

EXECUTIVE

Minutes of a meeting of the Executive of the Bolsover District Council held in the Council Chamber, The Arc, Clowne, on Monday 31st July 2023 at 1000 hours.

PRESENT:-

Members:-

Councillor Steve Fritchley in the Chair

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

Officers:- Karen Hanson (Chief Executive), Pam Brown (Service Director Executive, Corporate Services, Communications, and Partnerships), Jim Fieldsend (Service Director Governance and Legal Services and Monitoring Officer), Theresa Fletcher (Service Director Finance and Section 151 Officer), Victoria Dawson (Assistant Director of Housing Management and Enforcement), Sam Bentley (Service Manager (Environmental Health)), Katie Walters (Head of Property Services), Chris McKinney (Interim Head of Planning Policy) and Alison Bluff (Governance).

EX10-23/24 APOLOGIES

An apology for absence was received on behalf of Councillor Anne Clarke.

EX11-23/24 URGENT ITEMS OF BUSINESS

There were no urgent items of business to consider.

EX12-23/24 DECLARATIONS OF INTEREST

Minute Number	Member	Level of Interest
EX17-23/24	Councillor Steve Fritchley	Other registerable interest due to being a Member of Shirebrook Town Council
EX21-23/24	Councillor Steve Fritchley	Other registerable interest due to being a Director of Dragonfly Development Limited
EX18-23/24	Councillor John Ritchie	Other registerable interest due to involvement with Glapwell Cricket Club

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EX13-23/24 MINUTES – 26TH JUNE 2023

Moved by Councillor Duncan McGregor and seconded by Councillor Sandra Peake **RESOLVED** that the Minutes of an Executive held on 26th June 2023 be approved as a correct record.

NON-KEY DECISIONS

EX14-23/24 DISABLED FACILITIES GRANT APPLICATION

Executive considered a detailed report which sought Members' approval to provide additional funding as a top up to a mandatory Disabled Facilities Grant (DFG).

A mandatory grant had already been completed for the service user, however, remaining works to carry out bathroom adaptations to a suitable standard would take the total cost over the £30,000 maximum mandatory grant by £1,757.26.

The service user qualified for a mandatory DFG with no financial contribution to make, due to being in receipt of a 'passporting benefit.' He was an amputee with various health issues and lived in a private rented property. The landlord had given permission for all works to be completed to allow him to remain in his home safely and live with dignity.'

Executive had the power to award additional funding, however, this was discretionary, and a condition could be imposed which required the top up funding to be repaid within a fixed period if the service user chose to leave the property.

As the report noted and Members were aware that cost of materials and labour had increased significantly and it was becoming more common for standard DFGs to exceed the cost of the £30,000 maximum mandatory grant, which had been in place for many years.

Moved by Councillor Steve Fritchley and seconded by Councillor Duncan McGregor **RESOLVED** that a top up grant of £1,757.26 be awarded in this case, to cover the total costs of the remaining works.

(Joint Assistant Director, Environmental Health)

Reasons for Recommendation

The provision of top up funding by grant, would mean the service user could have the remaining works completed, making the works already completed worthwhile. As the value of the top up funding was quite low, this could be awarded as grant, negating the need to enter into charges and administrative duties which may make the total income versus costs negligible.

Alternative Options and Reasons for Rejection

Other sources of appropriate funding from charitable grants had not been identified.

The provision of top up Disabled Facilities Grant funding was discretionary.

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A condition could be imposed which required the top up funding to be repaid within a fixed period if the service user chose to leave the property.

The Service Manager (Environmental Health) left the meeting.

EX15-23/24 DRAFT COMMUNAL AREA MANAGEMENT POLICY FOR COUNCILS OWNED RESIDENTIAL PROPERTIES

Executive considered a detailed report which sought Members approval to adopt a proposed Communal Area Management Policy for Council owned residential properties.

The Council had several older persons housing schemes and general needs accommodation with communal areas within its housing stock. Inspections and fire risk assessments undertaken in 2021 revealed that many of these communal areas were being used to store personal items which could impede a fire escape as well as several items which were flammable in nature. The Council had a responsibility to ensure all these communal areas were accessible and free from hazards so that residents could exit safely and quickly in the event of an emergency.

A new Tenancy Agreement which took effect from 4th July 2022, specifically included a new, stronger clause on this issue; *“you must keep the communal areas clean and tidy and free of personal belongings and “you must keep the communal areas and fire exits free from anything likely to cause an obstacle to anyone, a fire risk and health and safety hazard or structural damage.”*

The draft Communal Area Management Policy was attached at Appendix 1 to the report. It applied to both internal and external communal areas in general purpose blocks of flats, older persons’ blocks of flats, and other types of communal areas, and supported the Council’s commitment to fire safety within those communal areas.

