

COUNCIL

**WEDNESDAY,
19TH JANUARY, 2011
AT
1000 HOURS IN THE
COUNCIL CHAMBER**

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Sherwood Lodge
Bolsover
Derbyshire
S44 6NF

Date: 11th January, 2011

Dear Sir or Madam,

You are hereby summoned to attend a meeting of the Bolsover District Council to be held in the Council Chamber, Sherwood Lodge, Bolsover, on Wednesday, 19th January, 2011 at 1000 hours.

Members are reminded that under Section 51 of the Local Government Act 2000 the Bolsover Code of Conduct was adopted by the Council on 16th May 2007. It is a Councillor's duty to familiarise him or herself with the rules of personal conduct by which Councillors must conduct themselves in public life. In addition, Members should review their personal circumstances on a regular basis with these rules in mind and bearing in mind the matters listed on the Agenda for discussion at this meeting.

Copies of the Bolsover Code of Conduct for Members will be available for inspection by any Member at the meeting.

Register of Members' Interest - Members are reminded that a Member must within 28 days of becoming aware of any changes to their interests under paragraph 14 or 15 of the Code of Conduct provide written notification to the Authority's Monitoring Officer.

Members are reminded of the provisions of Section 106 of the Local Government Finance Act 1992 and the responsibility of Members to make a declaration at this meeting if affected by the Section and not to vote on any matter before this meeting which would have an affect on the Council's budget.

You will find the contents of the agenda itemised on pages 227 to 229.

Yours faithfully,



Chief Executive Officer

To: Chairman & Members of the Council for information

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Annual Audit Letter

Bolsover District Council

Audit 2009/10

The Audit Commission is an independent watchdog, driving economy, efficiency and effectiveness in local public services to deliver better outcomes for everyone.

Our work across local government, health, housing, community safety and fire and rescue services means that we have a unique perspective. We promote value for money for taxpayers, auditing the £200 billion spent by 11,000 local public bodies.

As a force for improvement, we work in partnership to assess local public services and make practical recommendations for promoting a better quality of life for local people.

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Key messages

This report summarises my findings from the 2009/10 audit. My audit comprises two elements:

- **the audit of your financial statements; and**
- **my assessment of your arrangements to achieve value for money in your use of resources.**

I have included only significant recommendations in this report. The Council has accepted these recommendations.

Audit opinion and financial statements

1 You can take assurance from the fact that I was able to give an unqualified opinion on the financial statements on 30 September 2010. I identified some improvements over last year's statements, although there were still some errors in the accounts and further improvement is necessary.

2 From next year the Council will prepare its financial statements for the first time under International Financial Reporting Standards (IFRS). There has been some slippage in the project plan timetable for implementation and there is still much to be done. It is important that the Council monitors progress over the next few months.

Value for money

3 I gave a part qualified value for money conclusion as a result of our concerns about the effectiveness of your treasury management arrangements and the robustness of your medium term financial planning. The Council needs to be satisfied that action has been taken to address our concerns in these critical areas.

Audit fees

4 I had to make an additional charge for the audit to cover the extra testing required because changes can be made to the accounting records by the use of journals but there are no authorisation checks to confirm that the changes are valid. This meant the total audit fee increased to £106,665 from the fee included in the external opinion plan issued in March 2010 of £103,775.

Current and future challenges

5 Across the country, councils face severe and long-term social and financial challenges over the next few years. District councils have already had to deal with reduced income from fees and charges and councils have in-year cuts in government grant from 2010/11 as well as the prospect of future cuts following the 2010 comprehensive spending review.

6 While the Council's forecasts take account of some aspects of the national picture, some uncertainties remain about future funding levels. The Council faces the challenge of delivering savings now while ensuring that short term decisions do not undermine long term opportunities and the achievement of strategic objectives.

7 The detailed impact at local council level has yet to be announced but the Council needs to give early consideration as to the impact of higher than anticipated grant reductions on its financial plans.

Financial statements and annual governance statement

The Council's financial statements and annual governance statement are an important means by which the Council accounts for its stewardship of public funds.

I gave an unqualified opinion on the Council's 2009/10 financial statements on 30 September 2010, within the statutory target date.

Overall conclusion from the audit

8 I gave an unqualified opinion on the financial statements on 30 September 2010. This was a significant improvement on the previous year when the audit opinion was delayed because of outstanding queries relating to fixed assets. Although, the new fixed asset register was not introduced as planned we were able to rely on the work of the valuer and the underlying accounting records were more accurate. The full implementation of the fixed asset register should further improve the quality of supporting documentation in 2010/11.

9 I reported the detailed findings from my audit of the Authority's 2009/10 accounts in my annual governance report to the Audit Committee. Four material amendments were required to the draft statements. The other errors we identified were not material either individually or in total and the majority have not been amended. However, Members need to be aware that correction of these errors would have had the impact of reducing general fund, HRA and Collection fund balances by between £100 - 150k each.

10 The audit of accounting estimates, particularly in relation to the calculation of impairment allowances (bad and doubtful debt provisions) proved the most difficult area in the accounts. Further work is needed in the current year to ensure that appropriate levels of bad debt provision are established for each income category.

11 Our review of the main accounting system identified that journal transactions were not being authorised. Authorisation is important in ensuring that only valid changes are made. In the absence of this control we had to carry out additional testing to obtain sufficient assurance that this weakness had not led to any material misstatement within the accounts. Additional audit fees have been incurred as a consequence.

Recommendation

R1 The Council should aim to improve further its arrangements for preparing the financial statements and in particular in assessing the likelihood of collection of amounts owed to the Council.

Readiness for IFRS

12 From next year (2010/11) the Council will prepare its financial statements for the first time under IFRS. Implementation of IFRS in Local Government will be a major challenge for authorities and will require substantial preparatory work ahead of next year.

13 During the year, I reviewed the Council's preparations. There has been some slippage in the project plan timetable for producing IFRS-compliant accounts for 2010/11 by 30 June 2011. In particular, the delay in the introduction of the new fixed asset system has affected your ability to prepare for the more detailed fixed assets reporting requirements. As a consequence, you have not yet restated the balance sheets for 2008/09 and 2009/10 in IFRS format. This is an important starting point for producing IFRS compliant statements.

14 The key challenges and priorities facing the Council over the few months are:

- completing the preparatory work in the areas where new and additional information is required, particularly around fixed assets reporting requirements;
- restating 2009/10 balances on an IFRS basis by the end of December 2010; and
- completing skeleton accounts and accounting policies for member approval before the end of the financial year.

15 I will continue to monitor progress at the Council and undertake a review of the restated balances once complete. At the same time, it is important that the Audit Committee continues to monitor progress over the next few months, I understand that an update report is scheduled to be presented to the December Audit Committee.

Recommendation

R2 Monitor implementation of the IFRS work plan to ensure that the delays to date are quickly addressed. Determine IFRS accounting policies and ensure that these are adopted ahead of the 2010/11 financial statements being prepared.

Value for money

I considered whether the Council is managing and using its money, time and people to deliver value for money.

I assessed your performance against the criteria specified by the Audit Commission and have reported the outcome as the value for money (VFM) conclusion.

2009/10 use of resources assessments

16 At the end of May 2010, the Commission wrote to all chief executives to inform them that following the government's announcement, work on CAA would cease with immediate effect and the Commission would no longer issue scores for its use of resources assessments.

17 However, I am still required by the Code of Audit Practice to issue a value for money conclusion. I have therefore used the results of the work completed on the use of resources assessment up to the end of May to inform my 2009/10 conclusion.

18 I report the significant findings from the work I have carried out to support the vfm conclusion.

VFM conclusion

19 I assessed your arrangements to achieve economy, efficiency and effectiveness in your use of money, time and people against criteria specified by the Audit Commission. The Audit Commission specifies each year, which Key Lines of Enquiry (KLOE) are the relevant criteria for the VFM conclusion at each type of audited body.

20 This is a summary of my findings.

Criteria	Adequate arrangements?
Managing finances	
Planning for financial health	No
Understanding costs and achieving efficiencies	Yes
Financial Reporting	Yes
Governing the business	
Commissioning and procurement	Yes
Use of information	Yes
Good governance	Yes
Risk management and internal control	Yes
Managing resources	
Natural Resources	Yes

21 I issued an except for value for money conclusion because I identified ongoing weaknesses in your arrangements to plan your finances effectively to deliver strategic priorities and secure sound financial health.

22 My particular concerns within this except for assessment relate to the resourcing of the treasury management function and arrangements for reporting any breaches to you. I have reported similar concerns previously, in my 2008/09 annual governance report, my June 2010 interim memo and in my 2009/10 annual governance report.

23 I also noted that the Medium Term Financial Plan needed development to provide the Council with a robust tool for managing the serious challenges to its financial stability. Action has already been taken to develop your financial planning; for example a savings strategy with traffic lighted schemes to indicate achievability was reported to Council on 3 November and the introduction of a new budget monitoring tool is planned. However, strong financial planning will be even more critical as the Council seeks to respond to the challenging financial climate.

24 Further work to quantify pressures such as equal pay claims and impairment of your Icelandic investments is also necessary to increase the robustness of your plans.

25 Looking across the other areas of assessment, this is the first year that I have reviewed the Council's arrangements for managing its natural resources. I found that the Council has made good progress in managing natural resources.

26 It has built a corporate approach to environmental issues through the development and adoption of a number of key strategic documents. It has also been active in developing commitment to the environmental agenda from members and officers and has some clear examples of where it is making its buildings more energy efficient and reducing its impact on the environment.

Recommendation

R3 Council should ensure that the resourcing of treasury management is sufficient and that appropriate arrangements have been put in place to address the concerns raised.

R4 Council should be satisfied that they have sufficient information through the financial planning process to enable them to take informed decisions as they seek to address the current financial challenges. This information should cover not only general fund resources but also the HRA.

Approach to local value for money work from 2010/11

27 Given the scale of pressures facing public bodies in the current economic climate, the Audit Commission has been reviewing its work programme for 2010/11 onwards. This review has included discussions with key stakeholders of possible options for a new approach to local value for money (VFM) audit work. The Commission aims to introduce a new, more targeted and better value approach to our local VFM audit work.

28 My work will be based on a reduced number of reporting criteria, specified by the Commission, concentrating on:

- securing financial resilience; and
- prioritising resources within tighter budgets.

29 I will determine a local programme of VFM audit work based on my audit risk assessment, informed by these criteria and my statutory responsibilities. I will no longer be required to provide an annual scored judgement relating to my local VFM audit work. Instead I will report the results of all my local VFM audit work and the key messages for the Council in my annual report to those charged with governance and in my annual audit letter.

Current and future challenges

Financial position

30 Across the country, councils face severe and long-term social and financial challenges over the next few years. Demand for local services is growing and demographic change, particularly an ageing population, places increased pressure on local services.

31 District councils have already had to deal with reduced income from fees and charges. Reduced economic activity has cut income from planning fees, rents, car park charges and capital receipts. Councils have in-year cuts in government grant from 2010/11 and the prospect of future cuts following the 2010 comprehensive spending review.

32 The government plans to eliminate the structural deficit by 2015/16. Public spending will have to fall and councils will play a major part in helping to reduce the deficit. The October spending review has set the overall public spending levels for the period 2011/12 to 2014/15. The subsequent details coming out of spending review will clarify where greater cuts are required and the timing of those cuts.

33 For councils, the challenge will be to manage services as income from central government falls. There will be few opportunities to raise income from fees and charges until the economy strengthens and council tax levels will be frozen in 2011/12.

34 While the Council's forecasts take account of some aspects of the national picture, some uncertainties remain about future funding levels. A headline impact on local government grant funding of 7 per cent per year was announced by the Chancellor on 20 October. Although the detailed impact of the Comprehensive Spending Review (CSR) at local council level will not be known until early December, the Council has started to consider the impact of higher than anticipated grant reductions on its financial plans.

35 The Chief Executive's briefing to Council on 3 November identified that for 2010/11 that 55% of the £1.5 million total savings needed had been achieved as at the end of September. The achievement of the remainder depends on delivery of all the planned green, amber and red elements of the saving strategy as well as the identification of an additional £263,000 savings. Looking to 2011/12 the estimated impact of grant reductions and increased costs arising from the CSR means that total savings of an additional £1 million are needed. This is on top the savings already identified in the saving strategy.

36 The Council now faces the challenge of delivering these additional savings while ensuring that short term decisions do not undermine long term opportunities and achievement of strategic objectives. Continued close monitoring and contingency planning will be critical in managing spending within the resources available.

