

## EXECUTIVE

Minutes of a meeting of the Executive of the Bolsover District Council held in the Council Chamber, The Arc, Clowne, on Monday 6<sup>th</sup> November 2023 at 1000 hours.

### **PRESENT:-**

Members:-

Councillor Steve Fritchley in the Chair

Councillors Anne Clarke, Mary Dooley, Clive Moesby, Duncan McGregor, John Ritchie and Sandra Peake.

Officers:- Karen Hanson (Chief Executive), Theresa Fletcher (Section 151 Officer), Jim Fieldsend (Monitoring Officer), Victoria Dawson (Assistant Director of Housing Management and Enforcement) (to Minute No. EX48-23/24), Natalie Etches (Business Growth Manager, Dragonfly Management Ltd).

Also in attendance at the meeting, observing, were Junior Cabinet Members Councillors Janet Tait and Jane Yates.

### **EX42-23/24            APOLOGIES**

There were no apologies for absence.

### **EX43-23/24            URGENT ITEMS OF BUSINESS**

The Chair informed the meeting of an urgent item of business to be considered, being Appointment of Contractor to Deliver Hyper-Local Net Zero Innovation Programme, which would be considered at the end of the agenda.

### **EX44-23/24            DECLARATIONS OF INTEREST**

There were no declarations of interest made.

### **EX45-23/24            MINUTES – 9<sup>TH</sup> OCTOBER 2023**

Councillor Anne Clarke confirmed that she had been present at the meeting held on 9<sup>th</sup> October 2023, but her name had been omitted from Members present in the Minutes.

Moved by Councillor Duncan McGregor and seconded by Councillor Anne Clarke **RESOLVED** that subject to the inclusion of Councillor Anne Clarke in Members present at the meeting, the Minutes of an Executive meeting held on 9<sup>th</sup> October 2023 be approved as a correct record.

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### NON-KEY DECISION

#### EX46-23/24            BUDGET MONITORING

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

As advised in the budget monitoring report for quarter 1, a number of Council services were transferred into Dragonfly from 1<sup>st</sup> of April 2023. These services were identifiable on appendices 2 and 4 to the report.

The Council would make payments to Dragonfly for the provision of these services in line with service level agreements which were in the final stages of preparation. A service level agreement was also being prepared for Dragonfly who would make payment to the Council for the support services they received, such as legal, payroll, HR, and finance.

Until these agreements were finalised, and the charging mechanisms put in place, the Council was operating with some budgets still on the Council's financial management system as well as being on the financial management system of Dragonfly. Budget managers were fully aware of this arrangement, and it had been made clear to them that they needed to ensure the budgets were only spent once during these few months of transition. For this reason, the BDC Dragonfly cost centres were showing favourable variances of £0.496m General Fund and £1.027m Housing Revenue Account. This would all be reconciled and finalised as part of the revised budget process.

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 on Appendix 1 to the report, (a net favourable variance of £1.579m against the profiled budget), and the key issues highlighted within the 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 (at Appendices 2, 3, 4, 5 and 6), be noted.

#### **Reasons for Recommendation**

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.

The Medium-Term Financial Strategy approved in July 2023, stated that it was the Council's intention to monitor the budgets of the services transferred into Dragonfly Developments as part of the budget monitoring process.

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### Alternative Options and Reasons for Rejection

The Budget Monitoring report for 2023/24 was primarily a factual report which detailed progress against previously approved budgets. Accordingly, there were no alternative options to consider.

## KEY DECISIONS

### **EX47-23/24                      REVISED BDC HOUSING ALLOCATIONS POLICY**

Executive considered a detailed report which sought Members approval to commence consultation on the draft revised housing allocations policy, and to grant the Assistant Director of Housing Management and Enforcement delegated powers, in consultation with the Leader, Deputy Leader and Portfolio Holder for Housing, to adopt the Allocations Policy in the absence of any substantive changes following public consultation.