The Council would ensure that all communal areas were inspected on a regular basis by the Tenancy Management Team; any issues identified during these inspections would be recorded and appropriate enforcement action taken. A communal area poster, attached at Appendix 2 to the report, had been placed in all communal areas and a copy sent to all relevant tenants and leaseholders.

The draft Communal Area Management Policy had been considered and supported by the Tenant Participation Group, Member Development Group and Customer Services Scrutiny Committee, and changes had been made as a result of any appropriate feedback.

Moved by Councillor Sandra Peake and seconded by Councillor Mary Dooley
RESOLVED that the draft Communal Area Management Policy be approved and adopted.

(Assistant Director of Housing Management and Enforcement)

Reasons for Recommendation

Communal areas needed to be well managed, with clear escape routes that were free from obstacles or flammable items. Having a robust policy, increased resident safety,

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protected the Council when it took enforcement action, and allowed tenants and leaseholders to know the standard the Council expected.

Alternative Options and Reasons for Rejection

The Communal Area Management Policy was considered necessary so that members of the public were aware of the Council's position on communal area management and to ensure a fair and consistent approach was adopted at all locations.

EX16-23/24 DRAFT MOBILITY SCOOTER POLICY

Executive considered a detailed report which sought Members approval to adopt a proposed Mobility Scooter Policy for Council owned residential properties.

Inspections and fire risk assessments undertaken to several older persons housing schemes in 2021, revealed that many communal areas were being used to store and charge mobility scooters. This was an unacceptable health and safety risk and posed a risk of fire escape routes being blocked. On some occasions scooters had been seen outside of a property being charged via an extension lead through a window which was a recognised fire risk. A further survey visit undertaken in September 2021, found that mobility frames or wheelchairs were also being stored in communal areas.

A new Tenancy Agreement which took effect from 4th July 2022, specifically included a new clause; *"you must not keep or charge a mobility scooter in the communal area or communal gardens."* However, tenants were advised that the mobility scooter clause would not be actively enforced until a policy was in place and a solution identified regarding storage and charging.

The draft policy was attached at Appendix 1 to the report, and set out the requirement for written permission to be granted by the Council for both existing owners of scooters and those intending to acquire one; it would also ensure that owners of scooters had somewhere to safely store and charge them. An assessment would be undertaken before permission was granted and the Council reserved the right to withdraw permission at any time if a tenant/leaseholder did not adhere to the policy.

For information, a guide for Best Practice for Mobility Scooter Storage was attached at Appendix 2 the report.

Moved by Councillor Sandra Peake and seconded by Councillor Mary Dooley
RESOLVED that the draft Mobility Scooter Policy be approved and adopted.

(Assistant Director of Housing Management and Enforcement)

Reasons for Recommendation

The Mobility Scooter policy was considered necessary so that members of the public were aware of the Council's position on mobility scooters, the process that would be followed, and provided an appeals process where permission was refused.

Alternative Options and Reasons for Rejection

There were no alternative options given the reasons for recommendation above.

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

Having previously declared his interest in the following item of business, Councillor Steve Fritchley left the meeting.

EX17-23/24 REGENERATION OF SHIREBROOK TOWN CENTRE

Executive considered a detailed report which sought Members' approval for the transfer of £20,000 from the Transformation Reserves budget to the Planning Policy Town Centre Regeneration budget to aid with the delivery of Phase 1 of the Shirebrook Market Place: *REimagined* project. The report also sought Executive's consideration of the transfer of up to £20,000 to assist securing additional external funding for Phase 2 of the project.

Various regeneration schemes had been drawn up for Shirebrook and the District's other town centres in recent years but very few had been successful in securing external funding. From evaluation of these bids, one key obstacle to delivery of regeneration schemes had been the absence of worked up and 'shovel ready' proposals.

In September 2020, the Planning Policy and Housing Strategy team commenced work on the preparation of detailed proposals for Shirebrook town centre as a Local Plan town centre improvement project and this had led to the creation of the Shirebrook Market Place: *REimagined* proposals.

In June 2022, the Council commissioned Lathams Architects to provide technical design services to progress the design concept and inform the establishment of budgets to deliver the project on site. In addition, Latham's detailed technical design services had enabled the Council to cost up proposed resurfacing work. This had in turn enabled the Council to use the detailed design work and the cost plan to support bids for external funding to bring about the delivery of the project. The first funding bid was to the Valencia Communities Fund and the second to the Arts Council's Cultural Development Fund.