Closing remarks

37 I have discussed and agreed this letter with the Chief Executive and the Director of Resources. I will present this letter to Council on 1 December 2010 and will provide copies to all members.

38 Full detailed findings, conclusions and recommendations in the areas covered by our audit were included in the reports I issued to the Council during the year.

Report	Date issued
Annual audit fee letter	April 2009
Audit opinion plan	March 2010
Interim report	June 2010
Annual governance report	September 2010
Auditor's report giving an opinion of the financial statements	September 2010
Value for money conclusion	September 2010

39 The Council has taken a positive and helpful approach to our audit. I wish to thank staff for their support and cooperation during the audit.

Sue Sunderland
District Auditor

November 2010

Appendix 1 – Audit fees

	Actual	Proposed	Variance
Financial statements and annual governance statement	83,863	80,973	2,890
Value for money	21,392	21,392	0
Whole of Government Accounts	1,410	1,410	0
Total audit fees	106,665	103,775	2,890

Appendix 2 – Glossary

Annual governance statement

Governance is about how local government bodies ensure that they are doing the right things, in the right way, for the right people, in a timely, inclusive, open, honest and accountable manner.

It comprises the systems and processes, cultures and values, by which local government bodies are directed and controlled and through which they account to, engage with and where appropriate, lead their communities.

The annual governance statement is a public report by the Council on the extent to which it complies with its own local governance code, including how it has monitored the effectiveness of its governance arrangements in the year, and on any planned changes in the coming period.

Audit opinion

On completion of the audit of the accounts, auditors must give their opinion on the financial statements, including:

- whether they give a true and fair view of the financial position of the audited body and its spending and income for the year in question;
- whether they have been prepared properly, following the relevant accounting rules; and
- for local probation boards and trusts, on the regularity of their spending and income.

Financial statements

The annual accounts and accompanying notes.

Qualified

The auditor has some reservations or concerns.

Unqualified

The auditor does not have any reservations.

Value for money conclusion

The auditor's conclusion on whether the audited body has put in place proper arrangements for securing economy, efficiency and effectiveness in its use of money, people and time.

Appendix 3 Action Plan

Recommendations

Recommendation 1

The Council should aim to improve further its arrangements for preparing the financial statements and in particular in assessing the likelihood of collection of amounts owed to the Council.

Responsibility	Director of Resources
-----------------------	-----------------------

Priority	High
-----------------	------

Date	March 2011
-------------	------------

Comments

Recommendation 2

Monitor implementation of the IFRS work plan to ensure that the delays to date are quickly addressed. Determine IFRS accounting policies and ensure that these are adopted ahead of the 2010/11 financial statements being prepared.

Responsibility	Audit Committee
-----------------------	-----------------

Priority	High
-----------------	------

Date	December 2010
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Comments

Recommendation 3

Council should ensure that the resourcing of treasury management is sufficient and that appropriate arrangements have been put in place to address the concerns raised.

Responsibility	Council
-----------------------	---------

Priority	High
-----------------	------

Date	March 2011
-------------	------------

Comments

Recommendation 4

Council should be satisfied that they have sufficient information through the financial planning process to enable them to take informed decisions as they seek to address the current financial challenges. This information should cover not only general fund resources but also the HRA.

Responsibility	Council
Priority	High
Date	February 2011
Comments	

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- any third party.



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ANNUAL AUDIT LETTER

APPENDIX 3 ACTION PLAN

Recommendations

Recommendation 1 - The Council should aim to improve further its arrangements for preparing the financial statements and in particular in assessing the likelihood of collection of amounts owed to the Council.

Responsibility Director of Resources

Priority High

Date March 2011

Comments – The Council will continue to seek to continually improve its arrangements for preparing the financial statements. The collection of amounts owed is part of the quarterly reports to both Scrutiny and Executive members and a number of specific performance indicators are in place that are reported monthly to SMT and quarterly to Scrutiny and Executive. In addition, this will now be reported to Cabinet and Audit Committee on a quarterly basis. The Improvement Scrutiny is undertaking a review of rent arrears (current and former tenants).

Recommendation 2 - Monitor implementation of the IFRS work plan to ensure that the delays to date are quickly addressed. Determine IFRS accounting policies and ensure that these are adopted ahead of the 2010/11 financial statements being prepared.

Responsibility Audit Committee

Priority High

Date December 2010

Comments –We will be reporting progress to the Audit Committee in December 2010.

Recommendation 3 - Council should ensure that the resourcing of treasury management is sufficient and that appropriate arrangements have been put in place to address the concerns raised.

Responsibility Council

Priority High

Date March 2011

Comments – Whilst it is accepted that during the last 2 years there have been an error in each year, these have been different errors by different staff. Neither error has resulted in the Council having problems in getting the expected return on its investment or the return in full of the initial investment made. We continue to ensure the staff involved are appropriately trained and that we learn from each error. The error in 2009/10 has resulted in changes in the daily sign off documentation, the establishment of monthly review and planning meetings with the Head of Finance & Revenues, supported by and enhanced separation with the involvement of the Director of Resources in the authorising the setting up on the system any new investment counterparty or changes to existing counterparties. This will continue to be reviewed during 2011/12.

Recommendation 4 - Council should be satisfied that they have sufficient information through the financial planning process to enable them to take informed decisions as they seek to address the current financial challenges. This information should cover not only general fund resources but also the HRA.

Responsibility Council

Priority High

Date February 2011

Comments – The reporting to members continually develops via:

- the quarterly reports that are now split to each of the 3 Scrutiny Committees,
- new General Fund Medium Term Financial Plan linking to the main strategies of the Council,
- updates to Council on the Spending Review at the first available opportunity,
- monthly updates to Cabinet on the Savings Strategy.

The financial planning process starts with Cabinet who are informed in detail about actual and planned changes. In addition their own concerns are also considered and reported back to them.

The HRA will be reported in detail as part of the budget process. The current uncertainties surrounding the future of the HRA have been reported to Cabinet and the Council's comments sent as part of the previous Government's consultation on this matter. In addition the Cabinet Member for Housing Management has attended events on this subject. If the HRA were to remain in its existing form the Council would need to update the 30 year business plan for:

- the achievement of the Decent Homes standard to the prescribed timetable,
- Tarran redevelopments,
- efficiency savings through mobile working and the partnership with Travis Perkins for stores provision.

The Service is seeking to develop further its reporting capabilities via the introduction of a Budget Management module to the existing Ledger package.

**RECOMMENDED ITEM FROM STANDARDS COMMITTEE HELD ON
4th NOVEMBER, 2010**

**528. RECOMMENDED ITEM FROM EXECUTIVE HELD ON 6TH
SEPTEMBER 2010 – COMMUNITY BRIDGING LOAN**

The Solicitor to the Council presented a report to seek Committee's approval for an amendment to the Director of Resources' delegated authority for inclusion in the Council's Constitution in relation to community bridging loans. The delegated authority would be in consultation with the Cabinet Member for Regeneration.

The report, which had been presented to Executive on 6th September 2010, gave further detail and the Project Officer, (Business Growth), was also present at the meeting to answer any questions from Members.

Moved by Councillor M.J. Dooley, seconded by Councillor A.M. Syrett
RECOMMENDED that an amendment to the Director of Resources' delegated authority, in consultation with the Cabinet Member for Regeneration, be approved for authorisation of bridging loan applications.

(Head of Democratic Services (Constitution))

**RECOMMENDED ITEM FROM EXECUTIVE HELD ON
6TH SEPTEMBER, 2010**

312. COMMUNITY BRIDGE LOAN

The Portfolio Holder for Regeneration introduced the report to seek the Executive's agreement to authorise bridging loans to community groups who had applied for LEADER grant funding. Members were advised that although these groups were awarded LEADER funding, all project costs had to be paid for by the applicant community groups in the first instance and claimed back retrospectively. This created a significant cash flow problem for these groups that had previously been able to overcome this problem with a 0% loan provided by Derbyshire County Council. This facility had been withdrawn by Derbyshire County Council on 31st March 2010.

It was suggested that Bolsover District Council may be able to extend this facility to community groups in Bolsover. Further details of the terms of the proposed scheme were outlined in the report.

Members raised questions in respect of the security of any loans provided. The Director of Resources advised that loans would only be agreed on production of a signed grant funding agreement, a risk assessment of the project, credit checks and submission of 3 years of the organisation's accounts. The loan would be provided piecemeal on a month by month basis and therefore this was the maximum potential risk to the Council. It was added that the volume of requests for this facility was likely to be very low.

Moved by Councillor A. Tomlinson, seconded by Councillor K. Bowman
RESOLVED that (1) delegated authority be given to the Director of Resources, in consultation with the Cabinet Member for Regeneration, for authorisation of bridging loan applications based on reviewing the documentation outlined in the report.

RECOMMENDED that (1) the Standards Committee and Council be recommended to approve the Director of Resources' delegation for inclusion in the Council's Constitution.

REASON FOR DECISION: To develop vibrant town centres and flourishing rural communities.

(Director of Resources/Head of Democratic Services)

Committee:	Executive	Agenda Item No.:	10.
Date:	6 th September 2010	Status	Open
Category	2. Decision within the functions of Executive		
Subject:	Community Bridge Loan		
Report by:	Head of Regeneration		
Other Officers Involved	Projects Officer Business Growth		
Director	Director of Development		
Relevant Portfolio Holder	Councillor A. Tomlinson, Portfolio Holder for Regeneration		

RELEVANT CORPORATE AIMS

CUSTOMER FOCUSED SERVICES – Providing excellent customer focused services

REGENERATION – Developing healthy, prosperous and sustainable communities by ensuring continued use of town centre premises.

TARGETS

N/A

VALUE FOR MONEY

Enabling valuable community led projects to be delivered by community organisations.

1. Background

We have three community groups in the District who are applying for LEADER grant funding support. If successful, as with all grant funding, the project cost would have to be claimed back retrospective which causes a cash flow barrier to them accessing funding.

This potential barrier had been previously overcome by the use of a 0% bridging loan facility provided by Derbyshire County Council. This loan facility had been promoted to the community groups and the LEADER programme up to September 2009. Unfortunately, this facility has been withdrawn by Derbyshire County Council 31st March 2010. This withdrawal has resulted in Bolsover District community organisations going through the full application process (up to 9 months in some cases) and if successful, would be unable to access the grant fund due to the need of paying for the work up front. Would

Bolsover DC be able to provide a similar loan fund facility to community groups in the District? The Derbyshire County Council scheme was secured against an asset and the final loan decision was taken after reviewing the accounts of the applicant. It is proposed that BDC could work in a similar basis and the Director of Resource has received details of the DCC scheme. Details below:

“The capital and revenue loan fund was established in October 2000 to support voluntary organisations facing cash flow difficulties. At the time there were major funding opportunities available from European Regional Development Fund (ERDF), European Social Fund (ESF) and Single Regeneration Budget (SRB). These funding regimes paid out grant claims in arrears and it was recognised that this caused difficulties for many voluntary and community organisations.

Voluntary organisations receiving loans were required to enter into an agreement with the Authority to secure the repayment of the loan. A charge was taken over the voluntary organisation's premises and other assets. It was also necessary for the voluntary organisation to ensure that its constitution/trust allowed it to enter into such arrangements and the county council ensured that the property and other assets charged were adequate security for the loan. It is fair to say that there was considerable work involved in administering the loan scheme often for what were quite small amounts.

At the end of 2009/10 financial year it was apparent that the situation had changed. The new European programmes no longer make funding available for social and community projects to the same extent. There had not been one single application to the loan fund for five years. In effect the requirement for the loan fund disappeared with the end of SRB and Objective 2 funding. In terms of defaults one organisation went into liquidation but we were paid out by administrators. One loan for £15,000 is still outstanding and we have been pursuing the organisation concerned but without success.”

This report requests delegated powers given to one or more senior offices to assess the applications on a case by case basis. The size of the community projects range from £30k to £130k (Over 3 Yrs) but the claims can be made by the applicant on a monthly or quarterly basis which I suggest are reflected in the loan payment terms, limiting any risk.

To further reduce risk it is suggested applicants should provide:

- The signed grant funding agreement
- Risk assessment of the project (This is part of the grant funding application process)
- Credit checks on organisation and directors (BDC to undertake using existing Experian license)
- Three years accounts for the organisation (Part of the grant funding process)

Without the ability for these organisations to access this type of loan funding the projects developed (Heritage trails, Town signage, etc) simply wouldn't be realise. Unlike other funding, very little private sector leverage is involved in the applications as they are all tourism and heritage focused projects and eligible for 100% intervention rate.

