

COUNCIL

Minutes of a meeting of the Council of the Bolsover District Council held in the Council Chamber, The Arc, Clowne on Wednesday, 4 December 2024 at 10:00 hours.

PRESENT:-

Members:-

Councillor Tom Munro in the Chair

Councillors Rita Turner (Vice-Chair), David Bennett, Rowan Clarke, Mary Dooley, Will Fletcher, Louise Fox, Steve Fritchley, Justin Gilbody, Rob Hiney-Saunders, Cathy Jeffery, Chris Kane, Tom Kirkham, Duncan McGregor, Clive Moesby, Sandra Peake, Jeanne Rospin, Sally Renshaw, John Ritchie, Phil Smith, Emma Stevenson, Janet Tait, Ashley Taylor, Catherine Tite, Vicky Wappington, Jen Wilson, Carol Wood and Jane Yates.

Officers:- Karen Hanson (Chief Executive), Steve Brunt (Strategic Director of Services), Theresa Fletcher (Director of Finance & Section 151 Officer), Jim Fieldsend (Director of Governance and Legal Services & Monitoring Officer), Pam Brown (Director of Executive and Corporate Services), Sarah Kay (Assistant Director of Planning and Planning Enforcement), Angelika Kaufhold (Governance and Civic Manager) and Matthew Kerry (Governance and Civic Officer).

CL51-24/25 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Anne Clarke, Amanda Davis, Donna Hales, Duncan Haywood, Mark Hinman and Deborah Watson.

CL52-24/25 DECLARATIONS OF INTEREST

The following interests were declared:

| Minute Number | Member | Interest |
|---|-------------------------|---|
| CL56-24/25 Recommendations from the Employment and Personnel Committee | Councillor Stevenson | Emma Other Registrable Interest (Director of Dragonfly Development Limited and Dragonfly Management (Bolsover) Limited) |
| CL56-24/25 Recommendations from the Employment and Personnel Committee | Councillor Janet Tait | Other Registrable Interest (Director of Dragonfly Limited and Dragonfly Management (Bolsover) Limited) |

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| CL56-24/25 Recommendations from the Employment and Personnel Committee | Councillor Carol Wood | Other Interest (Director of Development and Management Limited) | Registrable Dragonfly Limited Dragonfly (Bolsover) |
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CL53-24/25 CHAIR'S ANNOUNCEMENTS

Over the last couple of months it has been my privilege to represent this Council at three particular events:

- The first of which was the 50th Anniversary of the Citizens Advice North East Derbyshire and Chesterfield branches which we part fund and that fact is very much appreciated. It was a very successful event and the only downside in terms of the news they had to impart was the disappointment of the loss of the amount of funding that they will continue to receive from Derbyshire County Council. Both North East and Bolsover Councils will continue to fund them at the same level as they have up to now.
- The second event I attended was the Bolsover / Bassetlaw Council for Voluntary Services Volunteers awards at the Creswell Wellbeing Centre where, as part of the awards our own Councillor Duncan McGregor was awarded a life-time achievement award for the following in the words of a Creswell resident:

"As a fellow local, I've had the privilege of witnessing the incredible change you've spearheaded in our community over the last 40 years. This BCVS Lifetime Achievement Award is not only well-deserved but perhaps overdue.

From the moment you first became a councillor—way back when God was a lad—you dedicated yourself tirelessly to serving others. Sitting on committees, attending countless meetings (many at unsocial hours), and putting in the unseen hard work, you've accomplished far more than words can fully capture.

Your resilience in the face of personal illness and family tragedy is truly inspiring. You've remained steadfast, continuing to work for the betterment of our community."

Honestly, this award could easily be called the "Two Lifetime Achievements Award," considering all you've done and endured.

Adding my voice to the many others: well, done, Duncan.

- The third event I want to report was my Civic Dinner which was held last Friday at the Creswell Events Centre, the first we have used that venue. The food was exceptional; really, really good. It was a fabulous evening we had really good entertainment and I am delighted to report that the event has raised £940.00 for my chosen charity this year which is the Chesterfield Royal Hospital Trust. So that is very pleasing news. I

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would like this opportunity to advertise that there is still another raffle that will be drawn on the 16th December when Whitwell Community Choir will be performing in the vestibule here during 12:00 and 13:00pm and there are still lots of lovely prizes to be won and lots of lovely tickets to buy from Nikki and Denise in the Partnerships Team office.

Finally, I would like to welcome the new Assistant Director for Street Scene responsible for Community Safety and Enforcement Mark Giles.

CL54-24/25 MINUTES

Moved by Councillor Duncan McGregor and seconded by Councillor Rita Turner
RESOLVED that the minutes of a meeting of Council held on 9 October 2024 be approved as a true and correct record.