The funding bid to the Arts Council's Cultural Development Fund was unsuccessful, however, the funding bid to the Valencia Communities Fund's Large Grants Scheme was successful and the Council had been awarded a grant of up to the value of £90,588.

A delivery plan had now been prepared for an area in Phase 1 and this was outlined in red on the diagram at paragraph 1.12 in the report.

This successful outcome had made it possible to have discussions with other agencies and organisation to try to bring together a wider and combined package of investment in Shirebrook town centre. For example, following discussions with DCC, they would now seek to bring forward their proposals for a bus 'mobility hub' on Market Street at a time to dovetail with the Council's own work for the Phase 1 area. This would see improvements to bus shelters and the installation of real time bus information and greater display of information for bus users. It would also see some physical work around the bus shelters. Further, from discussions with the Bolsover Countryside

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Partnership Manager regarding the planned redirection of the Archaeological Way multi-user trail through Shirebrook town centre, it has been possible to integrate their funded proposals within the Market Place: *REimagined* project design. This was expected to see the multi-user trail run along Victoria Street and highway works to create the appropriate cycle lane infrastructure, as well as appropriate signage and marketing to attract visitors to the Market Place.

Consideration was also being given to submitting an expression of interest for funding from the Arts Council's Capital Investment Programme (Round 2), which seeks to support cultural organisations to adjust buildings, equipment, and other assets so they can operate safely post-pandemic and improve access, seize on technological opportunities, and reduce environmental impact. Whilst not an exact fit for the Shirebrook Market Place: *REimagined* project, given the project's vision included the proposal to establish wider event usage of the Market Place, such as music events, outdoor theatre / cinema, throughout the year, it may be a potential source of funding that it was worth exploring.

Members welcomed the report and noted that much consultation had taken place, particular with the Town Council.

Moved by Councillor Duncan McGregor and seconded by Councillor John Ritchie

RESOLVED that (1) £20,000 be transferred from the Transformation Reserves budget to the Planning Policy Town Centre Regeneration budget to aid with the delivery of Phase 1 of the Shirebrook Market Place: *REimagined* project and;

(2) up to £20,000 be transferred to the Planning Policy Town Centre Regeneration budget to assist securing additional external funding for Phase 2 of the project.

(Section 151 Officer/Interim Head of Planning Policy)

Reasons for Recommendation

The Council's success in securing funding from the Valencia Communities Fund was a benefit for Bolsover District and particularly for its efforts to bring about improvement to Shirebrook town centre and its Market Place and demonstrated that the approach to invest in developing detailed and costed schemes to inform funding bids worked and increased the chances of success.

To take this forward, the agreement of the Executive was sought to transfer a further £20,000 from the Transformation Reserves budget to the Planning Policy Town Centre Regeneration budget to aid with the delivery of Phase 1 of the Shirebrook Market Place: *REimagined* project.

In addition, the transfer of a further £10,000 to £20,000 funding to the Planning Policy Town Centre Regeneration budget should be considered given it would increase the chances of the Council in its efforts to enhance Shirebrook town centre.

Alternative Options and Reasons for Rejection

The option of not providing the £20,000 to aid with the delivery of Phase 1 of the Shirebrook Market Place: *REimagined* project would result in the Council losing the offer of funding from the Valencia Communities Fund. This would prevent the delivery

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of the Memorial Gardens and may hinder further bid opportunities with them as a funder. As a result, this option had been rejected.

The option of not providing a further £10,000 to £20,000 to support further funding bid work around to deliver the listed physical works, complementary activities to draw people to the Market Place and town centre management proposals would limit the work and priority the Planning Policy and Housing Strategy team could dedicate to this work area.

Councillor Steve Fritchley returned to the meeting.

Having previously declared his interest in the following item of business, Councillor John Ritchie left the meeting.

EX18-23/24 BUSINESS RATES MANDATORY AND DISCRETIONARY RATE RELIEF POLICY

Executive considered a detailed report which sought Members' approval for the revised Business Rates Mandatory and Discretionary Rate Relief Policy.

The Council had the power to award business rate relief under Section 44a, Section 47 and Section 49 of the Local Government Finance Act 1988.

The law governing the granting of discretionary rate relief was found in Section 47 of the 1988 Act, and subsequent amending legislation, and Section 69 of the Localism Act 2011.

The original revised policy was approved by Executive in May 2022. However, whilst operating under this policy it had become apparent that some of the criteria to receive the relief was too restrictive and difficult to evidence, thus, the policy had been reviewed, broadening the eligibility criteria.