The value of the project to the area will be assessed by the grant funding body, the role of BDC would be to assess the credit worthiness of the applicant and managing the associated risks accordingly.

The volume of this type of request is likely to be low. In the two years the LEADER fund has been open we are only aware of four applications of this type, none of which have reached the final decision making stage (Although one is currently being appraised). Similarly, the DCC scheme which has been withdrawn was originally developed for the SRB programme and hasn't processed a loan fund application in the last five years.

IMPLICATIONS

Financial : A budget is to be created using reserves which will be replenished as the grant payments are received by the applicant.

Legal : Development of the loan agreement and security of the loan against and asset if required.

Human Resources : Resource committed to reviewing application for the loan fund.

RECOMMENDATIONS that

- 1) Delegated authority given to the Director of Resources, in consultation with the Cabinet Member for Regeneration, for authorisation of bridging loan applications based on reviewing the documentation outlined in the report.**
- 2) The Standards Committee and Council be recommended to approve the Director of Resources' delegation for inclusion in the Council's Constitution.**

REASON FOR DECISION TO BE GIVEN IN ACCORDANCE WITH THE CONSTITUTION

Develop vibrant town centres and flourishing rural communities.

ATTACHMENTS: None
FILE REFERENCE: None
SOURCE DOCUMENT: None

**RECOMMENDED ITEM FROM UNION/EMPLOYEE CONSULTATION
COMMITTEE HELD ON 15TH NOVEMBER 2010**

**563. DRAFT WORK EXPERIENCE PLACEMENTS POLICY
EXEMPT PARAGRAPH 4**

The Head of Human Resources and Payroll presented a report to consult with committee members on a new policy for work experience placements. The policy set out details of responsibilities for all participants internally and externally.

In 2010 it was decided to take a more proactive approach by determining where and when work experience placements could be offered and communicating this to schools in the area.

Consultation with management groups had taken place on the new policy.

Moved by Councillor A.F. Tomlinson, seconded by Councillor E. Watts
RESOLVED that (1) the report be received,

**RECOMMENDED that (1) the Work Experience Placements Policy be
referred to Council for approval.**

(Head of Human Resources and HR / Head of Democratic
Services)

Committee:	Union Employee Consultation Committee	Agenda Item 7. No.:	
Date:	15th November 2010	Category	*
Subject:	Draft Work Experience Placements Policy	Status	Exempt – Paragraph 4
Report by:	Head of Human Resources / Payroll		
Other Officers involved:	Senior Management Team Extended Management Team Heads of Service (not in EMT) Organisational Development Officer HR Officer		
Director	Chief Executive Officer		
Relevant Portfolio Holder	Councillor J. E. Bennett, Portfolio Holder for Performance and Heritage Champion		

RELEVANT CORPORATE AIMS

STRATEGIC ORGANISATIONAL DEVELOPMENT – Continually improving our organisation, by ensuring Policies are in place to meet the needs of the Council.

SOCIAL INCLUSION - Promoting fairness, equality and lifelong learning by providing young people with work experience which helps them to move into adult and working life.

TARGETS

The subject matter of this report does not directly contribute to a target in the Corporate Plan.

VALUE FOR MONEY

The proposals deliver value for money for the Council and Work Experience Placements are delivered in a structured way to enhance the experience for the student and minimise disruption to the Council's day to day operations.

THE REPORT

1. The Council has offered work experience placements to students for many years. The average number of work experience placements offered to local educational establishments has ranged from 25-30 per year.

2. However, this has been done in a reactive way, by waiting for requests for placements from schools and then asking Heads of Service whether or not they could accommodate these. During 2009/10 it was decided that this was not the best way to approach this and that we should try to be more proactive by determining where and when placements could be offered and communicating this to schools in the area. This change of approach has been implemented in September 2010 with a letter issued to all schools who regularly seek placements from us.
3. In view of the above change of approach the Human Resources Team have taken the opportunity to produce a draft Work Experience Placements Policy which clearly sets out the responsibilities of all parties (both external and internal to the Council) in providing good quality placements for young people.
4. Consultation has taken place on this new policy with the following groups:-
 - Senior Management Team
 - Extended Management Team
 - Heads of Service (outside Extended Management Team)

Suggested amendments have been taken on board and a final draft policy is attached to this report.

ISSUES FOR CONSIDERATION

1. Feedback on the draft Work Experience Placements Policy is requested from UECC Members.
2. The draft Work Experience Placements Policy will then be referred to Council for approval.

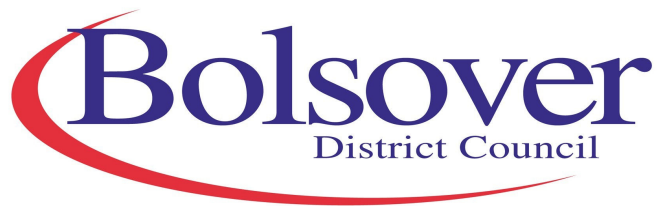
IMPLICATIONS

Financial : None
 Legal : Compliance with the Health & Safety at Work Act and the Equalities Act 2010
 Human Resources : As outlined in the Policy

RECOMMENDATION(S) that

- 1. the report be received.**
- 2. the Work Experience Placements Policy be referred to Council for approval.**

ATTACHMENT: Y (1)
 FILE REFERENCE: N/A
 SOURCE DOCUMENT: N/A



BOLSOVER DISTRICT COUNCIL

Work Experience Placements Policy

Draft October 2010

This Policy addresses the following Corporate Aims:



SOCIAL INCLUSION



STRATEGIC ORGANISATIONAL
DEVELOPMENT

Bolsover District Council Equalities Statement

Bolsover District Council is committed to equalities as an employer and in all the services provided to all sections of the community.

The Council believes that no person should be treated unfairly and is committed to eliminate all forms of discrimination in compliance with the Equality Strategy.

The Council also has due regard to eliminate racial discrimination and to proactively promote equality of opportunity and good relations between persons of different racial groups when performing its functions.

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If you need help to read this document please do not hesitate to contact us.

Our Equality and Improvement Officer can be contacted via [Email](#) or by telephoning 01246 242407.

Minicom: 01246 242450

Fax: 01246 242423

CONTROL SHEET

Details of Document	Comments / Confirmation
Title	Work Experience Placements Policy
Document type – i.e. draft or final version	Draft
Location of Policy	L:/PERS/LINDK/AMIDOCs/POLICIES & PROCEDURES
Author of Policy	Head of Human Resources and Payroll
Member route for Approval & Cabinet Member concerned	Performance Portfolio Holder
Date Risk Assessment completed	16 July 2010
Date Equality Impact Assessment approved	16 September 2010
Partnership Involvement (if applicable)	Derbyshire Business Enterprise Partnership Local Schools/Colleges
Date added to the Forward Plan	N/A
Policy Approved by	Council
Date Approved	*
Policy Review Date	January 2014
Date forwarded to CSPD (to include on Intranet and Internet if applicable to the public)	

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9.	Child Protection	7
	Work Placement Application Form	Appendix One
	Code of Conduct for Work Experience Placements	Appendix Two

1. Introduction

- 1.1 Bolsover District Council as a local employer sees work experience placements as an extremely important link between us as an employer and secondary schools, colleges and other establishments who may wish to give young people a taste of the 'World of Work'. The exposure to work is a significant step in preparing the way for young people to move into adult and working life. Work experience placements are an opportunity to develop and understanding of the world of work and an insight into a specific area/occupation.
- 1.2 This policy aims to provide guidance to those employees who may be organising/hosting a work experience placement.
- 1.3 Work Experience placements mostly last just a few weeks and involves work shadowing and the completion of small tasks that do not form a core part of the Council's work.

2. Scope of the Policy

- 2.1 This policy covers work experience placements for those aged 14-17 who wish to undertake a work experience placement with the Council whilst undertaking full time education at a school or college. Others requesting unpaid work experience will be dealt with in accordance with the Volunteers Policy.
- 2.3 Work experience placement requests vary from the traditional one/two week placement requested by schools, to requests for one day per week over a set number of weeks.
- 2.4 As well as annual/ad-hoc work experience placements this policy covers Diplomas being offered by schools/colleges. Diploma students placed with a particular department have to carry out a range of tasks which may need to be achieved to meet the standard for the Diploma as laid down by the awarding body. The needs of students attending these courses will be different from those of the traditional work experience placement and may be met through the following activities:
 - Employees of the Council going into schools/colleges to provide a presentation on a given topic
 - Groups of students visiting the Council to gain an insight into a specific topic
 - Groups of students working on a project for the Council as agreed between the education establishment/Council (subject to reasonable supervision resources being provided by the education establishment).
- 2.5 Priority will be given to students who are residents and/or attend an educational establishment within the Council boundaries.

3. Responsibilities for Implementing the Policy

3.1 Human Resources

- Receipt of the request for work experience placements
- Issue of application form/monitoring form
- Maintenance of the log of work experience placement requests
- Forwarding the request to the relevant Head of Service and ensuring a response is provided to the student/school within ten working days
- Providing the student/school with confirmation of the work placement and relevant documentation, including details of the Council's Code of Conduct (Appendix 1)

3.2 Heads of Service/Line Managers

- Ensuring a quality experience is provided to the student
- Arranging an ICT Induction and Security Briefing (if applicable)
- Appointing a supervisor for the work experience placement
- Ensuring the supervisor covers any workplace health and safety rules, including fire evacuation

3.3 Derbyshire Education Business Partnership

- Ensuring the Council has the necessary insurance (Section 5)
- Carrying out a risk assessment of the place of work in which the student will be placed (Section 5)

3.4 Educational Establishment

- Identify the number of placements available each year by liaising with the Council at the start of each academic year and determine the departments/best times for work experience placements to be accommodated
- Obtain feedback from students following their placement and forward this to the Council enabling continuous improvements to future work placements.

4. Government Guidance on Work Related Learning

Government guidance about work related learning (statutory for 14-16 year olds) states that young people should be able to:

- Recognise, develop and apply their skills for enterprise and employability
- Use their experience at work, including work experience and part time jobs, to extend their understanding of work
- Learn about the ways local authorities operate, working roles and conditions and the rights and responsibilities of the workplace
- Develop awareness of the extent and diversity of local and national employment opportunities
- Undertake work and activities set in work contexts

- Learn from contact with personnel from different employment sectors
- Have experience (direct or indirect of working practices and environments)
- Engage with ideas, challenges and applications from the business world

The Council can provide one or more elements of the above through work experience placements, including the targeted experience which may contribute towards a work based qualification such as a Diploma.

5. Health and Safety

The Derbyshire Education Business Partnership will ensure that the Council has the necessary insurance and will carry out a risk assessment of the department under the following legislation:

- Health and Safety at Work Act (1974)
- Working Time Regulations (1998)

In addition the Council will provide each student with a Work Experience Placement Code of Conduct (Appendix 1) which will include a brief summary on health and safety requirements.

6. ICT Security

All students undertaking a work experience placement which requires them to access a Council computer will be required to have an ICT induction and security briefing. This will be arranged by the department hosting the student and take place on the first day of the placement.

7. Data Protection

Detailed guidance is contained within the Work Experience Placement Code of Conduct (Appendix 1) to ensure compliance with the Data Protection Act. Students taking up a work experience placement will be issued with this in advance of the placement and asked to sign a declaration to confirm their understanding and acceptance of this Code.

8. Equalities

The Council is committed to ensuring equality of opportunity for work experience placements. To monitor its success in delivering work experience placements to all sections of the community, monitoring data will be gathered from all students. This will be analysed to identify trends and reported to Equalities Working Group on an annual basis, to help inform the review of this Policy.

