

EXECUTIVE

Minutes of a meeting of the Executive of the Bolsover District Council held in the Council Chamber, The Arc, Clowne, on Monday 2nd December 2024 at 1000 hours.

PRESENT:-

Members:-

Councillor Steve Fritchley in the Chair

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

Officers:- Karen Hanson (Chief Executive Officer), Steve Brunt (Strategic Director of Services), Jim Fieldsend (Monitoring Officer), Theresa Fletcher (Section 151 Officer), Mark Giles (Assistant Director Streetscene), and Alison Bluff (Governance).

Also in attendance at the meeting were Junior Cabinet Members Councillor Phil Smith, and Councillor Jeanne Raspin (from during Minute No. EX65-24/25), Sarah Kay (Assistant Director Planning and Planning Policy), Neil Oxby (Principal Planning Policy Officer), Victoria Dawson (Assistant Director Housing and Enforcement), Joanne Wilson (Housing Strategy and Development Officer), Kath Drury (Information, Engagement and Performance Manager, Natalie Etches (Head of Business Growth, Dragonfly Development Ltd) and Sally Lovell (Business Estates Manager).

EX57-24/25. APOLOGIES

There were no apologies for absence.

EX58-24/25. URGENT ITEMS OF BUSINESS

The Chair advised of an urgent item of business to be considered: *Appointment of Contractor to complete flood mitigation works at Pleasley Vale Business Park*, which would be discussed after agenda item 10: Housing Strategy 2024-2029.

EX59-24/25. DECLARATIONS OF INTEREST

| Minute No. | Member | Level of Interest |
|------------|------------------------|------------------------------------|
| EX68-24/25 | Councillor Anne Clarke | As a Member on the Dragonfly Board |

EX60-24/25. MINUTES – 4TH NOVEMBER 2024

Moved by Councillor John Ritchie and seconded by Councillor Sandra Peake
RESOLVED that the Minutes of an Executive meeting held on 4th November 2024 be approved as a correct record.

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NON KEY DECISIONS

EX61-24/25. TENANCY STRATEGY 2024-2029

Executive considered a detailed report presented by the Portfolio Holder for Housing in relation to the Council's Tenancy Strategy which had been reviewed and updated.

The Tenancy Strategy 2024-2029 provided a framework for how social rented housing was provided in the District - it also linked with the Council's Housing Allocations Policy and Homelessness Code of Guidance, and outlined the Council's position on the following social housing reforms:

- Affordable Rent
- Flexible Fixed term Tenancies
- Discharge of Homelessness Duty by offer of accommodation in the private rented sector
- Mutual exchanges
- Succession Rights.

Amendments had been made to the Strategy to keep in line with current legislation and local changes.

Key wording included;

- Changes to Mutual Exchange as a result of the Social Housing (Regulation) Act 2023 and revised Consumer Regulations by Regulator of Social Housing
- Greater clarity on the scope of the Tenancy Strategy and the national and local legislative framework
- Updated Principles as a result of changes to the Council's Corporate Plan
- Clarification as to who is responsible for implementation and how the Strategy will be monitored/updated
- Expectations of Registered Providers
- A glossary of terms

In addition, the statistical data embedded in the Strategy had also been updated.

Registered Providers holding stock within the District had been consulted and given the opportunity to comment on the revised draft, and Customer Service Scrutiny Committee had also reviewed the revised Strategy. An updated Equality Impact Assessment would be carried out as part of the review.

Moved by Councillor Sandra Peake and seconded by Councillor John Ritchie
RESOLVED that the proposed amendments be approved and the refreshed Tenancy Strategy 2024-2029 be adopted.

Reasons for Recommendation

The Council was required to produce a Tenancy Strategy as per the Localism Act 2011, and to keep said document under regular review.

Scrutiny on the development of the revised strategy for 2024-2029 forms a core role of the Customer Services Scrutiny Committee.

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Alternative Options and Reasons for Rejection

An alternative option would be not to review the Tenancy Strategy, however, as the current strategy was outdated, this option was rejected due to the fact that the Council would not be fulfilling its legal duty.