CL55-24/25 QUESTIONS FROM THE PUBLIC

In accordance with Council Procedure Rule 8, members of the public were able to ask questions to an Executive Member about the Council's activities.

(A) Question submitted to Councillor John Ritchie, Portfolio Holder Growth by Mr Dominic Webb:

"Do the Dragonfly Group of Companies, individually or together, present a material risk to the Council either financially or reputationally?"

Councillor John Ritchie responded to the question as follows:

"I thank Mr Webb for his question to Council on the possibility of any risks being posed to Bolsover District Council by its wholly owned companies, Dragonfly Development Limited and Dragonfly Management Limited.

As a responsible authority we take seriously our duty in protecting the Council's interests in everything we do and looking after our wholly owned companies are no different. Indeed given what has happened in Croydon, Thurrock and Nottingham City to mention just three, we are even more on the ball.

The Council manages risk in everything it does. Indeed, there is a Risk Management Strategy and Risk Management Group which oversees the continuous assessment of corporate strategic risks. The Council is also required to publish its

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Annual Governance Statement and work closely with its external auditors who scrutinise the Council's finances, governance and decision making very closely.

Full governance arrangements for the Council's companies are in place and the Council sought expert advice when setting these up to ensure they are fit for purpose. A Shareholder Agreement has been developed and signed, together with a Service Level Agreement. Dragonfly has in place the required Board of Directors for both companies and the Council has the Shareholder Board. The Shareholder Board looks after the Council's interests and that of our residents because the Council is sole shareholder, it figures that all our residents are also shareholders, with a small 's' if you like.

The Shareholder Board has a role to ensure everything is all right and training has taken place.

Various documents like:

- *The Bolsover District Council and Dragonfly Shareholder Agreement and Service Level Agreement.*
- *The initial Business Case which was prepared to enable the companies to be established.*
- *The CEO Blueprint on having a wholly owned Company within the authority.*
- *The Local Authority Company Guidance Review.*
- *The Council Governance arrangements.*
- *The Nolan Principles.*
- *The Cadbury Review.*
- *The Higgs Review.*
- *The Code of Conduct for Board Members of Public Bodies.*
- *Guidance checklist for elected Members on the Shareholder Function. These are all learning points for the Shareholder Board to make sure they are doing exactly what they need to be doing.*

The Shareholder Board has a responsibility to ensure the right decisions are being made and the right scrutiny is undertaken, and it is with this in mind that the Shareholder Board have agreed an overarching independent review of the Council's arrangements and interactions with the wholly owned companies.

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It should stop questions like this to Council because you can rest assured, we want Dragonfly to succeed and as the custodian of the two Companies, it would be irresponsible to see it cause financial problems for the authority and ultimately the taxpayer. We would be asleep on the job should that occur and I can tell you Mr Webb that is certainly not the case.

Thank you Chair.”

In accordance with Council Procedure Rule 8.8, Mr Dominic Webb put the following supplementary question:

“Thank you for that answer it was a lengthy answer I think the question needed just a simple yes or no of which I note you actually didn’t say yes or no but reminding myself I am meant to be asking a question. You mentioned that there is to be a review into the Dragonfly arrangements. On the 4th October the Monitoring Officer confirmed to me that the scope of the review had still not been defined but that the intention was to instruct an independent body to undertake the review and in light of the council now, and I am thankful that the council have published as such all the board minutes for both Dragonfly companies it is clear that there is conflict between the Council and the Dragonfly Directors over whether this review should be independent or should be internal. Will the Council commit today that the review into Dragonfly will be done by an independent third party and when will those results be made available to the public?”

Councillor John Ritchie, Portfolio Holder for Growth made the following response:

“I can answer today because I have answered already that there will be an overarching independent review of the interaction between the Council and the companies. When exactly that will happen, it will be after Christmas now obviously but it will be an independent overarching review.”

Councillors Emma Stevenson, Janet Tait and Carol Wood left the meeting prior to the start of the next item having previously declared an interest.

CL56-24/25 RECOMMENDATIONS FROM THE EMPLOYMENT AND PERSONNEL COMMITTEE

Council considered a report of the Employment and Personnel Committee presented by Councillor Duncan McGregor (Chair), which sought agreement for budget increases for the establishment of a permanent Housing Options Triage Officer and a second Corporate Property Officer in the Dragonfly Facilities Management Service.