9. Child Protection

The Council takes very seriously its duty in relation to the protection of children. Work experience placements generally take place within the office environment. However, where it is essential to the delivery of a meaningful work experience placement for the student to go out on visits with an employee of the Council, this will only be undertaken in the following circumstances:

- The employee is CRB checked by the Council
- or
- Two employees accompany the student

	WORK PLACEMENT APPLICATION FORM CONFIDENTIAL
	NAME: ADDRESS:
This document is available in large print and other formats from any of the Council Offices by telephoning 01246 242430. Please bear in mind we will need a few days to arrange this facility. If you need help to read this document please do not hesitate to contact us. NOTES FOR APPLICANTS: Bolsover District Council as a local employer sees work experience placements as an extremely important link between us as an employer and secondary schools, colleges and other establishments who may wish to give young people a taste of the 'World of Work'. The exposure to work is a significant step in preparing the way for young people to move into adult and working life. Work experience placements are an opportunity to develop an understanding of the world of work and an insight into a specific area/occupation. Placements can vary from the traditional one/two week placement to one day per week over a set number of weeks, are for those aged 14-17 who wish to undertake a work experience placement with the Council whilst undertaking full time education at a school or college and involves work shadowing and the completion of small tasks that do not form a core part of the Council's work. Priority will be given to students who are residents and/or attend an educational establishment within the Council boundaries but no guarantees can be given to accommodate work placements. An application form is used because it allows us to process your application more quickly. The form directs applicants to provide certain pieces of information in a standardised order, which means that we can easily find our way to specific information and gaps in the information can be easily spotted. The forms are designed to eliminate discrimination. Selection for placement will be based solely on the information given in the application form. All personal information provided to Bolsover District Council will be held and treated in confidence in accordance with the Data Protection Act 1998.	

PERSONAL DETAILS			
SURNAME:		FORENAMES:	
ADDRESS:			
POSTCODE:			
TELEPHONE NUMBER (HOME):			
MOBILE NUMBER:		E-MAIL ADDRESS:	

SCHOOL/COLLEGE ATTENDED:	
ADDRESS:	
CONTACT NAME: (e.g. Work Experience Co-ordinator)	
PHONE NUMBER:	
EMERGENCY CONTACT DETAILS WHILST ON PLACEMENT:	
AREAS OF EXPERIENCE TO BE COVERED: (please give as much detail as possible to help us)	

Do you have any special requirements which we can help you with in order to make the application process easier for you?

EDUCATION AND TRAINING HISTORY

GCSE/VOCATIONAL QUALIFICATIONS BEING STUDIED/OBTAINED		
Subject	Level	Date (if already obtained)

STATEMENT OF APPLICATION

Please include any interests and hobbies you have and any voluntary or other work experience relevant to the placement you are applying for

DECLARATION

I declare that I have read and understood all the information provided with this application. For the purposes of the Data Protection Act 1998, I consent to the information contained in this form, and any information received by or on behalf of Bolsover District Council relating to the subject matter of this form, being processed by them in administering the work placement process. I understand that any offer of a placement is dependant upon this declaration and information contained within this application. To the best of my knowledge and belief the information contained in this form is accurate.

Signed:

Date:

EQUAL OPPORTUNITIES MONITORING INFORMATION

General Information

1. Bolsover District Council wants to make sure that everyone has equal access to our work experience opportunities. To achieve this we monitor all applications.
2. Please complete the information over the page. The information will then be detached from your application and stored securely and confidentially. It will not, under any circumstances be seen by anyone involved in assessing your application.
3. If you would like to discuss any aspect of the Council's Equality policies, please contact the Equality and Diversity Officer on 01246 242407.
4. Discrimination on the grounds of sex, pregnancy and maternity, marriage and civil partnership, age, race, disability, religion/belief, gender re-assignment or sexual orientation is illegal. Equality monitoring helps us ensure that there is no indirect discrimination occurring in this process. The monitoring information also helps us to improve our policies and practices.
5. Please note that the race questions are not about place of birth or citizenship. UK citizens can belong to any of the groups indicated e.g. White, African, Caribbean, Indian, Pakistani or other group.

EQUAL OPPORTUNITIES MONITORING INFORMATION

The Council aims to ensure that consideration of sex, pregnancy and maternity, marriage and civil partnership, age, race, disability, religion/belief, gender re-assignment or sexual orientation should play no part in this process. To assist the Council in monitoring the effectiveness of this policy, please complete the following:-

FULL NAME:		ADDRESS (INC POSTCODE):	
AGE RANGE (PLEASE CIRCLE): 16-24 25-39 40-49 50+			
MALE/FEMALE:		MARITAL STATUS:	
To which ethnic group do you belong? Choose ONE section from A to E, and then tick the appropriate box to indicate your cultural background. A. WHITE British ☐ Irish ☐ Any other White background (please specify) B. MIXED White and Black Caribbean ☐ White and Black African ☐ White and Asian ☐ Any other Mixed background (please specify) C. ASIAN OR ASIAN BRITISH Indian ☐ Pakistani ☐ Bangladeshi ☐ Any other Asian background (please specify) D. BLACK OR BLACK BRITISH Caribbean ☐ African ☐ Any other Black background (please specify) E. CHINESE OR OTHER ETHNIC GROUP Chinese ☐ Any other background (please specify)			
Do you consider yourself to be disabled? (The Equalities Act 2010 states that "A person is disabled if they have a physical or mental impairment which has a substantial and long term adverse effect on their ability to carry out normal day to day activities, which would include things like using a telephone, reading a book or using public transport").			Yes ☐ No ☐
Would any specialised aids help you to work more effectively? eg access, signer, speech amplifier If Yes, please specify			Yes ☐ No ☐
What Religion Are You? ☐ Christian ☐ Buddhist ☐ Hindu ☐ Jewish ☐ Muslim ☐ Sikh ☐ Any other Religion ☐ No religion at all ☐ prefer not to say			

Sexuality

☐ Heterosexual ☐ Gay ☐ Lesbian ☐ Bisexual ☐ Transgender ☐ Prefer Not to Say

Please sign and return one copy of this document to:
Linda Charity, HR Officer, Bolsover District Council, Sherwood Lodge,
Bolsover, Chesterfield, Derbyshire S44 6NF
Please retain one copy for your records

WORK EXPERIENCE PLACEMENT CODE OF CONDUCT

Policies and Procedures

Whilst working within Bolsover District Council you will be subject to the Council's policies and procedures. Whilst not an employee of the Council you will be expected to maintain the standards of the department to which you are attached. This will include:

- Attending work promptly and regularly
- Wearing appropriate clothing for the department in which you are working
- Showing respect for employees of the Council and the Council's property
- Undertaking tasks assigned to you to the best of your skills and ability
- Asking questions if you do not understand any instruction you are being given by an employee of the Council
- Not texting or making calls on your mobile phone, or surfing the internet, during working hours
- Using the Council's telephone, e-mail or internet systems for work related purposes only

Copies of the Council's policies and procedures are available on request from your departmental manager of the Human Resources Team.

Payment

Whilst undertaking a placement you will receive no payment from the Council and will not be entitled to annual leave or sick pay.

Sickness

If having agreed to the placement, you find that you are unable to attend, you should notify the relevant department as soon as possible.

Insurance

Whilst on the Council's premises you are covered by the Council's insurance. A copy of the Council's liability insurance certificate can be seen on request by contacting the Director of Resources.

Health and Safety

People on work experience placements are required to carry out their work in a manner which is safe, both to themselves and others. They must also co-operate by bringing to the notice of a supervisor, any activity or situation which

would adversely affect any person who may be within the premises or working situation.

Fire Prevention

It is essential that you know the fire evacuation arrangements in the workplace. Your supervisor will cover these with you on your first day.

Confidentiality

During your work experience placement you will see and hear information concerning personal data relating to customers, employees and elected members. Such records and information are **strictly confidential** and unless acting on instructions of an authorised officer, on no account must such information be divulged or discussed. If you breach any aspect of confidentiality you will be asked to leave the Council immediately and may jeopardise your school/college's ability to send future students on work experience. Please ensure you read and abide by the following guidance notes:

You must not:

- Attempt to read any information which is not relevant to the work experience placement that you are undertaking.

Examples: customer/employee/elected member manual/computer records

- Tell others (e.g. friends, relatives, press etc) anything you see or hear that can be regarded as confidential.

Example: You must not inform someone about a customer's claim for housing benefit. To do so would be a breach of confidentiality

- Pass on information to anyone, without permission of the person in charge

Example: This includes being asked for information from relatives/friends or other employees of the Council outside the department in which you are working

- Remove from the Council any documents which you handle.
- Pass on any documentation to another person without the consent of the person in charge of the department.
- Pass on any personal information which would identify someone when answering a telephone, without the consent of the person in charge of the department.

You must:

- Be aware that careless talk leads to a breach of confidentiality

- Continue to maintain confidentiality even when you are no longer on work experience at the Council.
- Respect other people's personal information in the way you would wish your personal and confidential details to be respected.

I confirm that I have read and fully understood this Code of Conduct and the consequences of any breach.

Signed: Date:
.....

Print Name:

**RECOMMENDED ITEM FROM UNION/EMPLOYEE CONSULTATION
COMMITTEE HELD ON 15TH NOVEMBER 2010**

**564. DRAFT VOLUNTEER POLICY
EXEMPT PARAGRAPH 4**

The Head of Human Resources and Payroll presented a report to consult with committee members on a revised Volunteer Policy.

It had been recognised that the Volunteer Policy document was too lengthy and some of the measures impractical in terms of recruiting volunteers for one off events. The Head of Human Resources and Payroll in consultation with the Head of Leisure had undertaken a review of the Policy in July 2010 and these changes were highlighted in the report.

Consultation with management groups had taken place and suggested amendments taken on board.

A short discussion took place.

Moved by Councillor E. Watts, seconded by Councillor A.F. Tomlinson
RESOLVED that (1) the report be received,

RECOMMENDED that (1) the Volunteer Policy be referred to Council for approval.

(Head of Human Resources / Head of Democratic Services)

Committee:	Union Employee Consultation Committee	Agenda Item 8.	
Date:	15th November 2010	No.:	
Subject:	Draft Volunteer Policy	Category	*
Report by:	Head of Human Resources / Payroll	Status	Exempt – Paragraph 4
Other Officers involved:	Senior Management Team Extended Management Team Heads of Service (not in EMT) Organisational Development Officer HR Officer		
Director	Chief Executive Officer		
Relevant	Councillor J.E. Bennett, Portfolio Holder		
Portfolio Holder for	Performance and Heritage Champion		

RELEVANT CORPORATE AIMS

STRATEGIC ORGANISATIONAL DEVELOPMENT – Continually improving our organisation, by ensuring Policies are regularly reviewed to meet the needs of the Council.

SOCIAL INCLUSION - Promoting fairness, equality and lifelong learning by providing volunteering opportunities which improve the life chances of those volunteering, and contribute to improving the quality of life in communities

TARGETS

The subject matter of this report does not directly contribute to a target in the Corporate Plan.

VALUE FOR MONEY

The proposals deliver value for money for the Council and volunteering opportunities in a structured way.

THE REPORT

1. The Council has offered volunteering opportunities for a number of years, primarily in Leisure. The number of volunteers on the Council register in 2009/10 was 7. This is supplemented on occasions for volunteers for one off events such as brass band concerts.

2. The Volunteer Policy was first produced by Leisure Services in March 2007, and updated by the Head of Leisure in June 2009. However it was recognized, by both Leisure and Human Resources, that the document was too lengthy and some of the measures impractical in terms of recruiting volunteers for one off events.
3. As a result the Head of Human Resources/Payroll, in consultation with the Head of Leisure, undertook a review in July 2010. This resulted in the following changes:
 - The policy has been 'slimmed down' by using a flow chart to describe the process of recruiting volunteers
 - Reduced pre-employment checks have been introduced (which have been approved by internal audit)
 - An application form has been added to the policy.
 - An administrative checklist has been added to the Volunteer Compact form (Appendix 2)
4. Consultation has taken place on this revised policy with the following groups:-
 - Senior Management Team
 - Extended Management Team
 - Heads of Service (outside Extended Management Team)

Suggested amendments have been taken on board and a final draft policy is attached to the report.

ISSUES FOR CONSIDERATION

1. Feedback on the draft Volunteer Policy is requested from UECC Members.
2. The draft Volunteer Policy will then be referred to Council for approval.

IMPLICATIONS

Financial : None
 Legal : Compliance with the Health & Safety at Work Act and the Equalities Act 2010
 Human Resources : As outlined in the Policy

RECOMMENDATION(S) that

1. **the report be received.**
2. **the Volunteer Policy be referred to Council for approval.**

ATTACHMENT: Y (1)
 FILE REFERENCE: N/A
 SOURCE DOCUMENT: N/A

BOLSOVER DISTRICT COUNCIL

Volunteer Policy

January 2011

This policy addresses the following Corporate Aims:



Bolsover District Council Equalities Statement

Bolsover District Council is committed to equalities as an employer and in all the services provided to all sections of the community.