EX62-24/25. COUNCIL PLAN TARGETS PERFORMANCE REPORT – JULY TO SEPTEMBER 2024 (Q2)

Executive considered a detailed report presented by the Portfolio Holder for Corporate Performance and Governance in relation to the Quarter 2 (July - September 2024) outturns for the Council Plan targets 2024-2028.

Out of the 33 targets, 32 (97%) were on track and 1 (3%) had yet to start. With regard to Dragonfly targets, Members' attention was drawn to the target for *Domestic Compliance in Independent Living Scheme (ILS) properties against Water Safety*, which had an outturn of 93% - this was below target due to the transitional period in relation to a new contractor following a procurement exercise, however, outstanding checks were prioritised for the following checking period.

In response to a Member's query regarding when the target *Work with partners to increase the supply, quality, and range of affordable housing to meet identified local needs*, would start, the Assistant Director Planning and Planning Policy advised Members that this target had a long lead in time as contact with all registered providers in the District would need to be made to discuss the supply of affordable housing in the District in accordance with the Council's Local Plan target.

In response to a Member's query regarding why some KPIs were below target, the Information, Engagement and Performance Manager, drew Members attention to the KPI Exceptions Note which provided an explanation for this.

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

EX63-24/25. GRANICUS GOVSERVICE CONTRACT RENEWAL

Executive's approval was sought to endorse the decision of the Chief Executive Officer to renew the Granicus GovService contract for a period of three years.

The GovService product from Granicus was managed and developed by the Joint ICT Service and provided the Customer Services team with their customer relationship

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management solution (CRM). The Portfolio Holder noted that further details of this product were included in the report.

Originally purchased in 2013, it had been continually improved and expanded over the years as the Council had progressed and improved its provision for customers and embraced new ways of working.

The Council's current contract was due to expire on 4th December 2024, however, the Council had been offered the opportunity to secure a new three-year contract on the GCloud 13 framework (soon to be replaced with GCloud 14) and this needed to be signed by mid-November.

In order to benefit from the lower price a decision needed to be made prior to this meeting of Executive, and therefore, the Chief Executive Officer used her delegated power to make the decision on 25th October 2024.

A full review of the contracts and a possible tender exercise was required in the near future to ensure the Council was receiving value for money, however, renewing the contract would allow the Projects and Development team ample time to work with service areas and fully research all options for a potential new system and, if required, migrate to a new solution.

Moved by Councillor Clive Moesby and seconded by Councillor Duncan McGregor
RESOLVED that the decision of the Chief Executive Officer to award a three-year Granicus GovService contract funded from the existing Joint ICT Service budget totalling £142,350 be endorsed.

Reasons for Recommendation

Signing the new GovService contract under the GCloud 13 framework would save the Council money and also allow to correctly plan and implement a new solution before the end of the proposed three-year contract. The Council would be able to continue to provide a good service for customers who wished to contact and transact with the Council.

Alternative Options and Reasons for Rejection

There were no alternatives. The report was seeking an endorsement to a decision that had already been made.

EX64-24/25. CIVICAPAY BOS CONTRACT RENEWAL

Executive's approval was sought to endorse the decision of the Chief Executive Officer to renew the CivicaPay Bos contract for a period of three years.

The Portfolio Holder for Resources noted the Council used CivicaPay to process any payment at a contact centre, over the phone, via the automated telephone line or online. The Council received around £12million per annum via these methods.

The current contract was due to expire on 21st November 2024, however, the Council had been offered the opportunity of a new three-year contract at a discount of £5k per year.

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In order to benefit from the lower price a decision needed to be made prior to today's Executive and, therefore, the Chief Executive used her delegated power to make the decision on 8th November 2024.

A full review of the contract and a possible tender exercise was required in the near future to ensure the Council was receiving value for money.

Moved by Councillor Clive Moesby and seconded by Councillor Duncan McGregor **RESOLVED** that the decision of the Chief Executive Officer to award a three-year CivicaPay Bos contract funded from the existing Joint ICT Service budget totalling £319,745 over the 3 years be endorsed.

