

EXECUTIVE

Minutes of a meeting of the Executive of the Bolsover District Council held as a Virtual Meeting and Live Streamed on Monday, 29th June 2020 at 10:00 hours.

PRESENT:-

Members:-

Councillor Steve Fritchley in the Chair

Councillors Duncan McGregor (Deputy Leader), Nick Clarke, Mary Dooley, Clive Moesby, Sandra Peake, Liz Smyth and Deborah Watson.

Officers:- Karen Hanson (Joint Director of Environment and Enforcement), Lee Hickin (Joint Director – Corporate Resources and Head of Paid Service), Grant Galloway (Director of Development), Sarah Sternberg (Solicitor to the Council & Monitoring Officer), Theresa Fletcher (Head of Finance and Resources & Section 151 Officer), Chris Fridlington (Assistant Director of Development), Pam Brown (Head of Leader's Executive and Partnerships), Nicola Calver (Governance Manager) and Donna Cairns (Senior Governance Officer).

EX1- APOLOGIES FOR ABSENCE

20/21

There were no apologies for absence.

EX2- URGENT ITEMS OF BUSINESS

20/21

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

EX3- DECLARATIONS OF INTEREST

20/21

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

There were no declarations made at the meeting.

EX4- MINUTES

20/21

Moved by Councillor Duncan McGregor and seconded by Councillor Steve Fritchley
RESOLVED that the minutes of a meeting of Executive held on 9th March 2020 be approved as a true and correct record.

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NON KEY DECISIONS

EX5- 20/21 REVOCATION OF TWO AIR QUALITY MANAGEMENT AREAS IN BARLBOROUGH

Executive considered the report of the Portfolio Holder – Environmental Health and Licensing which sought authorisation under the Environment Act 1995 to revoke two Air Quality Management Areas (AQMA), namely The Barlborough No 1 Air Quality Management Area and the Barlborough No 2 Air Quality Management Area.

The Council had been monitoring Nitrogen Dioxide concentrations in the AQMA around 14 Chesterfield Road, Barlborough since August 2005 when it was identified that the area had an annual mean Nitrogen Dioxide concentration above the national Air Quality Objective. For the past 7 years the concentrations had fallen to a level well below the 40 µg/m³ standard.

In 2007, a further exceedance of the annual mean Air Quality Objective had been identified in the Barlborough area and another AQMA was declared at 17-25 (odd numbers only), Orchard Close, Barlborough. Monitoring at this location had similarly confirmed that the concentrations over the past 7 years had been well below the 40 µg/m³ Air Quality Objective.

Due to the prolonged period that the concentrations had been significantly below the Air Quality Objective in both the AQMAs, the Council was confident that the reduction was permanent and not due to annual variations as a result of, for example, meteorological conditions.

Following consultation, it was therefore proposed that the two AQMAs be revoked.

It was noted that monitoring would continue to take place in both areas for the foreseeable future.

Moved by Councillor Deborah Watson and seconded by Councillor Steve Fritchley
RESOLVED – That Executive approve the making of Orders revoking the Barlborough No1 Air Quality Management Area and the Barlborough No2 Air Quality Management Area.

REASON FOR DECISION:

The air quality in both the Barlborough No1 and Barlborough No2 Air Quality Management Areas had been well within the National Air Quality Objectives for at least the last five years and had shown a gradual reduction over that period. There was no indication or reason to believe that air quality in these areas would have worsened in the foreseeable future.

OTHER OPTIONS CONSIDERED:

The only alternative would have been to keep the Air Quality Management Areas (AQMA) in place. There was no justification for this as the purpose of an AQMA was to enable actions to be prioritised by the local authority to tackle high levels of Nitrogen Dioxide exceeding the annual mean Air Quality Objective.

(Director of Environment and Enforcement)

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EX6- ANNUAL STATUS REPORT FOR AIR QUALITY IN 2019 20/21

Executive considered the report of the Portfolio Holder – Environmental Health and Licensing which presented the 2019 Annual Status Report for Air Quality in Bolsover District, which had been submitted to the Department for Environment, Food and Rural Affairs (DEFRA).

The report set out the Council's Local Air Quality Management duty and the standards against which air quality was assessed.

The Council was operating a programme of monitoring for Nitrogen Dioxide using passive diffusion tubes at more than 20 selected locations across Bolsover District.

The Council had in the past identified three areas that were in exceedance of the annual mean Air Quality Objective for Nitrogen Dioxide. These were:

- Carter Lane East, South Normanton (12 dwellings)
- Chesterfield Road, Barlborough (1 dwelling)
- Orchard Close, Barlborough (5 dwellings)

The latter two were to be revoked, as resolved under the previous agenda item.