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The following proposals were agreed and recommended to Council for approval at the meeting of the Employment and Personnel Committee held on 6th November 2024:

- The establishment of a permanent Housing Options Triage Officer which would be funded from the unspent homeless prevention grant and general fund reserve for the remainder of 2024/25 and 2025/26. Then from April 2026/27 funding for this post be met from the general fund and was job evaluated at grade 6 with an annual cost of £38,810 (including on-costs and subject to pay awards).
- The creation of a second permanent Corporate Property Officer for the Facilities Management Service at Dragonfly Limited. The costs for this post were £43,033 to £46,657 at grade 7 (including on-costs and subject to pay award) with the intention of achieving reductions in expenditure of £30,500 as a minimum.

Moved by Councillor Duncan McGregor and seconded by Councillor John Ritchie and following a vote

For the motion: 25

Against the motion: 0

Abstentions: 0

RESOLVED that the increase in salary budgets as recommended by the Employment and Personnel Committee on 6th November 2024 be approved.

Councillors Emma Stevenson, Janet Tait and Carol Wood returned to the meeting.

CL57-24/25 LONG-TERM EMPTY PROPERTIES PREMIUM

Council considered a report presented by Councillor Clive Moesby Portfolio Holder for Resources, which sought approval for the introduction of a premium on top of the standard Council Tax charge for long-term empty properties to act as an incentive to bring empty homes back into use and occupation. There was a shortage of housing stock in the United Kingdom and this legislation provided district and unitary councils discretionary powers to charge a premium above the standard council tax on properties that have been unoccupied and substantially unfurnished for a significant period of time. This was known as the Empty Properties Premium. Members attention was drawn to the information in the report and Councillor Moesby made specific reference to the following:

- The number of years the property was empty and maximum premium that could be charged in Table 1.
- The exemptions from Council Tax by virtue of the Council Tax (Exempt Dwellings) Order 1992 (as amended) as detailed in Appendix 1 to the report for example an individual working abroad as part of the armed forces.

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- The additional exemptions arising from the Council Tax (Prescribed Classes of Dwellings and Consequential Amendments) (England) Regulations 2024 which came into force on 1st November 2024.

Bolsover District Council was one of the few councils that had not charged the premium. The intention was to encourage owners to bring back their properties into use, increase the supply of available housing and reduce the potential impact of anti-social behaviour associated with some empty properties. It was proposed to implement this from April 2026 to provide sufficient notice to ensure potential affected parties to be made aware of the premium, but also to give them sufficient time to bring their properties back into beneficial use.

It was confirmed that the empty homes premium applied to unoccupied and substantially unfurnished homes which had been empty for six months or more. Second homes were not included and there was no statutory definition on what was classed as furnished or unfurnished. It would be a matter for officers to inspect premises and decide whether it could be lived in as it stood in which case the premium would not apply.

Moved by Councillor Clive Moesby and seconded by Councillor Duncan McGregor and following a vote

For the motion: Unanimous

Against the motion: 0

Abstentions: 0

RESOLVED that (1) the Empty Homes Premium be introduced with effect from 1st April 2026;

(2) the maximum Empty Homes Premium permitted under legislation be introduced as follows:

(a) Where the property has been “unoccupied and substantially unfurnished” for 1 year but less than 5 years, a 100% premium Council Tax rate will apply subject to the statutory exemptions. (This means that the owner would be liable to pay twice the normal rate, 200% as a percentage of the standard bill).

(b) Where the property has been “unoccupied and substantially unfurnished” for 5 years but less than 10 years, a 200% premium Council Tax rate will apply subject to the statutory exemptions. (This means that the owner would be liable to pay three times the normal rate, 300% as a percentage of the standard bill).

(c) Where the property has been “unoccupied and substantially unfurnished” for at least 10 years, a 300% premium Council Tax rate will apply subject to the statutory exemptions. (This means that the owner would be liable to pay four times the normal rate, 400% as a percentage of the standard bill).

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CL58-24/25 HOUSING STRATEGY 2024-2029

Councillor Sandra Peake, Portfolio Holder for Housing, introduced a report which provided details relating to the outcome of the consultation on the proposed Housing Strategy 2024-2029, and which sought approval for the revised Housing Strategy 2024-2029.

It was confirmed that the Council's current Housing Strategy 2021-24 was due to expire in 2024 and the Housing Strategy Team had gathered District profile data and commissioned the Local Housing Needs Assessment jointly with Chesterfield Borough Council. The assessment would consider the overall need for housing, the different types of homes and the needs for different groups within local communities including affordable housing.

Public consultation was held during the summer and responses were received from parish councils but not from all the District's wards, details were included in the report.

The new Housing Strategy 2024-2029 would carry forward the corporate priorities relating to the Housing aim as set out in the Council's new corporate plan – Bolsover District The Future.