Reasons for Recommendation

Signing the new CivicaPay Bos contract would save the Council money and also allow to correctly plan and implement a new solution before the end of the proposed three-year contract. The Council would be able to continue to provide a good service for customers who wished to make payments to the Council.

Alternative Options and Reasons for Rejection

There were no alternatives. The report was seeking an endorsement to a decision that had already been made.

EX65-24/25. MEDIUM TERM FINANCIAL PLAN REVISED BUDGETS 2024/25

Executive's approval was sought for the 2024/25 revised budget for the General Fund, Housing Revenue Account and Capital Programme.

As per the report, the Portfolio Holder for Resources noted that this was the second revised budget report presented to Members since Dragonfly began operating some services on the Council's behalf. However, the report was only concerned with the Council's services and therefore, did not include expenditure or income relating to the commercial activities of the Dragonfly company.

General Fund Revenue Account

Appendix 1 to the report showed the original budget for 2024/25 (approved by Council in January 2024), the current budget which reflected budget transfers and approved changes during the financial year, and the proposed revised budget for 2024/25.

Housing Revenue Account (HRA)

The Housing Revenue Account revised budget for 2024/25 was set out in Appendix 3 and 4 to the report. Expenditure on the HRA was showing a net decrease against current budgets of £0.075m. Income, in total, was £0.373m lower than the current budget. Appendix 4 detailed the net cost of each cost centre by Directorate.

Capital Programme

The Council's capital programme was shown in Appendix 5 to the report. It had been updated from the original budgets to reflect approvals within the year and the profiling of the individual schemes following approved changes by Members and from detailed discussions with budget officers.

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Insurance

Insurance premiums had increased for staff, premises and motor, and paragraphs 2.8 – 2.12 of the report provided more detail on the insurance position regarding Pleasley Vale Business Park.

Moved by Councillor Clive Moesby and seconded by Councillor Duncan McGregor **RESOLVED** that 1) the revised General Fund budget for 2024/25 as set out in Appendix

1 and detailed in Appendix 2 to the report, be approved,

2) the revised HRA budget for 2024/25 as set out in Appendix 3 and 4 of the report, be approved.

3) the revised Capital Programme for 2024/25 as set out within Appendix 5 of the report be approved.

Reasons for Recommendation

The purpose of the report was to set revised budgets as early as possible within the financial year to ensure that identified budget savings were realised, that all budget managers were working to the revised budgets and to allow any planned changes to be delivered.

Alternative Options and Reasons for Rejection

General Fund and HRA

Any surplus on the Council's two main revenue accounts will result in an increase in financial balances at the year-end which are available to protect services at a time of financial uncertainty in Local Government. It is proposed that additional resources would be transferred to reserves in preparation for future expenditure.

Capital

There are no alternative options being considered with regard to the proposed allocations from the Capital Programme budget as it ensures the Council's assets meet health and safety requirements in that they are maintained in a fit for purpose state that ensures they remain fully operational.

KEY DECISIONS

EX66-24/25. HOUSING STRATEGY 2024/29

Executive considered a detailed report presented by the Portfolio Holder for Housing in relation to the Council's Housing Strategy which had been reviewed and updated.

The revised Housing Strategy 2024/29 formed a plan on how the Council would work with partners in the public, private and voluntary sectors to enable housing growth across all sectors, and the quality and range of housing to meet resident's needs in the District including housing and support for the most vulnerable. The Strategy would also have a key role in helping to secure potential external funding for housing related projects across the District.

Within the new Strategy, corporate priorities relating to the Housing aim as set out in the Council's new corporate plan, would be carried forward.

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With regard to the consultation carried out, there were 56 respondents in total - 50% were owner occupiers, 20% Council tenants, and 14% private tenants. A limited response was received from parish councils and responses were not received from all of the District's wards. The questions asked and the full range of responses were set out in Appendix 2 to the report including the full set of results.