Members commented that air quality in South Normanton needed to be closely monitored, and raised issues around Junction 28, the M1 motorway and the A38 in particular.

Members queried the level of funding received from the Government to undertake a feasibility study to evaluate measures that would bring compliance with the EU Air Quality Directive for a short stretch of the A38 at South Normanton. The Director of Environment and Enforcement informed Members that the funding was approximately £500-600k, but she would find out the exact figure.

The Director of Environment and Enforcement also confirmed that air quality monitoring at South Normanton would continue indefinitely.

Consultation with parish councils was raised as Members noted they had not received information on air quality at their parish council meetings. The Director of Environment and Enforcement agreed to look into this.

The use of 60mph speed limits on the basis of air quality measures on the M1 was discussed and Members were informed that the theory behind the limit was to keep traffic moving continuously but at a slower speed. Members debated whether smart motorways were having the desired effects.

It was noted that the AQMA at South Normanton was being kept in place in part due to the need to continue monitoring on the impact of the smart motorway and it was hoped that an update would be provided in the next 12 months.

Moved by Councillor Deborah Watson and seconded by Councillor Duncan McGregor
RESOLVED – That the content of the Annual Status Report for Bolsover District Council be noted.

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REASON FOR DECISION:

Publication of the Annual Status Report was a statutory duty and the format of the document was prescribed.

OTHER OPTIONS CONSIDERED:

There were no alternative options as the report was a statutory requirement.

(Director of Environment and Enforcement)

EX7- ENVIRONMENTAL HEALTH SERVICE UPDATE 20/21

Executive considered the report of the Portfolio Holder – Environmental Health and Licensing which provided an update on the Environmental Health Service, including service improvement interventions and progress with the ongoing service review. The update also reported on business continuity experiences and the role of the Joint Environmental Health Service during the COVID-19 pandemic lockdown and highlighted the potential for new ways of working to contribute to future efficiency and service improvement, reflecting on lessons learned during the lockdown period.

Members recognised the significant improvements made in the Environmental Health Service, and the bringing up to date of outstanding areas of work such as inspections. It was noted that further work was required to sustain levels of performance and to put a permanent workforce in place where there were temporary arrangements at present.

It was discussed that the new ways of working referred to the use of technology and systems/processes. Staff had not been issued with new job descriptions and did not need to reapply for their jobs.

In relation to support for local people during the Coronavirus pandemic, it was queried whether support would continue when the Government's shielding programme comes to an end. The Leader and the Director of Environment and Enforcement confirmed that the Council would continue to provide support as long as it was needed. It was commented that the Council had always been there to help, and the Leader was mindful of the effect of the pandemic and the lockdown on communities, isolation, and the impact on vulnerable people.

Moved by Councillor Deborah Watson and seconded by Councillor Duncan McGregor

RESOLVED – That –

- (1) The achievements of the Joint Environmental Health Service be noted.
- (2) A final Service Review report, including a detailed 2020-23 Environmental Health Improvement Programme, be presented to Executive, pending conclusion of job evaluation and staff consultation.
- (3) A further report on new ways of working and lessons learned for the Council be presented to Executive by October 2020.
- (4) A business case be developed, in collaboration with ICT, with regard to tools and solutions required to support new ways of working within the Joint Environmental Health Service.

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REASON FOR DECISION:

The implementation of efficiency and process changes, combined with the use of agency staff and a secondment arrangement from a neighbouring local authority, enabled the Joint Environmental Health Service to complete the 2019/20 Food Safety Inspection programme, clearing the backlog of overdue interventions.

During the COVID-19 crisis the Environmental Health Service adapted to changes in demand and through new ways of working was able to maintain service delivery, protect public health and support business.

A range of interventions and service improvements, along with additional investment in the Service, was essential to secure and maintain acceptable service delivery.

OTHER OPTIONS CONSIDERED:

Maintaining traditional ways of working within Environmental Health and not progressing planned interventions and improvements was rejected as the Joint Service faced challenges with the delivery of statutory services. Experience during the lockdown period had also demonstrated that new ways of working had the potential to contribute to efficiency and service improvement.

The potential risks to public health, the reputational risks arising through external scrutiny and the inability to meet Member expectations through effective environmental enforcement, were such that maintaining the status quo was rejected as an option for consideration.

(Director of Environment and Enforcement)

KEY DECISIONS

EX8- FINANCIAL OUTTURN - 2019/20 20/21

Executive considered the report of the Portfolio Holder - Finance and Community Safety which informed Members of the outturn position of the Council for the 2019/20 financial year.