It was a statutory requirement under Part VI of the Housing Act 1996, for local authorities to have an allocations policy in place which outlined how social housing located within their authority would be allocated. Statutory guidance on social housing allocations for local authorities in England set out how allocation schemes were to be framed - a summary of this guidance was outlined in the report.

The last full review of the Council's allocations policy was undertaken in 2019, and formally adopted in April 2020. This moved away from a points-based system to a band system.

As demand for social housing continued to rise, it was important that the housing allocations policy provided a genuine route to access housing for households in need. The criteria to determine access to the housing register and priority banding were important.

The report outlined a number of proposed changes to the existing allocations policy including the rationale, and also provided a proposed timeframe for completion of the public consultation. Full details were contained within the appendix 'summary of changes' document attached to the report. The changes proposed may mean that some households who did not have a housing need were no longer eligible to access social housing via the Council's Housing Register. A full equality impact assessment would be carried out as part of the consultation phase.

Following analysis and careful consideration of the consultation responses, a final updated policy would be presented to the Leader, Deputy Leader, and Portfolio Holder for Housing, for final approval and adoption.

Moved by Councillor Sandra Peake and seconded by Councillor John Ritchie  
**RESOLVED** that 1) the Council's Revised Allocations Policy be approved, and a public consultation process be carried out,

2) the Assistant Director of Housing Management and Enforcement be given delegated powers in consultation with the Leader, Deputy Leader, and

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Portfolio Holder for Housing, to adopt the Revised Allocations Policy in the absence of any substantive changes following consultation.

### **Reasons for Recommendation**

It is a statutory requirement that Councils have an allocations policy in place under Part VI of the Housing Act 1996. The policy needs to reflect changes in legislation and Government guidance as well as local requirements.

It is important that the policy is regularly reviewed to ensure that it remains fit for purpose and continues to ensure that the limited resource of social housing is allocated fairly, in line with legislation and with local and national priorities. The unprecedented demand on the housing register means the Council needed to ensure the policy balances the availability of resources with housing needs.

### **Alternative Options and Reasons for Rejection**

The policy is considered necessary so that members of the public are aware of the Council's position on allocations to ensure that the bands reflect the statutory housing need and that the policy is applied consistently.

The Assistant Director of Housing Management and Enforcement left the meeting.

**EX48-23/24**

### **AWARD THREE YEAR MOBILE PHONE AND DATA CONTRACT, PROCURED VIA NHS LONDON PROCUREMENT PARTNERSHIP FRAMEWORK AGREEMENT**

Executive considered a detailed report which sought Members approval to award a three-year contract for mobile phone and data services to EE/BT procured via the NHS London procurement partnership agreement.

The current mobile telephone and data contract had expired. BT had also issued a notice that the 3G network would be switched off in January 2024 and mobiles would likely need replacement before this deadline.

A procurement exercise was completed to secure a three-year mobile data contract with the existing mobile data supplier via the NHS London procurement partnership agreement framework. This was a three-year contract and included all the Council's devices, including those used by Dragonfly. There would be a recharge to Dragonfly for their relative share of the cost.

Moved by Councillor Clive Moesby and seconded by Councillor Duncan McGregor. **RESOLVED** that the three-year contract for mobile phone and data services be awarded to EE/BT.

### **Reasons for Recommendation**

The procurement was completed using the NHS London Procurement partnership agreement Framework.

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EE/BT are the existing supplier which will avoid the need to port existing numbers to another network or to replace the SIM cards / devices or APN.

### **Alternative Options and Reasons for Rejection**

To do nothing will cost the Council more money as currently spend is approximately £54,000 per year or £162,000 over 3 years on the existing mobile contract, this may continue to increase whilst out of contract.

The aggregated data tariff will not increase from 250mb to 1Gb per device, likely resulting in increased cost by exceeding the data allowance.

The Council would need to provide additional funds to replace devices as there would be no technical fund (£47,975) available on the existing contract.