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Minicom: 01246 242450
Fax: 01246 242423

Details of Document	
Title	Volunteer Policy
Document Type – i.e. draft or final version	Draft Version
Location of Policy	Intranet – Policies/Plans – HR & Payroll
Author of Policy	Head of HR/Payroll
Member Route for Approval & Cabinet Member Concerned	Cabinet Member for Performance
Date Risk Assessment Completed	July 2010
Date Equality Impact Assessment Approved	16 September 2010
Partnership Involvement (if applicable)	None
Policy Approved By	Council
Date Approved	*
Policy Review Date	January 2014
Date Forwarded to CSPD (to include on intranet & internet if applicable to the public)	

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1.0 INTRODUCTION

- 1.1 The Council recognises the vital contribution that volunteers make to improving quality of life in communities across Bolsover district. In many respects volunteers are the glue that binds communities together and therefore the Council needs to play its part in supporting and nurturing the next generation of volunteers.
- 1.2 The Council is committed to increasing opportunities for local people to volunteer and a number of areas of activity within the Council particularly lend themselves to volunteering.
- 1.3 This policy identifies how the Council will recruit & manage volunteers placed within the organisation.

2.0 WHAT IS A VOLUNTEER?

- 2.1 **VOLUNTEERS** are adults (18 years of age and over) who, unpaid and of their own free will, contribute their time, energy and skills to benefit their community and/or improve their skills to obtain paid employment. Young adults, aged 14-17, wishing to undertake unpaid work experience will be dealt with under the Council's Work Experience Placements Policy.

3.0 SCOPE

- 3.1 This policy applies to all Council departments wishing to offer volunteer placements within their areas of operation.

4.0 RECRUITMENT AND SELECTION OF VOLUNTEERS

Our Guiding Principles when recruiting volunteers are:

- 4.1 Volunteers are not recruited as a substitute for paid staff.
- 4.2 Services provided by volunteers should enhance and not replace those provided by paid staff.
- 4.3 Volunteers should not perform tasks or provide services that are the legal responsibility of someone else.
- 4.4 Volunteers should be recruited to perform tasks that match their original motivation to volunteer.
- 4.5 Volunteers are to be recruited only where staff from the host department agrees to the arrangement and welcome volunteers.
- 4.6 Volunteers are recruited from a broad cross section of the community.

The process for recruiting/appointing volunteers is set out at Appendix 1.

5.0 VOLUNTEER INDUCTION AND TRAINING

- 5.1 The training of volunteers is the responsibility of the host department. It should be given a high priority by supervisory staff and needs to start before volunteers have any interaction with or responsibility for service-users.
- 5.2 A structured training programme will ensure that the volunteer understands and is able to take on the responsibilities of their voluntary work. An effective programme for volunteers would include training and information on:
 - 5.2.1 An induction to the Council and its corporate aims.
 - 5.2.2 Roles, responsibilities and relationships within the Council/with outside organisations
 - 5.2.3 Record keeping and payment of expenses.
 - 5.2.4 Explanation of the formal mechanisms for reporting information and concerns.
 - 5.2.5 Health & safety responsibilities.
 - 5.2.7 The Council's Equalities Policy.
 - 5.2.8 Child Protection Policy and associated procedures (if applicable)
 - 5.2.9 First aid and emergency reporting procedures.
 - 5.2.10 Support mechanisms available to volunteers.
 - 5.2.11 Any specific procedures or systems that are relevant to the type of volunteering being undertaken.

6.0 SUPERVISION AND SUPPORT OF VOLUNTEERS

- 6.1 The line of supervision for all volunteers must be agreed before any volunteers start their placement and the department hosting the volunteer(s) must ensure that formal, recognised supervision exists, with decisions recorded where appropriate and action taken and that this should be an integral part of a volunteers relationship with the Council.
- 6.2 Supervision/volunteer ratios must be based on an assessment of the risks associated with the volunteer placement; however the supervisor/volunteer ratio should not exceed 1:10.

7.0 DISCIPLINARY AND GRIEVANCE HANDLING

- 7.1 As with paid employees Volunteers are expected to display the highest levels of courtesy, conduct and integrity and behaviour towards staff, customers, members of the public and other volunteers at all times and not to do anything which may bring the Council's or any member of staff's reputation into disrepute.
- 7.2 The Council highly values volunteers – however this does not mean that all volunteers should be retained regardless of conduct, or that volunteers with a grievance relating to their volunteering are denied the right to express it. The Council will aim to ensure that there will be a fair and consistent approach to the enforcement of standards of conduct across the organisation.
- 7.3 Every effort will be made to resolve problems through supervision/guidance. However, where this fails to resolve the situation, the volunteer will be advised that the volunteering opportunity will be withdrawn.
- 7.4 A volunteer with a grievance should raise the matter with colleagues individually, with their supervision or through discussion at team meetings. Where this fails to resolve the situation, consideration will be given to termination of the volunteering opportunity.

8.0 CONTRIBUTING TO SERVICE DELIVERY IMPROVEMENTS

- 8.1 When volunteers have a key role in delivering and influencing services it is important that systems are established to enable them to contribute their views about service delivery.
- 8.2 Volunteers do not make operational or strategic decisions, however they do occupy a unique role in service delivery which should be used to inform future development. Formal recognition of this and the creation of a process whereby they can articulate their views about services, perhaps through team meetings, would contribute to a more effective relationship between volunteers and the Council.

9.0 REIMBURSEMENT OF OUT OF POCKET EXPENSES

- 9.1 Although voluntary work is freely given, with no expectation of payment, it would be unreasonable to expect volunteers to be out of pocket as a result of their volunteering and as such the Council will pay for any eligible expenditure incurred as a direct result of their voluntary work.

9.2 General Guidelines

Volunteers must seek approval from their appointed Supervisor before any out of pocket expenditure is incurred.

Host departments will be responsible for meeting any out of pocket expenditure from their own budgets.

Volunteers should complete a '**Volunteer Expenses Claim Form**' as shown at appendix 3 attaching proper receipts.

Alternatively, the Supervisor can meet these out of pocket expenses and claim them on an Employee Expense Claim Form providing proper receipts and also detailing the name of the volunteer(s)/providing an itemised expenditure list showing what expenses has been incurred on behalf of each volunteer.

9.3 Allowances, Ex-gratia payments, pocket money and honoraria

The Council should not make any payments in excess of the actual cost incurred as these are classed as earnings, and this will change the person's status from volunteer to employee, which would bring with it a large number of employment law issues. This could also create problems for unemployed volunteers with the Benefits Agency and could have tax and national minimum wage implications for both the volunteer and the Council. A volunteer must not, therefore, be paid anything other than the reimbursement of receipted expenses, based on "reasonable" rates.

9.4 Which receipted, reasonable expenses does the Council authorise?

- Travel expenses to and from the place of volunteering from home, either at a fixed local mileage rate (32p per mile for 2010/2011) or by reimbursing bus fares.
- Travel expenses from the place of volunteering to another place of voluntary work.
- Other expenditure incurred through voluntary work, where authorised in advance.

10.0 HEALTH, SAFETY & WELFARE OF CUSTOMERS & EMPLOYEES

10.1 Volunteers should ensure that the health, safety and welfare of customers, other members of the public and employees is considered at all times and be aware of the requirements of the Health and Safety At Work Act which sets out individual responsibilities for health and safety at work.

11.0 INSURANCE

- 11.1 By definition “volunteers” are included within the term employees, and are covered by the Council’s insurance policies. Any volunteer must in line with Council operating procedures, policies and guidelines.

12.0 CRIMINAL RECORD CHECKS

- 12.1 All volunteers who work with or come into contact with children/vulnerable adults will be subject to a Criminal Records Check at an ‘enhanced’ level of disclosure. These volunteers will also be asked to sign and return a **‘Working with Children/Vulnerable Adults Self Disclosure Form’** and operate in accordance with the systems and procedures contained in the Council’s Child Protection Policy.
- 12.2 No volunteer is to start their placement until a satisfactory Criminal Records Bureau Check (CRB) has been received.
- 12.3 A CRB and references **will not** be required for volunteers for one off events where:
- there is no direct / independent supervision or instruction of children &/or vulnerable adults by the volunteer
 - the volunteer is supervised throughout
 - there is no independent responsibility for the administration, collection or storage of cash

13.0 CONFIDENTIALITY

- 13.1 Volunteers are bound by the same requirements for confidentiality as paid employees, i.e. compliance with the provisions of the Data Protection Act. Under no circumstances are volunteers to talk about or publicly disclose any personal, financial or other confidential information relating to the Council, any of its employees, members of the public, other volunteers, the Council’s customers or third party organisations.

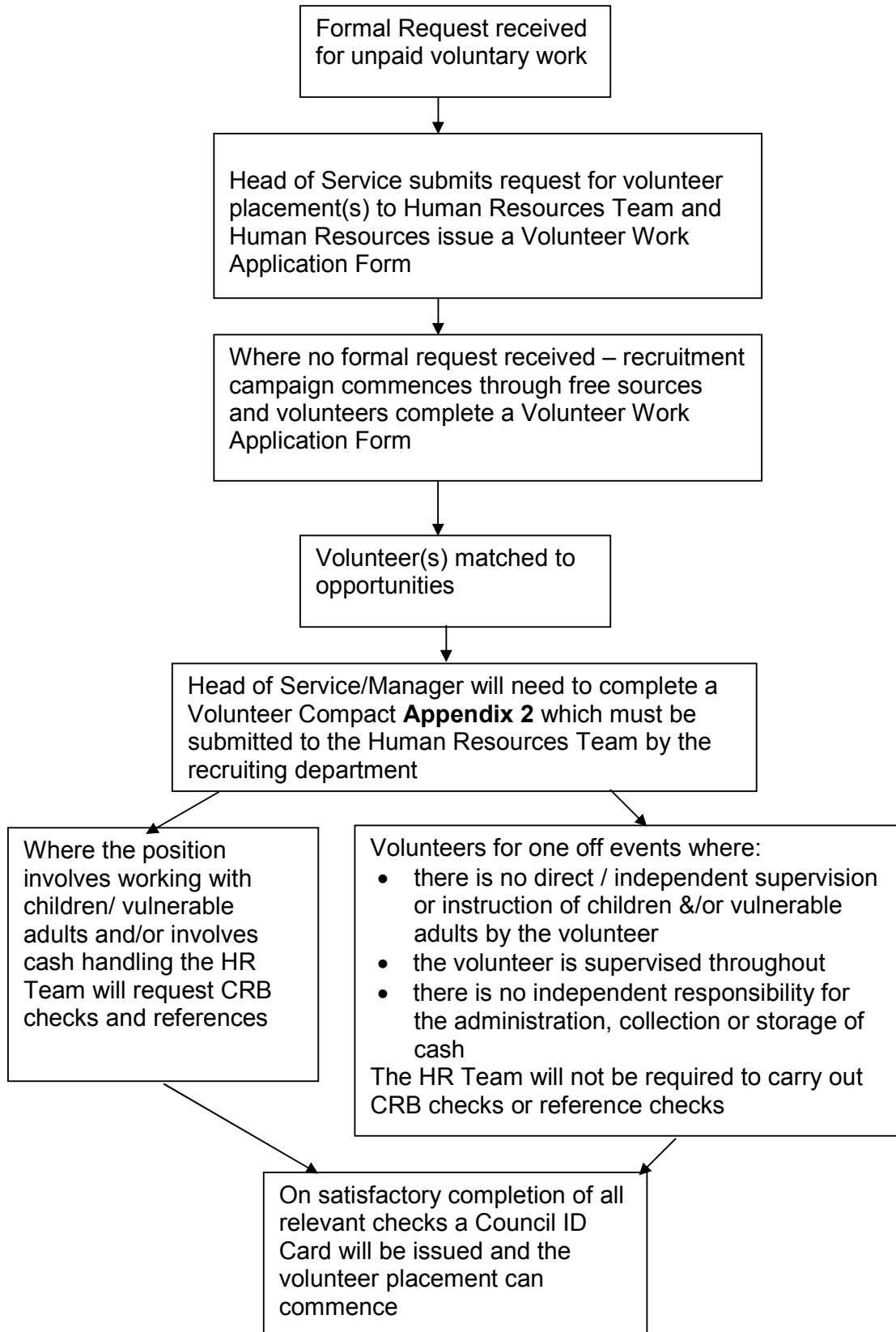
14.0 EQUALITIES

- 14.1 Volunteers should familiarise themselves with the contents of the Council’s Equalities Policy and be aware of its requirements insofar as it is relevant to their own placement and the work of the department in which they are volunteering.

15.0 NOTIFICATION OF NON-ATTENDANCE

- 15.1 Although a volunteer's time is given freely they are asked to agree what level of commitment they are able to give so that departments can manage the volunteer placement more effectively. If volunteers are unable to attend any agreed periods they should notify their Supervisor in advance (giving as much notice as possible). If volunteers wish to increase or decrease their level of voluntary activity then the Head of Service should be notified of this in advance in writing.