The revised policy was attached at Appendix 1 to the report and showed the revisions as tracked changes.

Moved by Councillor Duncan McGregor and seconded by Councillor Clive Moesby
RESOLVED that the Business Rates Mandatory and Discretionary Rate Relief Policy be approved.

(Service Director Finance and Section 151 Officer)

Reasons for Recommendation

The Business Rates Mandatory and Discretionary Rate Relief Policy had been reviewed to broaden the eligibility criteria to ensure it is not too restrictive or difficult to evidence. The policy was presented to the Customer Services Scrutiny Committee on 24th July 2023 for comments.

Alternative Options and Reasons for Rejection

No alternatives found – the Council was required to have a Business Rates Mandatory and Discretionary Rate Relief Policy to operate the schemes.

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Councillor John Ritchie returned to the meeting.

EX19-23/24 CORPORATE DEBT 2022/23

Executive considered a detailed report which provided the Council's current position regarding corporate debt as of 31st March 2023.

The main sources of income for the Council's General Fund were business rates, council tax, a small number of government grants, and service-related income. The main source of income for the Council's Housing Revenue Account was dwelling rent (often referred to as 'housing rents'). Government grants were paid directly into the Council's bank account on agreed dates, so it was not necessary to include them on any of the debtor systems.

Bills for business rates, council tax and housing rents had to be requested, and this was carried out on a relevant system. Legislation was in place for each of these sources which determined the rules of collection.

For service-related income, invoices were raised on the sundry debtor system, which was a module of the Civica Financial Management System. Examples of types of income included, housing benefit overpayment, trade refuse, industrial unit rent, garage site rent, wardens' service and alarms, and leisure hire of facilities. This income was reported in two amounts with housing benefit overpayments identified from the rest.

Failure to collect debt would have a detrimental impact on the Council's financial position if sufficient bad debt provisions were not in place.

Table 1 in the report provided the sources of income for the Council as of 31st March 2023, and 2022 for comparison purposes. The figures showed an increase in income billed in the year for all sources. The increase in the NNDR (business rates) income was small because the general national non-domestic multiplier set by the Government to calculate bills was frozen at the 2021/22 level for 2022/23.

Table 2 in the report showed that in 2022/23 arrears had increased for NNDR, council tax, housing rents and sundry debtors, and were the highest they had been in recent years. The cost-of-living increases such as the high inflation rates during 2022/23, had affected arrears for individuals and businesses as they struggled to pay. As always, payment plans had been agreed to help debtors not get into arrears, if possible, however, recovery action would still be taken where necessary. Sundry debtor arrears fluctuated depending on whether large invoices were raised close to 31st March, but not paid until April.

Table 3 in the report showed the bad debt provision for each class of debtor at 31st March, for the last two financial years, and it was felt necessary to increase the provision again this year.

Table 4 in the report showed for 2022/23 the movement since the last financial year in the value of each source of income, the amount that was outstanding as arrears, and the bad debt provision which related to that source of income.

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Overall, in 2022/23 the Council had raised on its systems £5.357m (net) more in income. Arrears to the Council had increased by £1.949m but if the reductions in arrears for housing benefit overpayments were excluded, the increase was over £2m. Bad debt provision had been increased by £0.731m.

Indicators for debt collection were monitored through the 'Perform' system and reported at quarterly performance meetings. Targets for collecting income and reducing arrears for each class of debt were set and monitored.

The Portfolio Holder for Finance highlighted that as well as the cost-of-living crisis, the pandemic was still playing a part on businesses and individuals' ability to pay; and repayment arrangements were still being offered where necessary.

Moved by Councillor Clive Moesby and seconded by Councillor Duncan McGregor **RESOLVED** that the Council's Corporate Debt as of 31st March 2023 be noted.

Reasons for Recommendation

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

Alternative Options and Reasons for Rejection

The report was for information only.

EX20-23/24 MEDIUM TERM FINANCIAL STRATEGY

Executive considered a detailed report in relation to the Council's updated Medium Term Financial Strategy 2024/25 – 2027/28 (MTFS) prior to it being presented to Council for approval.

The MTFS was the starting point for developing a meaningful four-year strategy that set out the strategic intention for all the different strands of funding available to the Council. The Council would then rely on this to inform future decisions. The Medium-Term Financial Plan (MTFP) would be prepared using the approved MTFS assumptions.