The Government had recently carried out a consultation on potential changes to the National Planning Policy Framework (NPPF) which included amendments to the calculation of the local housing need using the standard method. As part of the consultation, draft local housing need figures for all local planning authorities were produced utilising the proposed changes to the standard method and for Bolsover District, a draft local housing need of 404 dwellings per annum was identified. This was significantly more than the current Local Plan requirement of 272 dwellings per annum. If the proposed changes to the standard method were implemented, there would be implications for the local housing need requirement set out in the proposed Housing Strategy.

The Local Housing Needs Assessment had been extended to reflect the implications arising from the proposed changes to the standard method set out in the NPPF consultation. The initial evidence from the Assessment is that there remained a high level of need for affordable housing with an emphasis on rented affordable housing rather than affordable home ownership.

Members expressed their thanks to the Housing team and noted a lot of work had gone in to producing the Strategy.

Moved by Councillor Sandra Peake and seconded by Councillor Duncan McGregor
RESOLVED that the outcome of the public consultation be noted,

RECOMMENDED that Council approve the Housing Strategy 2024/29.

Reasons for Recommendation

The Housing Strategy forms part of the Council's Budget and Policy Framework and was considered a key strategic driver for the future of the District.

Alternative Options and Reasons for Rejection

The alternative option was to not have a Housing Strategy; however, this was rejected as the Strategy set out a clear housing plan which would be a key driver for housing growth in the District.

URGENT ITEM OF BUSINESS

EX67-24/25. APPOINTMENT OF CONTRACTOR TO COMPLETE FLOOD MITIGATION WORKS AT PLEASLEY VALE BUSINESS PARK

Executive's approval was sought to award a contract to P&D Environmental following a procurement exercise for delivering the scope of works required for flood mitigation works at Pleasley Vale Business Park.

Following storm Babet in 2023, significant flooding had occurred to the ground floor of Mill 1 due to the overflow from the millpond, and this had damaged the property of both

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the landlord and tenants. Damage was also caused to the electricity substation. Within Mill 3, the storm water had risen and broken through floor slabs rendering them unsafe and therefore unusable.

Beaumont Rivers, an environmental restoration company who specialise in nature recovery and water management techniques, has been appointed to oversee a flood mitigation and water management project and had identified opportunities to mitigate flood risk on site and reinstate some of the original drainage networks.

The full extent of the dam wall (146m) had been cleared by the Council's grounds maintenance team and this had enabled a more detailed assessment of the extent of works required by the reservoirs engineer and Beaumont Rivers. A scope of works had been agreed (attached at Appendix 1 to the report) which Beaumont Rivers would oversee.

A procurement exercise for the scope of works for phase 1 of the flood mitigation works had been completed and having reviewed the available risk management paperwork (method statements, quote contents and examples) and taking into consideration the budgetary pressures facing the Council, Beaumont Rivers had recommended P&D Environmental as the preferred tenderer, offering the best value for money.

Due to the urgent need to undertake the works, the Chair of Local Growth Scrutiny Committee had agreed that this should be treated as a matter of urgency and not be subject to the Scrutiny call-in process.

Moved by Councillor John Ritchie and seconded by Councillor Duncan McGregor
RESOLVED that 1) P&D Environmental be appointed to complete flood remedial works at Pleasley Vale Business Park,

2) the decision is reasonable in all the circumstances and should be treated as a matter of urgency.

Reasons for Recommendation

Beaumont Rivers had evaluated the two submissions received and undertaken the due diligence, and based on the findings of the evaluation had recommend P&D Environmental as the preferred supplier. The total budget for the works for phase 1 would be £497,000. P&D Environmental could mobilise and start work on site immediately.

Effectively managing flood risk and protecting the site from future extreme weather events was of paramount importance if the site were to continue operations. It was also important to establish a baseline of flood modelling to inform any future development proposals for the wider site, as any planning application would require detailed flood risk assessments to be undertaken as part of any application.

Alternative Options and Reasons for Rejection

An alternative option was only to complete works funded by the full and final settlement to reinstate following Storm Babet and not to invest in these preventative works. This option had been rejected due to the adverse impact of a flood event on the Mills, the Landlord, and its tenants.

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Having previously declared her interest in the following item of business, Councillor Anne Clarke left the meeting.