To invite alternative suppliers to submit bids under the framework, this would:

- Incur porting (transferring) all 417 existing numbers to the new supplier, with potential disruption to service.
- May necessitate the replacement of all or some SIM cards and mobile phones, this would be a significant workload.
- Would not guarantee a better quality of service, signal coverage or cost.
- Result in increased costs to the Council during the procurement process.
- The frameworks complete comparisons to provide value for money and competitively priced tariffs from all suppliers.

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### **MANAGEMENT OF CORPORATE DEBT – WRITE OFF OF OUTSTANDING AMOUNTS**

Executive considered a detailed report which sought Member's approval to the proposed write-off of debts in respect of business rates, council tax, housing rents and overpaid housing benefits. The individual financial amounts for write off were detailed in an appendix to the report, and the Section 151 Officer provided further detailed exempt information in relation to the debts, at the meeting.

Moved by Councillor Clive Moesby and seconded by Councillor Duncan McGregor **RESOLVED** that the amounts included at 2.1 (£157,515.25) of the report, and individually detailed in Appendix 1 to the report, be written off.

### **Reasons for Recommendation**

Given that all available options to recover this debt have been explored, it is important that the Council recognises the position and approves the write-off of the uncollectable debt.

### **Alternative Options and Reasons for Rejection**

These are outlined in the main body of the report.

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### URGENT ITEM OF BUSINESS

#### **EX50-23/24            APPOINTMENT OF CONTRACTOR TO DELIVER HYPER-LOCAL NET ZERO INNOVATION PROGRAMME**

Executive considered a detailed report which provided details of a procurement exercise undertaken to appoint a contractor to deliver the Hyper-Local Net Zero Innovation [Business Support] Programme (NZIP) outlined in the UK Shared Prosperity Fund (UKSPF) Investment Plan for Bolsover. The report also sought Members approval to appoint Nottingham Trent University, which was the first-choice supplier following evaluation of tender submissions.

The Council's UKSPF Investment Plan included a commitment for provision of a Hyper-Local Net Zero Innovation [Business Support] Programme, to help develop businesses skills and understanding around Net Zero.

An Invitation to Tender (ITT) was issued on 4<sup>th</sup> September 2023, to commission a university partner with previous experience in delivering Net Zero innovation interventions to work with the Council to deliver the outcomes and objectives of the NZIP.

Two submissions were received in response to the ITT - Nottingham Trent University and Derby University. These two tenders were evaluated and scored on 13<sup>th</sup> October 2023, and following evaluation and a scoring exercise, Nottingham Trent University scored the highest, and as such, was the first-choice supplier.

As the decision on this item was urgent, the Chair of the Council had been informed of the decision to be taken and had agreed that it was not subject to call-in.

Moved by Councillor John Ritchie and seconded by Councillor Duncan McGregor  
**RESOLVED** that the appointment of the preferred supplier (Nottingham Trent University), and to enter into a contract agreement to be drafted and issued by Legal Services and managed by Dragonfly Management (Bolsover) Limited, be approved.

#### **Reasons for Recommendation**

To allow delivery of the UKSPF Hyper-Local Net Zero Innovation Programme to commence and prevent any unspent UKSPF monies being returned to Government after March 2025.

Dragonfly Management (Bolsover) Limited will manage the appointment and ongoing contract management of the first-choice supplier, based on the evaluation of tender submissions and results of the scoring matrix. This will enable the contract to be awarded and the supplier to start delivering against the contract.

The contract will commence 7<sup>th</sup> November 2023 until 31<sup>st</sup> March 2025.

#### **Alternative Options and Reasons for Rejection**

To deliver the Net Zero Innovation Programme in house, however this would result in the need to employ additional staff members. This would also mean a period of delay

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in the service provision as it would take time to recruit and appoint qualified staff. It is unlikely that the post would be attractive to suitably qualified recruits, as it would be a temporary post for less than two years.

To do nothing and return unspent UKSPF monies to Government.

The meeting concluded at 1035 hours.