RECRUITMENT PROCESS FOR VOLUNTEERS



Supervising Officer Copy ☐
Head of HR/Payroll Copy ☐
Head of Finance/Revenues Copy ☐
Head of Service Copy ☐



Appendix 2

Volunteer Compact

Please arrange a Volunteer Compact for the following

Name of Volunteer _____
(please print in black ink)

Address _____

Date of Birth _____

Contact No. _____

Name of Supervisor/Line Manager _____

Proposed Placement Period 1 week ☐
 1 month ☐
 3 months ☐
 6 months ☐
 12 months ☐
 Other (please specify) _____

Scope of Voluntary Work

Description of voluntary activity to be undertaken
--

Agreed level of voluntary activity (specify frequency and hours where possible)

Signed _____
Head of Service

Date _____

Checked by
(Please Print Name) _____

Signature _____

Date _____

HR and Payroll use only

Application form received _____

Qualifications seen and copied _____

Identity documents seen and copied including NI Number _____

Reference received _____

As applicable

Child Protection/Vulnerable Adults Policy sent and form received

CRB clearance received _____

Confirmed start date _____

First review due on _____

Second review due on _____

Third review due on _____

Fourth review due on _____



Volunteer Expenses Claim Form

This form is to be used to record those expenses you incur whilst volunteering for Bolsover District Council for which you wish to be reimbursed.

Date	Expenditure	Amount £

Total

The Council will reimburse expenses as soon as is reasonably practicable through the Payroll system (current pay day is 26th of the month), claims for periods exceeding a calendar month will not be considered. **Receipts should be obtained for all items of expenditure including petrol receipts relating to journeys made by car.**

These represent an accurate account of my expenses.

Name of Volunteer

Name of Supervisor

Volunteers Signature

Supervisor's Signature

Date

Authorised by

	VOLUNTARY WORK APPLICATION FORM CONFIDENTIAL
	NAME: ADDRESS:
This document is available in large print and other formats from any of the Council Offices by telephoning 01246 242430. Please bear in mind we will need a few days to arrange this facility. If you need help to read this document please do not hesitate to contact us. NOTES FOR APPLICANTS: Bolsover District Council recognises the vital contribution that volunteers make to improving quality of life in communities across Bolsover district. In many respects volunteers are the glue that binds communities together and therefore the Council needs to play its part in supporting and nurturing the next generation of volunteers. The Council is committed to increasing opportunities for local people to volunteer and a number of areas of activity within the Council particularly lend themselves to volunteering. Volunteers are adults (18 years of age and over) who, unpaid and of their own free will, contribute their time, energy and skills to benefit their community and/or improve their skills to obtain paid employment. An application form is used because it allows us to process your application more quickly. The form directs applicants to provide certain pieces of information in a standardised order, which means that we can easily find our way to specific information and gaps in the information can be easily spotted. The forms are designed to eliminate discrimination. Selection for volunteering will be based solely on the information given in the application form. All personal information provided to Bolsover District Council will be held and treated in confidence in accordance with the Data Protection Act 1998.	

PERSONAL DETAILS			
SURNAME:		FORENAMES:	
ADDRESS:			
POSTCODE:			
TELEPHONE NUMBER (HOME):			
MOBILE NUMBER:		E-MAIL ADDRESS:	

DESCRIPTION OF
VOLUNTARY ACTIVITY TO BE
UNDERTAKEN:

Do you have any special requirements which we can help you with in order to make the application process easier for you?

--

STATEMENT OF APPLICATION

Please include any interests and hobbies you have and any voluntary or paid work experience relevant to the volunteering opportunity you are applying for

EMPLOYMENT RECORD

Please give details of any previous employment or voluntary work undertaken, relevant to the volunteering opportunity you are seeking

DATES	EMPLOYER'S NAME AND NATURE OF BUSINESS	POSITION HELD AND MAIN RESPONSIBILITIES	REASON FOR LEAVING

EDUCATION AND TRAINING HISTORY

Please attach photocopies of any further education or professional qualifications relevant to the volunteering opportunity. Original documents will need to be produced.

GCSE/GCE QUALIFICATIONS		
Subject	Level	Date
Qualification	Awarding Body	Date
PROFESSIONAL QUALIFICATIONS/MEMBERSHIP OF PROFESSIONAL BODIES and any other relevant studies you have completed or are currently undertaking		
Qualification/Membership	How obtained/Level of Membership	Date
RELEVANT TRAINING (please continue on a separate sheet of paper if necessary)		
Course	Date(s) and Duration	

GENERAL INFORMATION

Do you possess a current driving licence? YES ☐ NO ☐

If yes, please state which type of licence is held:

Do you own or have access to a car/motorcycle? YES ☐ NO ☐

Please give details of any endorsements:

National Insurance Number:

Please give details of any conviction, other than those which are 'spent' under the provision of the Rehabilitation of Offenders Act 1974. Failure to disclose such convictions could result in dismissal. Any information given will be treated in the strictest confidence.

Please note that certain areas of the Council's work are exempt from the provisions of the Rehabilitation of Offenders Act 1974 by virtue of the (exemptions) order 1975.

Spent convictions must be declared for applications in relation to the voluntary opportunities working in Leisure or alongside the following posts

- Leisure
- Housing Wardens
- ASB Investigating Officer
- Community Ranger
- Handy Van Person
- Project Support Co-ordinator/Worker
- Heating Manager
- Domestic Violence Officer
- Apprenticeship Programme Co-ordinator/Officer

NB A CRB check will not be required for volunteers for one off events where there is no direct/independent supervision or instruction of children and/or vulnerable adults by the volunteer, the volunteer is supervised throughout, there is no independent responsibility for the admin, collection or storage of cash

Volunteers who work with or come into contact with children/vulnerable adults will also be asked to sign and return a Working with Children/Vulnerable Adults Self Disclosure Form and operate in accordance with the systems and procedures contained in the Council's Child Protection Policy.

REFERENCES

Please give details of a referee. This should be from the most relevant source, i.e. if you have previously undertaken paid employment in the area for which you are volunteering you should use this employer as your referee. Where such a referee is not available, you may choose to supply a referee from an educational establishment or other volunteering activity.

NB A reference will not be required for volunteers for one off events (as defined on previous page)

Name:

Job Title:

Full

Address

inc.

Postcode:

Telephone Number:

E-mail:

If you are related to any Elected Member or Employee of the District Council, please give their name and your relationship to them.

NOTE: The Council will disqualify any applicant who directly or indirectly seeks the support of any Councillor / Officer for any volunteering opportunity with the Council.

DECLARATION

I declare that I have read and understood all the information provided with this application. For the purposes of the Data Protection Act 1998, I consent to the information contained in this form, and any information received by or on behalf of Bolsover District Council relating to the subject matter of this form, being processed by them in administering the work placement process. I understand that any offer of a placement is dependant upon this declaration and information contained within this application. To the best of my knowledge and belief the information contained in this form is accurate.

I give my consent to Bolsover District Council undertaking a CRB disclosure check if applicable.

Signed:

Date:

EQUAL OPPORTUNITIES MONITORING INFORMATION

General Information

1. Bolsover District Council wants to make sure that everyone has equal access to our volunteering opportunities. To achieve this we monitor all applications.
2. Please complete the information over the page. The information will then be detached from your application and stored securely and confidentially. It will not, under any circumstances be seen by anyone involved in assessing your application.
3. If you would like to discuss any aspect of the Council's Equality policies, please contact the Equality and Diversity Officer on 01246 242407.
4. Discrimination on the grounds of sex, pregnancy and maternity, marriage and civil partnership, age, race, disability, religion/belief, gender re-assignment or sexual orientation is illegal. Equality monitoring helps us ensure that there is no indirect discrimination occurring in this process. The monitoring information also helps us to improve our policies and practices.
5. Please note that the race questions are not about place of birth or citizenship. UK citizens can belong to any of the groups indicated e.g. White, African, Caribbean, Indian, Pakistani or other group.

The Council aims to ensure that consideration of sex, pregnancy and maternity, marriage and civil partnership, age, race, disability, religion/belief, gender re-assignment or sexual orientation should play no part in this process. To assist the Council in monitoring the effectiveness of this policy, please complete the following:-

Draft Sept 2010

**RECOMMENDED ITEM FROM UNION/EMPLOYEE CONSULTATION
COMMITTEE HELD ON 15TH NOVEMBER 2010**

**565. DRAFT MANAGING SICKNESS ABSENCE POLICY/
PROCEDURE
EXEMPT PARAGRAPH 4**

The Head of Human Resources and Payroll presented a report to inform committee members of changes made to the Managing Sickness Absence Policy and Procedure following feedback from six focus groups held in February/March 2010. These changes were identified through tracked changes in the Policy and Procedure which was attached to the report.

Consultation on the suggested changes had taken place with various management groups, though it was noted that the IIP Working Group had been missed off the list of groups identified in the report. A full Equality Impact Assessment had been carried out and presented to the Equality Services Development Group where no equality issues had been raised.

The Head of Human Resources and Payroll had also attended the Equalities Working Group meeting on 5th November 2010, to give detail of the history of why the revisions to the Policy and Procedure had occurred, and to clarify each of the changes made. The Equalities Working Group had suggested a further amendment to the Procedure in terms of the checklist for conducting a return to work interview contained within paragraph 4 of the procedure. It was suggested that the following additional wording be included as the first bullet point in the checklist, "Check with the employee if the medical issues may be sensitive and provide them with an opportunity to discuss these issues with a manager of the same gender".

Unison representatives sought further clarification on changes in relation to short term sickness absence.

Lengthy debate took place regarding staff using annual leave to cover short term sickness absence and concerns were raised that this could be covering underlying medical health problems. Examples of these types of situations were given by the Head of Human Resources and Payroll.

Further discussion took place regarding referrals from GPs, occupational health, adjustments in the work life balance policy to help with appointments, and other support measures which the Council offered to its employees.

The Chair suggested an additional recommendation that, in consultation with

the Unions, the Policy be reviewed in twelve months time.

Moved by Councillor D. McGregor, seconded by Councillor E. Watts

RESOLVED that (1) the report be received,

RECOMMENDED that (1) the Managing Sickness Absence Policy and Procedure be referred to Council for approval, subject to the additional wording in relation to the Return to Work checklist in the Procedure.

(2) in consultation with the Unions, the Policy be reviewed in twelve months time.

(Head of Human Resources and Payroll / Head of Democratic Services)

Committee:	Union Employee Consultation Committee	Agenda Item No.:	9.
Date:	15th November 2010	Category	*
Subject:	Draft Managing Sickness Absence Policy/Procedure	Status	Exempt – Paragraph 4
Report by:	Head of Human Resources/Payroll		
Other Officers involved:	Employee and Manager Focus Groups Investors in People Working Group Senior Management Team Extended Management Team Heads of Service (not part of EMT) Health & Well Being Group Senior HR Officer		
Director	Chief Executive Officer		
Relevant Portfolio Holder	Councillor J.E. Bennett, Portfolio Holder for Performance and Heritage Champion		

RELEVANT CORPORATE AIMS

STRATEGIC ORGANISATIONAL DEVELOPMENT – Continually improving our organisation, by ensuring policies are continually reviewed to meet the needs of the Council.

TARGETS

The subject matter of this report does not directly contribute to a target in the Corporate Plan.

VALUE FOR MONEY

The proposals deliver value for money for the Council and its customers, by ensuring consistent and fair absence management controls.

Please describe how the proposals deliver value for money for the Council and its customer.

THE REPORT

1. A more structured approach to managing sickness absence commenced in 2004/5 as a result of the high levels of sickness absence at the Council which at that end of 2003/4 stood at 12.57 days per FTE. A number of refinements to the processes have been undertaken, the last review of the Managing Sickness Absence Policy and Procedure having taken place in April 2008. As a result of the consistent application of this Policy, sickness absence was reduced and currently stands at 8.39 days per FTE by 2009/10.
2. As part of achieving Investors in People status in August 2008, concerns were raised regarding the triggers used as part of the short term sickness absence element of this procedure. The essence of these concerns being that the 6 day trigger was too harsh.
3. In February/March 2010, a number of focus groups were held with employees and managers to determine any concerns/suggested improvements to both the long term/short term sickness procedure.
4. A summary of the findings were submitted to Senior Management Team in June 2010, along with views from Human Resources, and Senior Management Team gave their steer on these issues. A copy of this summary document is attached.
5. During July 2010 changes were then made to both the Policy and Procedure, which in brief are:
 - Clarification of the short term sickness triggers for all categories of employees including part time/disabled/pregnant employees and those off work due to an industrial injury.
 - Legislative changes relating to the introduction of the new 'Fit Note'
 - More emphasis on the purpose of the reviews being to enable support measures to be put in place – rather than being punitive
 - A softening of the short term first notification of concern letter
 - Explicit reference to the fact that managers should not allow employees to use annual leave instead of taking sickness where there is an underlying medical condition, as this prevents support measures being put in place.

