOLVED** that –

- 1) Oban Domestic Lifts Services Ltd be awarded the contracts for stair lift installations and stair lift servicing and repairs for the Council's domestic property stock.
- 2) delegated authority be granted to the Assistant Director of Property Services and Housing Repairs to extend the contract after the first two years.

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3) Progress on the contract be reported through the Housing Stock Group.

(Assistant Director of Property Services and Housing Repairs)

### **REASON FOR DECISION:**

The existing contract expired earlier this year so contracts for stair lift installations and stair lift servicing and repairs were re-tendered with the aim of achieving better levels of competition for the revised rates.

### **OTHER OPTIONS CONSIDERED:**

No alternatives were available as there was a need for a contract to be in place.

## **EX54-21/22 EXCLUSION OF THE PUBLIC**

Moved by Councillor Duncan McGregor and seconded by Councillor Sandra Peake  
**RESOLVED** that under Section 100(A)(4) of the Local Government Act 1972 (as amended), the public be excluded from the meeting for the following 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 Minute].

## **PART 2 - EXEMPT ITEMS**

### **NON KEY DECISIONS**

## **EX55-21/22 MANAGEMENT OF CORPORATE DEBT - WRITE-OFF OF OUTSTANDING AMOUNTS**

Executive considered a report of the Portfolio Holder – Finance which proposed the write-off of debts in respect of Business Rates, Council Tax, Housing Rents, Overpaid Housing Benefits and Sundry Debtors.

The Section 151 Officer explained the levels of the debts to be written-off.

Moved by Councillor Clive Moesby and seconded by Councillor Duncan McGregor  
**RESOLVED** that Executive agreed to write-off the amounts set out in paragraph 2.1 (£64,180) and individually detailed in Appendix 1.

(Assistant Director of Finance and Resources)

### **REASON FOR DECISION:**

Given that all available options to recover this debt had been explored, it was important that the Council recognised the position and approved the write-off of the uncollectable debt.

### **OTHER OPTIONS CONSIDERED:**

Any alternative options were outlined in the report.

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[Paragraphs 1 & 3]

### KEY DECISIONS

#### **EX56-21/22      BOLSOVER HOMES SCHEME AT THE WOODLANDS, LANGWITH**

Executive considered the report of the Portfolio Holder – Housing, which sought approval to enter into a contract to deliver the Woodlands (1) scheme through the existing Bolsover Homes Framework.

The Woodlands (1) scheme would provide 4 one bed houses, 8 two bed houses, 4 three bed houses, 1 four bed house and 2 two bed bungalows, totalling 19 properties. Planning permission for the scheme had already been granted and a plan of the approved scheme was attached to the report at Appendix 1. The financial implications were set out in the report and a viability appraisal summary for the scheme was attached to the report at Appendix 2.

Moved by Councillor Sandra Peake and seconded by Councillor Duncan McGregor

**RESOLVED** that –

- 1) an expenditure budget, as outlined within the report, to deliver the Woodlands (1) social housing building scheme, be approved.
- 2) the recommendation to enter into a contract for the development of a further 19 properties in Whaley Thorns, as outlined in the report, be supported.

(Assistant Director of Property Services and Housing Repairs)

#### **REASON FOR DECISION:**

To deliver the Council's target of building a minimum of 150 new Council properties by March 2024.

#### **OTHER OPTIONS CONSIDERED:**

To not support the development but this would not work towards achieving the Council's agreed ambition of building 150 social housing properties, nor would it help meet the current demand for social housing in Whaley Thorns.

[Paragraph 3]

#### **EX57-21/22      AGREEMENT REGARDING SALIX FUNDING**

Executive considered a report of the Portfolio Holder – Growth/Economic Development regarding entering into an agreement with North East Derbyshire District Council regarding Salix Funding. The funding would enable the Council to undertake a full asset survey of its commercial buildings in order to put together a list of energy saving measures.

The report explained that a joint bid had been made by the Council and North East

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Derbyshire District Council for Salix funding through Phase 2 of the Public Sector Local Carbon Skills Fund. The bid had been successful and a proportion of the funding needed to be transferred to the Council to undertake surveys. The report sought approval regarding the terms and conditions that North East Derbyshire District Council had agreed to in receiving the funding and to indemnify North East Derbyshire District Council against any claims to recover the grant funding in the event that the terms and conditions had been breached.

It was noted that this decision was being treated as urgent as it would prejudice the Council's interests to delay the matter. With the agreement of the relevant Scrutiny Committee Chairs, the item would not be subject to Call-in as permitted in 4.5.15 of the Scrutiny Procedure Rules.

Moved by Councillor Liz Smyth and seconded by Councillor Duncan McGregor

**RESOLVED** that –

- 1) the conditions outlined in the draft agreement to allow the transfer of the money to BDC, be agreed.
- 2) this decision be treated as urgent and it be noted that, with the agreement of the Chairs of the relevant Scrutiny Committees, it shall not be subject to Call-in in accordance with 4.5.15 (1) of the Scrutiny Procedure Rules as to delay the decision would prejudice the Council's interests.

(Assistant Director of Property Services and Housing Repairs)

### **REASON FOR DECISION:**

The decision would allow the Council to fully understand its assets and where improvements could be made to make them more energy efficient. Executive had previously agreed to undertake the Asset survey following a procurement exercise.

### **OTHER OPTIONS CONSIDERED:**

To refuse the funding and to pay for the survey using the Council's own funds.

[Paragraph 3]

*Councillors David Downes, Steve Fritchley and Sandra Peake left the meeting at this point.*

Councillor Duncan McGregor took the Chair

### **EX58-21/22      APPOINTMENT OF DESIGN CONSULTANTS FOR SHIREBROOK CREMATORIUM**

Further to Minute EX33-21/22, Executive considered a report of the Portfolio Holder – Growth/Economic Development which sought approval to appoint CDS Group Limited to undertake RIBA Stage 3 works for the Shirebrook Crematorium. Stage 3 works included site surveys, detailed architectural drawings, cost plan, planning application and associated fees, as well as an outline specification and design programme.

The report set out that the CDS Group Limited had already been appointed to undertake a feasibility study and financial viability appraisal on the development of a crematorium.

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The appointment of CDS Group Limited for this stage of the works would be a direct award and this would comply with the Procurement Regulations as set out in the Council's Constitution.

Moved by Councillor Liz Smyth and seconded by Councillor Duncan McGregor  
**RESOLVED** that a direct award be made to CDS Group Limited to undertake the RIBA Stage 3 works, in connection with the Shirebrook Crematorium project.

(Executive Director of Strategy and Development)

### **REASON FOR DECISION:**

The appointment of CDS Group Limited to continue this work would bring about the best financial and time efficiencies as they were already up to speed on the design and cost appraisals for the scheme, having carried them out.

### **OTHER OPTIONS CONSIDERED:**

There were options for an open tender or an appointment through a framework agreement. These were rejected due to the additional costs when there was no guarantee that any other company would apply, and the impact on the timescales for delivering the surveys and investigative works.

[Paragraph 3]

The meeting concluded at 10:40 hours.