Presently, the MTFS related purely to the General Fund as the Housing Revenue Account (HRA) assumptions were based on the 30-year Business Plan. The decisions for Members around the HRA dwelling rents and service charges would be provided to Council in the Medium Term Financial Plan in February 2024. The Medium Term Financial Strategy 2024/25 – 2027/28, for the General Fund was attached at Appendix 1 to the report.

The MTFS had been produced in a period where there remained a great deal of uncertainty regarding future funding of Local Government. The outcome of the Spending Review was critically important to the financial health and viability of local authorities across the country. The only prediction being made by external advisors with any certainty around the 2024/25 Spending Review, was that it would be another 1-year settlement. A possible general election in Spring 2024, meant there were unlikely to be any changes made this year; any changes made as a result of an election, could not be implemented by the Government until 2026/27 at the earliest.

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Once the details of the Spending Review were known, the implications for the Council would be included in the updated MTFP, which would be presented to Members in February 2024.

Members noted the excellent work of the Finance Team led by the Section 151 Officer. The Leader agreed and added that the Council had a good Strategy in place and knew where it was going.

Moved by Councillor Clive Moesby and seconded by Councillor Duncan McGregor **RECOMMENDED** that (1) the Council approve the Medium-Term Financial Strategy at Appendix 1 to the report,

(2) the Council continues to fund the General Fund revenue base budget from the full amount of New Homes Bonus (and related grants such as Services Grant) allocated by government,

(3) the strategic intention be set to continue to be a member of the Derbyshire Business Rates Pool while ever it was financially advantageous for the Council to do so,

(4) the strategic intention be set to raise Council Tax by the maximum allowed in any given year, without triggering a Council Tax referendum, to endeavour to continue to deliver services. (The actual Council Tax for any given year will be decided by Council in the preceding March),

(5) the Council maintains a policy of a minimum level of Balances for the General Fund of £2m.

(Section 151 Officer)

Reasons for Recommendation

To inform the MTFP process by providing strategic financial intention.

Alternative Options and Reasons for Rejection

Members could decide not to approve the MTFP. The MTFP would then be prepared on assumptions not agreed by Members and there could be a risk it would need to be amended in February 2024 if the assumptions used were not agreeable. By law, the MTFP must be approved prior to the beginning of the financial year to which the budget related; 31st March 2024.

Having previously declared his interest in the following item of business, Councillor Steve Fritchley left the meeting.

KEY DECISION

EX21-23/24 WOBURN CLOSE CLUSTER PRESTART COSTS

Executive considered a detailed report which sought Members' approval to use the Housing Revenue Account (HRA) budget 'New Build Evaluations,' to carry out demolition work at the Woburn Close Cluster scheme at Blackwell.

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The Independent Living Scheme (ILS) and bungalows at Woburn Close, Blackwell, were beyond their useful economic lives and would need to be demolished. There was still a demand in the area for affordable housing and it was intended that a new ILS with twenty self-contained flats be developed on the site together with a mix of 23 houses and bungalows, and a further 2 properties being built at a nearby disused parking area at Pendean Close.

The bungalows had been vacated in readiness for the demolition, however, this had attracted anti-social behaviour including break-ins at the bungalows. The ILS remained partially occupied by residents who intended to move to the newly developed ILS.

Planning permission had been obtained for Woburn Close and it was hoped to start on site in March 2024, subject to further approval from Executive, with completion of all properties approximately two and a half years thereafter.

To meet the target start date; Phase 1 demolition of the bungalows would have to take place before September 2023, due to the recommendations in the ecology report which stated that works to bungalows 13 and 14 must commence during the active season for bats (April to September), to avoid any potential disturbance to hibernating bats. If this date could not be met, demolition of the bungalows would not be able to take place until April 2024, and this would push the start on site date to June 2024. The costs for Phase 1 of the demolition works were £86,736.24.

Members agreed that works should start as soon as possible on the demolition process.

Moved by Councillor Sandra Peake and seconded by Councillor Duncan McGregor
RESOLVED that £86,736.24 is approved for the demolition of the bungalows at Woburn Close, Blackwell to start immediately, using the HRA budget for New Scheme Evaluations (H019).

Reasons for Recommendation

This expenditure had been endorsed by Dragonfly Development Ltd.

- To avoid delay relating to demolition ecology issues in starting on site.
- To save council tax on empty properties.
- To prevent anti-social behaviour.
- To replenish the BDC housing stock as soon as possible.

Alternative Options and Reasons for Rejection

Executive could choose not to support the request for funds, but this could delay the start on site, increase antisocial behaviour, which could have associated reputational and financial costs, increase empty property council tax liability, and could increase total costs if prices in the construction market increase over the time delay period.

The meeting concluded at 1030 hours.