Exact details of changes are identified through tracked changes in the attached Managing Sickness Absence Policy and the Managing Sickness Absence Procedure.

6. Consultation on the changes was undertaken during July/August/September 2010 with the following groups:
 - Senior Management Team

- Extended Management Team
- Heads of Service (outside Extended Management Team)
- Health and Well Being Group (includes a representative from UNITE/UNISON)

At the Health and Well Being Group on 24th September I was advised that the issue of not being able to use annual leave to cover sickness where there is an underlying medical condition was to be subject to a full consultation with UNISON members. No concerns have been raised on this issue by UNITE. At the time of writing this report no response to this UNISON consultation has been received. However, the concerns of UNISON were raised with Extended Management Team on 30 September 2010. The view of this group was that this was a correct step to take in accordance with their duty of care to employees within their departments.

ISSUES FOR CONSIDERATION

1. Feedback on the revised Managing Sickness Absence Policy is requested from UECC Members.
2. Feedback on the revised Managing Sickness Absence Procedure is requested from UECC Members.
3. The draft Managing Sickness Absence Policy/Procedure will then be referred to Council for approval.

IMPLICATIONS

Financial : None
 Legal : Compliance with employment law including the Health & Safety at Work Act and the Equalities Act 2010
 Human Resources : As outlined in the Policy/Procedure

RECOMMENDATION(S) that

1. **The report be received.**
2. **The Managing Sickness Absence Policy and Procedure be referred to Council for approval.**

ATTACHMENT: Y (3)
 FILE REFERENCE: N/A
 SOURCE DOCUMENT: N/A

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of the Local Government Act 1972**

SICKNESS ABSENCE FOCUS GROUPS OUTCOMES – 2010

In February/March 2010 focus groups were held with a cross section of managers/employees to gain feedback on all aspects of the Managing Sickness Absence Procedure. The key themes identified for improving the procedure are set out below:

LONG TERM ABSENCE			
Current Practice	Suggestion from Focus Groups	HR View	SMT View
Triggers are: First Stage – 4 weeks Second – 1-2 months after First Stage Third – 1-2 months after Second Stage Capability Hearing – no timescales in procedure but generally 2-4 weeks from Third Stage	Most felt the triggers used for long term sickness were reasonable and should not be shortened or lengthened. However, it was requested that flexibility be introduced at First Stage to make this 4-6 weeks instead of 6 weeks as for some conditions it is too early, but it was recognised that for others early referral is necessary	Suggest bringing triggers for First-Third Stage in line at 4-6 weeks. Leave Capability Hearing as now, with no fixed period due to need to find a slot in CEO/Directors diaries.	First Stage – if a medical certificate totalling up to 20 days has been submitted a referral will be arranged to occupational health. Following Reviews 4-6 weeks. Capability Hearing – no change
Provision of 4 week phased return to work with Council giving all time. In exceptional circumstances if longer than 4 weeks needed employees use annual leave	Long Term Sick Group were OK with using their annual leave for all of period. Management Group had two suggestions: - Council give two weeks, employee give two weeks - Have a cut off – say if employee off more than 3 months, use part phased/part annual leave. If employee off less than 3 months Council provide	Feel complete removal of Council granting 4 weeks phased returns could be detrimental to achieving return to work. Different options based on length of time off could be confusing to employees Preferred move is 2 weeks from Council/2 weeks from employee leave	No change to 4 week phased return. If longer than 4 weeks recommended incl. use of annual leave. If more than 5 working days left at end of leave year allow carry forward in accordance with legislation, ie. Calculate entitlement for full year under WTR (not LG leave)

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of the Local Government Act 1972**

LONG TERM ABSENCE			
Current Practice	Suggestion from Focus Groups	HR View	SMT View
	all of time. Management group questioned what would happen if no leave left.		then deduct leave taken to determine amount to be c.fwd.
Currently, under Leave Guidelines, if employee taking a holiday in England or abroad when off sick this is treated as sickness absence/sick pay. Discussions took place on the feasibility of requesting employees to request annual leave in these circumstances	Employee group OK with suggestion provided it was not compulsory. Management group felt this would then depend on the credibility of the individual.	Due to difficulties in consistent approach to leave this out of the Policy and continue as present.	Agreed not to give provision to take annual leave during sickness period.
Due to a concern raised by change motivator group regarding parallel monitoring on long term and short term sickness absence this was discussed with the sickness focus groups	They did not see this as a problem and could understand why the different monitoring systems were used	Retain current system with no changes	Agreed no change

SHORT TERM ABSENCE			
Current Practice	Suggestion from Focus Groups	HR View	SMT View
5+ day trigger points	Mixed views were expressed across the 5 groups consulted. Three groups felt the trigger was too harsh and that employees were being forced to come to work ill or use annual leave to cover sickness. Also suggested that the	HR feel that the current trigger points should remain, but that consideration be given by SMT as to how the support mechanisms could be better communicated to managers and	Trigger point to be 6 days or more in a rolling 12 month period. Clarify in procedure and letters to ensure consistent wording. Include in

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of the Local Government Act 1972**

SHORT TERM ABSENCE			
Current Practice	Suggestion from Focus Groups	HR View	SMT View
	psychological fear of triggering may be causing physical health problems. These three groups suggested an 8 day trigger be trialled for 12 months, but when asked how to manage impact on service delivery – no clear answer was given other than they would prefer to cover for sick colleagues rather than them attend when they are unwell and infect others Two Groups felt the trigger was tough but expressed concern that if relaxed it would impact on service delivery and some people would just work up to the level of the trigger	employees	procedure that annual leave not to be used to mask underlying medical condition. If leave being used this will be at the discretion of the Head of Service/Director in consultation with HR
Sickness Reviews	Concerns were raised about the way in which some managers carried these out in a mechanistic/ checklist manner Concerns were also raised regarding delay in conducting sickness reviews leading to longer monitoring period	Suggestions welcome on how we can get managers to adapt their style based on the type of absence Managers must conduct these generally within 2 weeks of receipt of Trigger Report. HR do not want to see discretion re-introduced as this led previously to	Ensure procedure/ training emphasises that these should be conducted in a sympathetic manner. Sickness Review to be conducted within 4-6 weeks of return to work following absence which has resulted in trigger

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of the Local Government Act 1972**

SHORT TERM ABSENCE			
Current Practice	Suggestion from Focus Groups	HR View	SMT View
	Discretion to waive sickness reviews requested by some.	inconsistent treatment across the Council	point being met. Agreed discretion not to be widened
Sickness Review Letters	Concerns were also raised regarding the harsh tone of the letters	HR to look at letters and soften tone – particularly the first stage letter	Agreed
Working at Home Whilst Off Sick	Concern was expressed in one focus group regarding the practice in some departments of allowing employees to work at home whilst off sick. They felt this raised inequalities of treatment as some employees work does not allow this	Not a part of any HR Policy – what is SMT's view on this.	SMT view that wording be included in Home Working Policy that as home working is a planned event, this would preclude employees claiming hours for working at home rather than reporting sick
Reasonable Adjustments Advice	Can HR produce a list of reasonable adjustments	Feel this is not possible, other than in the general terms already in the procedure as each case must be dealt with individually	Agreed

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of the Local Government Act 1972**

OTHER ISSUES RAISED

Issue	HR view	SMT View
Providing Emergency Paid Leave (DCC give up to 5 days per year paid at managers discretion). One group and Change Motivators felt this was an issue and that the Council was very harsh in expecting people to take annual leave/flexi. All other groups did not see this as a problem	DCC have harmonised all their leave to 5 days, e.g. public duties, emergency leave and bereavement leave and do not feel this is abused. We currently have different amounts for different leave. Following discussion within HR it is felt that the current compassionate leave could be extended to cover serious domestic situations such as sudden hospitalisation of a partner or child or house being burnt down	SMT felt strongly that the Council's Work Life Balance Policy was sufficient to cover this. For those not on flexible working patterns due to the type of work, they could apply to the Director for discretion on this point.
Create links between occupational health and Bolsover Wellness	Implemented this suggestion	Agreed
Organise Health Promotion Events	HR committed to providing at six monthly intervals through Employee Forums	Agreed
Re-advertise Benenden Health	Already done via weekly bulletin	Agreed
Offer flu vaccines	May be useful to consider for those employees (without underlying medical conditions) working with vulnerable adults	Not to take forward at this time due to cost implications
Offer incentives to employees with no sickness	HR not in favour as per previous reports to SMT	Agreed
Managers to communicate with employees during sickness absence	Generally in favour – only concern is if manager is cause of stress	No change to current policy

BOLSOVER DISTRICT COUNCIL

Managing Sickness Absence Policy

Draft October 2010

This Policy addresses the following Corporate Aims (show those which are appropriate to the policy only):



The Bolsover District Council Equalities Statement

Bolsover District Council is committed to equalities as an employer and in all the services provided to all sections of the community.

- The Council believes that no person should be treated unfairly and is committed to eliminate all forms of discrimination in compliance with the Equality Policy.
- The Council also has due regard to eliminate racial discrimination and to proactively promote equality of opportunity and good relations between persons of different racial groups when performing it's functions.

This document is available in large print and other formats from any of the Council Offices or by contacting the Chief Executives Directorate on 01246 242341 . Please bear in mind we will need a few days to arrange this facility.

If you need help to read this document please do not hesitate to contact us.

Our Equalities Officer can be contacted by **Email** or by telephoning 01246 242323 or 01246 242407.

Minicom: 01246 242450

Fax: 01246 242424

DATA PROTECTION

Information given to Bolsover District Council will be used only for the Council's lawful purposes, for the provision of joined up services, and will not be passed to anyone outside the Council without lawful authority.

CONTROL SHEET

Details of Document	Comments / Confirmation
Title	Managing Sickness Absence Policy
Document type – i.e. draft or final version	Draft
Location of Policy	L:/PERS/LINDK/POLICIES+ PROCEDURES
Author of Policy	Head of Human Resources/Payroll
Member route for Approval & Cabinet Member concerned	Cllr. J.E. Bennett Cabinet Member for Performance
Date Risk Assessment completed	16 July 2010
Date Equality Impact Assessment approved	16 September 2010
Partnership Involvement (if applicable)	N/A
Date added to the Forward Plan	N/A
Policy Approved by	Council
Date Approved	
Policy Review Date	April 2014
Date forwarded to CSPD (to include on Intranet and Internet if applicable to the public)	

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1. **Introduction**

The Council values the contribution of its employees in the delivery and maintenance of quality services to the community. Whilst recognising that employees may be prevented from attending work through ill health, the Council has a duty to maintain service delivery and minimise disruption. The Authority is, therefore, committed to managing attendance and sickness absence and believes that it is the responsibility of the Council's managers, trade union representatives and employees to work together to promote the management of sickness absence and ill health. Employer and Employee responsibilities are set out in Section 5 of this Policy.

2. **Scope of the Policy**

The Council's Managing Sickness Absence Policy applies to all employees of Bolsover District Council and is designed to encourage early recognition of health problems and to assist in the management of these to the benefit of the Employee and the Council.

The Council's Managing Sickness Absence Policy should always be followed. The Managing Sickness Absence Procedure provides detailed guidelines for line managers to follow to ensure that sickness absence is managed consistently across the Council and can be found via the HR pages on the Intranet. The procedure also underpins:

- Long Term Disability
- Ill Health Retirement
- Termination on the Grounds of Incapability

3. **Principles of the Policy**

The Council recognises that sickness absence affects individuals, work colleagues, the department and ultimately the Council and its services to the public. The principles set out in this policy are to improve attendance by ensuring the following:

- Timely and effective interventions for employees through provision of support mechanisms
- Effective management of sickness absence
- Consistent approach in dealing with sickness absence

Through implementing these principles the Council and its customers will benefit through improved performance levels.

4. **Policy Statement**

4.1 **Recruitment and Selection**

It is important to ensure that sickness absence is considered at the recruitment and selection stage through references, at the offer stage and in the pre-employment medical.