- Priority 1 – providing good quality housing which included building more council housing and being a decent landlord.
- Priority 2 – enabling housing growth which covered strategic housing growth and working with the East Midlands Combined County Authority.
- Priority 3 – supporting vulnerable and disadvantaged people which covered all aspects relating to homelessness, supported housing and delivering solutions to the district's vulnerable residents. This also supported one of the Council's 'Customer' priorities.
- Priority 4 - maintaining and improving property and housing management standards to ensure that standards and living conditions in the district contributed to better health outcomes for all. This included all sectors of housing.

The Housing Strategy falls with the Council's Budget and Policy Framework and was considered to be a key strategic driver for the future of the district. Once adopted an action plan would be produced to deliver the strategy.

Councillor Will Fletcher stated that whilst he noted there was agreement in the consultation to the proposals there was a lower level of agreement for priority 2 enabling housing growth. Given that the government was consulting on higher housing targets how could meaningful consultation be assured so residents felt heard as to where that housing should go?

It was confirmed that the Council had a Statement of Community Involvement which

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highlighted how it would carry out consultations with the public. Engaging with communities extensively and multiple times with planning documents and often holding public drop-in sessions. Communities also self-promoted and the Council encouraged parish councils to promote when public sessions were held and that this would continue for any future Local Plan and Growth Plan consultations.

Councillor Tom Munro as Chair of Council and the Planning Committee stated he welcomed the report and that it stated it was interesting and helpful particularly appendix 1. It was reported in the press that there was evidence that the Minister for Housing and Local Government would be reviewing the whole concept of much higher housing targets given that over 75% of local authorities had made representations challenging these targets and that there wasn't the land available. It was possible that more realistic targets may be published in the new year. He stated that Bolsover District should be justifiably proud of the fact that it was building more council houses and affordable housing than any other area in the United Kingdom.

Moved by Councillor Sandra Peake and seconded by Councillor Duncan McGregor and following a vote

For the motion: Unanimous

Against the motion: 0

Abstentions: 0

RESOLVED that the Housing Strategy 2024-2029 be adopted.

CL59-24/25 PLEASLEY VALE REGENERATION PROJECT - UPDATE

Councillor John Ritchie, Portfolio Holder for Growth presented a detailed report which provided members with an update on the Pleasley Vale Regeneration Project including the scope of works required with costs to remediate the damage and repairs required, proposals to mitigate the risk of future flooding and proposed works as detailed in Appendix 1 to the report.

Members were advised that this report follows on from the two reports considered by the Executive on Monday 2nd October 2024 to remediate the damage caused by the floods in October 2023 but also to look at the possibilities for Pleasley Vale in the longer term.

Pleasley Vale Mills was in a conservation area but the mill buildings were not listed however the cottages at the entrance of the Vale were Grade II listed and included on the "at risk register" although there was little funding available for either. There was no sinking fund and parts of the Mills were at the end of their economic life including the lifts, fire alarm system with some structural issues in the stable block and parts of building such as roofs and windows. The occupancy rate was over 80% and the income generated provided a positive contribution to the general reserve of over £100,000 per annum.

Due to the extensive nature of the works required across the Business Park Council was asked to approve the appointment of an experienced Building Surveyor/Contracts Administrator to oversee and manage contractors across the site. This person would also be required to prepare a full schedule of work which would come back to members. The

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full extent of the works and anticipated costs were detailed in paragraph 3.19 of the report.

Moved by Councillor John Ritchie and seconded by Councillor Duncan McGregor and following a vote

For the motion: Unanimous

Against the motion: 0

Abstentions: 0

RESOLVED that (1) the continued investment in Pleasley Vale Business Park and Conservation Area aligned to the Corporate 'Economy' priority be endorsed;

(2) approval be given for the use of reserves to fund the works to the value of £428,537 as presented in the table at 3.19 in the report;

(3) approval be given for the Section 151 Officer to trawl the already approved reserve funded schemes to identify if any were no longer required and could be used to fund the shortfall of £342,462 or failing that to approve the additional borrowing necessary to fund the gap for the additional capital works and surveys as identified in the report, subject to further reports being presented to the Executive following appropriate procurement exercises; and

(4) delegated authority be given to the Chief Executive Officer to establish the post and budget of a Building Surveyor / Contracts Administrator into the Property Services Team of DMBL, to manage and oversee the building works and repairs at Pleasley Vale Business Park.

CL60-24/25 CHAIRMAN'S CLOSING REMARKS

The Chair reminded members that on the 16th December 2024 between 12 and 1pm there would be a performance by Whitwell Community Choir in the entrance of the Arc and the raffle would be drawn.

Councillor Steve Fritchley Leader of the Council made a statement to Council in relation to the investigation findings of the Members Code of Conduct complaint made against him in June 2023 which will be presented to the Standards Committee.

The meeting concluded at 10:48 hours.