It was noted that the draft statement of accounts had been published on 28th May 2020. The draft statement of accounts was subject to the independent audit from the Council's external auditors, Mazars.

The report set out the position in respect of the General Fund, Housing Revenue Account and Capital Programme outturns, which were detailed in appendices to the report.

In respect of General Fund balances, the level had increased to £2.261m which was considered to be at an acceptable level for a district council. With only a limited level of General Fund reserves it was considered crucial that the Council continued to maintain robust budgetary control while securing its ongoing savings targets in order to safeguard both its reserves and its financial sustainability.

The main feature of the 2019/20 financial year was that the Council transferred £1.595m to Earmarked Reserves in preparation for future expenditure.

With regard to the underlying favourable variance on the General Fund in 2019/20, this

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was to be reviewed as usual during the budget process for 2020/21 - 2024/25, from October 2020 onwards.

The outturn position of the Housing Revenue account and the position of the Capital Programme were outlined in the report. Carry forward amounts in relation to the Capital Programme were proposed due to individual schemes that were still in progress, where there were outstanding commitments, or where the schemes had been delayed. The proposed carry forward amount was £6.582m.

The Council's treasury management activity for 2019/20 was also summarised in the report.

The Portfolio Holder commented on the requirement for the Council to provide information on its financial position to the Ministry of Housing, Communities and Local Government on a Covid-19 return, and that the impact of the coronavirus pandemic continued to be closely monitored, with significant work being directed to supporting the local economy.

Members requested additional information on some specific areas of the Council's accounts, including the level of progress on the Safe and Warm scheme installation of new boilers, and what the Special Services covered under the HRA scheme.

The Director of Development advised Members that the programme of replacement boilers was well in hand. The Head of Finance and Section 151 Officer agreed to provide further details of the HRA Special Services after the meeting.

Members praised the proposal for £80,000 to be made available to parish councils to hold community events following the end of the coronavirus lockdown and social distancing restrictions. It was noted that this funding would only be available until the end of this year.

Moved by Councillor Clive Moesby and seconded by Councillor Duncan McGregor
RESOLVED – That -

- (1) The outturn position in respect of the 2019/20 financial year be noted.
- (2) Executive approve the transfers to various earmarked reserves of £1,595,013 as outlined in detail in paragraph 1.6 of the report, including the £80,000 of the in-year surplus to be made available in 2020/21 for a 'Parish and District - end of pandemic/VJ Day commemoration project'.
- (3) Executive approve the proposed carry forward of capital budgets detailed in Appendix 4 to the report totalling £6.582m.

REASON FOR DECISION:

To consider the financial outturn position of the Council for 2019/20 and its implications for future years' budgets.

OTHER OPTIONS CONSIDERED:

As the financial outturn report was fundamentally a factual report giving details of the outcome of previously approved budgets there were no alternative options that were considered.

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The allocation of resources to earmarked reserve accounts had been undertaken in line with the Council's policy and service delivery framework and in the light of the risks and issues facing the Council over the period of the current MTFP. If these risks were not to materialise or were settled at a lower cost than anticipated then the earmarked reserves would be reassessed and returned to balances where appropriate.

(Head of Finance & Section 151 Officer)

EX9- MINOR PAINTING WORKS SERVICE 20/21

Executive considered a report of the Portfolio Holder – Housing which sought approval to establish a framework of three Painting Contractors to provide a Minor Painting Works Service for Bolsover District Council Housing Department as and when required. This contract was to be available to all Council sections to utilise if required.

Moved by Councillor Sandra Peake and seconded by Councillor Mary Dooley

RESOLVED – That –

- (1) The Framework contract be awarded to Alfred Bagnall and Sons Ltd, Whittle Programmed Maintenance Ltd and Devlin Decorators Ltd for the provision of the Minor Painting Works Service for Bolsover District Council Housing Department.
- (2) The contract be awarded initially for a two years with the possibility of two additional periods each of one year.
- (3) The Assistant Director of Development be granted delegated authority, in consultation with the Housing Stock Group and the relevant Portfolio Holder, to extend the contract for the maximum of two additional periods each of one year. Extensions to be conditional upon the satisfactory performance of the contractor.

REASON FOR DECISION:

Following a procurement exercise, taking into account both cost and quality evaluation criteria, the three contractors were invited to form the framework.

OTHER OPTIONS CONSIDERED:

No alternative options were considered.

(Director of Development)

The meeting concluded at 10:45 hours.