EX68-24/25. APPOINTMENT OF CONTRACTOR TO COMPLETE INSURANCE REMEDIAL WORKS AT PLEASLEY VALE BUSINESS PARK FOLLOWING STORM BABET

Executive considered a detailed report presented by the Portfolio Holder for Growth, which provided an update to Members on negotiations with the loss adjuster regarding the flood remediation works at Pleasley Vale due to significant damage caused by storm Babet in 2023.

The report informed of the final settlement figure, the value of the works to be undertaken by the Contractor and the difference to be funded through General Reserves, and also sought Members approval to award the contract to Dragonfly Development Ltd following a procurement exercise for delivering the scope of works required.

The Council's insurer and its loss adjuster had inspected the site and the damage caused and appointed consultants, Monaghans Ltd, to project manage scoping out the remedial works required and undertake the procurement to appoint a contractor. Four contractors were invited to tender for the works and responses were submitted from three suppliers with the results of the procurement exercise shared with the loss adjuster for review and approval.

Based on the findings of the evaluation, Monaghans submitted a report which recommended Dragonfly Development Limited (DDL) as their preferred supplier.

However, there was a shortfall between the settlement agreed with the loss adjuster and the Council's Insurance Officer of £56,351.29 for works required but which the insurer was not in agreement to cover as part of the claim and would need to be covered by the Council's General Reserves.

Moved by Councillor John Ritchie and seconded by Councillor Duncan McGregor **RESOLVED** that 1) Dragonfly Development Limited be appointed to complete flood remedial works at Pleasley Vale Business Park,

2) General Reserves be used to cover any financial shortfall between the full and final settlement and the actual cost of the full scope of works,

3) upon completion the £50,000 contingency unspent, be credited back to general reserves,

4) the decision was reasonable in all the circumstances and should be treated as a matter of urgency.

Reasons for Recommendation

It was concluded, following the procurement exercise undertaken by Monaghans and subsequent discussions with the loss adjuster, that Dragonfly Development Limited be appointed as the preferred supplier.

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Dragonfly Development Limited submitted the most cost-effective quote of the three submitted, which was within the initial estimate approved by the loss adjuster and they were identified as the most compliant tender with the lowest risk.

A general contingency of £50,000 had been included in these values to cover any unforeseen damage and cost increases such as discovery of asbestos whilst works were ongoing. Additionally, the £14,329.29 proposed by the loss adjuster to complete floor repairs was considered sufficient with any shortfall being covered by the contingency.

Dragonfly Development Ltd could mobilise and start work on site immediately.

Although a shortfall had been noted between the full and final settlement agreed with the loss adjuster and the cost of the scope of works identified, it was still expected that the full scope of works be completed as not doing so would have an adverse effect on the condition of the buildings and would incur additional revenue liabilities of the General Fund at a later date.

In addition, the already fractured relationship with affected tenants would suffer if the full scope of works were not completed and it would prove difficult to negotiate lease renewals with future rent increases. There was also a high risk of losing tenants who decided to look for premises elsewhere, plus securing new tenancies could become more challenging, both resulting in a negative impact on the overall revenue position of the Council.

Due to the urgent need to undertake the work, the Chair of Local Growth Scrutiny Committee had agreed that it should be treated as a matter of urgency and not be subject to the call-in process.

The Business Estates Manager and the Facilities Management Team within Dragonfly Development Management Limited, had worked tirelessly over the last 12-months since the flood event to ensure relationships with tenants had been maintained, services upheld, and pressure put on all parties to bring this to a conclusion. As a result of this, tenant levels had remained constant and revenue streams maintained throughout. The works being able to commence would be welcomed news to those tenants directly affected by storm Babet.

Alternative Options and Reasons for Rejection

Some risks were identified in the tender report, these could be seen in Appendix 3 to the report. However, despite the risks identified, Monaghans still recommended Dragonfly as their preferred supplier. This decision had subsequently been approved by the loss Adjuster.

An alternative option is only to complete works funded by the full and final settlement and not to use General Reserves to fund a shortfall. This option had been rejected due to the adverse effects set out in the report.

The meeting concluded at 1044 hours.