Any candidate who has had 20 or more working days sickness absence in the last 12 months will be offered the post on a 12-month probationary period, subject to them achieving a satisfactory level of attendance, this extended probationary period will provide additional time for reasonable adjustments to be implemented to assist the employee meet the standards of the Council.

4.2 **Recording of Sickness Absence Data**

It cannot be over emphasised that it is the responsibility of the Head of Service to record and monitor the absences of their employees. Failure to comply with this prevents the accurate recording of sickness absence data, prevents application of support to employees when required and undermines the Council's Policy on sickness absence management.

There are three Council wide mechanisms for recording sickness absence data:

- Time Management System
- Weekly Absence Return to Payroll
- Return to Work Interview Form **(to be completed for all periods of sickness absence)**

4.3 **Sick Pay**

Sick Pay is provided in accordance with national terms and conditions of employment. Payment is subject to the employee meeting their obligations to:

- On return to work employees must complete a self-certification form for all periods of absence, within 5 working days of their return to work.
- Where sickness absence extends into an eighth calendar day the employee must submit a Statement of Fitness for Work (Fit Note), which is issued by their doctor, to their line manager as soon as possible.
- If an employee feels able to return to work before the end of the Fit Note period, they can do so without returning to their doctor
- A doctor may issue a Fit Note stating 'may be fit for work' and stating what support would facilitate this. If an employee issued with a 'may be fit for work' statement they must contact their line manager immediately and arrange a meeting to discuss the recommendations of the doctor.

Whilst the Council do not have to act on the doctors advice it will do so where this is reasonably practicable.

- Doctor's notes will not be accepted retrospectively where these are more than 5 working days overdue.
- As part of HR procedures, the HR Team will check that self-certification/doctors notes have been received for all periods of absence in the previous pay period. Should there be any relevant period not covered by a self-certification/doctors note the HR Team will notify the Payroll Team to treat the period of absence as unauthorised and the employee will receive no pay. **Backdated certificates will not be accepted, except in very exceptional circumstances, and with the authorisation of the relevant Director. In these very exceptional circumstances the employee will have to wait for the sickness payment until the next pay period.**

4.4 **Return to Work Interviews**

A return to work interview will be undertaken by the line manager for **all** periods of sickness absence in order to ensure:

- Reasons for absence are discussed
- Support mechanisms are identified
- Employees are brought up to date with developments during their absence
- Trends are identified and discussed

4.5 **Support Mechanisms**

In order to support this policy the following services are available to line managers and employees:-

- Occupational Health Services – to provide advice and guidance on the impact of ill health on work and what steps the Authority and/or the employee may take.
- External Counselling Service – to provide a confidential counselling service to employees in order to discuss concerns related to work or personal circumstances.
- External Physiotherapy Service – to provide a service, on the recommendation of the Occupational Health Provider, to employees with a new work related injury/new ill health/if the current waiting time for treatment via the G.P. is longer than two weeks or if not currently receiving treatment via the NHS.
- Human Resources – to provide support and guidance to managers and employees in dealing with sickness absence and ill health and in the use of the Authority's related policies and procedures.

The following special cases will be given priority for early referral in order that appropriate support mechanisms can be offered:-

- Stress Related Absence
- Accidents at Work

4.6 **Sickness Triggers**

- Long Term Sickness Absence – 20 working days or more
- Short Term Sickness Absence – 6 working days or more in a rolling 12 month period

The sickness triggers will be adjusted where the sickness is as a result of an employee's disability. HR advice must be sought prior to adjusting sickness triggers for disability related sickness. The above triggers will be pro-rata for part time employees.

4.7 **Termination of Employment**

The Council reserves the right to terminate an employee's employment during sickness absence even though they may be in receipt of sick pay when the dismissal takes effect.

5. **Responsibility for Implementing the Policy**

5.1 **Employer Responsibilities**

- To motivate employees to attend work regularly.
- To apply the policy in a fair and consistent manner
- To conduct Return to Work Interviews for all periods of sickness absence to discuss the absence with the employee and to bring them up to date with any work related developments that occurred in their absence.
- To remain in contact with employees on long term sickness absence as appropriate.
- To monitor sickness absence levels
- To encourage the use of occupational health services where appropriate
- Proactively support absent employees
- To ensure the use of external counsellors/physiotherapy where appropriate
- Not to allow employees to substitute sickness for annual leave where this is being used to mask an underlying medical condition, as this would prevent support measures being identified through the referral process. Where it is felt that an employee has been absent due to an underlying medical condition support measures must be discussed as part of the return to work interview. Advice for managers is available from the HR Team.

5.2 **Employee Responsibilities**

- Attend work unless unfit to do so.
- To contact their departmental contact for absence not later than 10.00 a.m. on the first and fourth day of absence or if he/she works shifts not later than 30 minutes of the normal start time. For service needs it may be necessary in some Departments to specify that contact must be made prior to the shift commencing. Where this is the case it is the responsibility of the Line Manager to ensure all employees are notified of this requirement in writing.
- Raise concerns with their line manager or Human Resources, if they believe their job is making them ill or contributing to illness.
- Ensure that appropriate certificates are completed, in accordance with this Policy.
- Maintain contact with their manager during periods of sickness, and communicate effectively with their manager about their absence.
- Co-operate fully with the Occupational Health Unit and other organisations that provide support to the Authority and its employees.
- Ensure that medical advice and treatment, where appropriate, is received as quickly as possible in order to facilitate a return to work.
- Not abuse the managing sickness absence procedure or sick pay scheme.
- Not to work when covered by a Fit Note stating they are not fit to work (see Working Whilst Off Sick Policy)
- Where approval has been given for secondary employment, not to work for another employer whilst absent from their post with the Council.
- Not to participate in any activity whilst off work due to sickness absence which would be prejudicial to recovery and return to work.
- To report to their line manager on return to work to ensure a Return to Work Interview is conducted

Managing Sickness Absence Procedure

Draft October 2010

Consultation: Health & Well Being Group – 24 September 2010
SMT/Heads of Service – July/August 2010
Union Employee Consultation Committee – 17
November 2010

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Approved by: Council – *



CUSTOMER
FOCUSED SERVICES



SOCIAL INCLUSION



STRATEGIC ORGANISATIONAL
DEVELOPMENT



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Appendix 1

Return to Work Interview Form

Appendix 2

Guidance on Reasonable Adjustments

Appendix 3

Guidance on Special Health problems

Appendix 4

Medical Referral Checklist

Appendix 5

[Rules relating to Working Whilst Sick](#)

Appendix 6

Standard letters for short term sickness absence procedure

Notification to Attend First Stage Review	Std Letter 1
Issue of Notification of Concern	Std Letter 2
Confirmation of Satisfactory Attendance (First)	Std Letter 3
Notification to Attend Second Stage Review	Std Letter 4
Issue of Final Notification of Concern	Std Letter 5
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Notification to Attend Capability Hearing	Std Letter 7
Outcome of Capability Hearing	Std Letter 8

I. INTRODUCTION

Dealing effectively with absence requires a continuous and co-ordinated effort by Line Managers and Human Resources. It requires sensitive and consistent application of the Council's Sickness Absence Policy to ensure that understanding is shown towards those who genuinely need to be absent and appropriate action is taken against any who abuse the system. However, in applying this procedure Line Managers must ensure that sickness absence is tackled from a perspective of the impact it is having on service delivery, customers and colleagues, rather than whether the absence is genuine or not.

Sickness amongst employees is one of the most difficult problems with which a Line Manager has to contend. They must, nevertheless, accept responsibility for controlling absence because poorly handled or simply ignored, sickness absence can breed feelings of resentment, disinterest and discontentment amongst employees.

It is important to reinforce that each case should be judged on its own merits, taking into account the reasons and length of absence, the individual's previous absence record and their personal circumstances. Managers should conduct the reviews sympathetically and with the purpose of identifying support mechanisms aimed at improving employee health and attendance. Absences should always be treated as genuine unless evidence is available to prove otherwise.

Strict confidentiality should be observed regarding any information gained in the course of discussions with the individual and from the Council's Medical Advisors.

The Council's Sickness Absence Procedure is in place, to assist Line Managers in taking appropriate action, while working closely with Human Resources. Assistance will be provided by Human Resources/Trade Unions for those employees who are unable have low levels of literacy, or for whom English is not their first language.

Where Line Managers are faced with an employee with a seriously ill relative, they should use the Council's Work Life Balance Policy to provide support to this employee. Where an employee does not have access to flexible working practices under the Work Life Balance Policy sympathetic consideration will be taken to submission of annual leave/flexible working hours. Where this is insufficient for the needs of the employee can apply to their Director for consideration of additional compassionate leave up to 5 working days.

2. RECRUITMENT AND SELECTION

There are a number of measures in place that can reduce the risk of sickness absence, even before employees are appointed:

- ✓ **References** - all referees for the successful candidate are asked to give specific details of the candidate's attendance record and to disclose the number of days lost due to sickness absence during the last 12 months in their employment. ▼

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- ✓ **Pre-employment Medical** - all successful candidates must complete a detailed medical questionnaire, which is screened by the Council's Occupational Health Nurse. This may result in the candidate attending a pre-employment medical. Any offer of employment must be made conditional upon receipt of a satisfactory health report.

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All successful candidates for posts (internal and external) will have their sickness records reviewed and the following action taken where absence levels are equal to/exceed 20 working days during the previous 12 months:-

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- Any offer of employment will be subject to a probationary period of 12 months to enable the Council/Employee to take any measures designed to improve attendance.
- Where the successful candidate is an internal applicant, during the 12-month probationary period, the previous post would be filled on a temporary basis only.

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3. **RECORDING OF SICKNESS ABSENCE**

To ensure fairness and consistency, all periods of absence for each employee must be recorded. Therefore, it is essential that all Line Managers keep an attendance record for every employee.

It is important that all employees, from their first day of employment, understand their responsibilities in relation to reporting sickness absence. These are detailed in the Council's Managing Sickness Absence Policy and will be drawn to their attention as part of the HR Induction process. An up-to-date copy shall be maintained on the Council's Intranet of this Policy and a hard copy will be issued to all employees who do not have computer access facilities.

Line Managers will be responsible for ensuring that all new employees are aware of the departmental reporting requirements should they be absent due to sickness.

3.1 **Reasons for Recording Absences**

Recording of sickness absence or any other type of absence is important for a number of reasons including:

Highlighting patterns of absence

- The Friday afternoon/Monday morning syndrome
- Sickness regularly occurring before and after a period of leave
- Sickness occurring on the same day of each week/month
- Sickness occurring around Religious Festivals

To assist in the management of sickness problems

- By being able to compare employees attendance records on a Department basis
- By being able to monitor sickness problems on a continuing basis

Welfare

- The record may highlight a domestic problem that has resulted in the employee taking odd days off with which a Line Manager can be of assistance. If it is a short-term problem it may be possible to help the individual in such circumstances by rearranging duties or arranging a period of compassionate/special leave.
- However, the needs of the service must be borne in mind when making any such temporary arrangements, which must be seen to be fairly and logically applied within the Department.

Payroll Team

- The Payroll Team must receive the correct information to facilitate correct payment of employees, which include legal obligations in the payment of Statutory Sick Pay. Sick Pay is provided in accordance with national terms and conditions of employment. Payment is subject to the employee meeting their obligations to:
- On return to work employees must complete a self-certification form for all periods of absence, within 5 working days of their return to work. Please cut and paste this link into your web browser <http://cmsserv1/intranet/pdf/SELF-CERTIFICATION%20NEW%20AUGUST%202009.pdf>
- Where sickness absence extends into an eighth calendar day the employee must submit a Statement of Fitness for Work (Fit Note), which is issued by their doctor, to their line manager as soon as possible.
- If an employee feels able to return to work before the end of the Fit Note period, they can do so without returning to their doctor
- A doctor may issue a Fit Note stating 'may be fit for work' and stating what support would facilitate this. If an employee issued with a 'may be fit for work' statement they must contact their line manager immediately and arrange a meeting to discuss the recommendations of the doctor. Whilst the Council do not have to act on the doctors advice it will do so where this is reasonably practicable.
- Doctor's notes will not be accepted retrospectively where these are more than 5 working days overdue.
- As part of HR procedures, the HR Team will check that self-certification/doctors notes have been received for all periods of absence in the previous pay period. Should there be any relevant period not covered by a self-certification/doctors note the HR Team will notify the Payroll Team to treat the period of absence as unauthorised and the employee will receive no pay. **Backdated certificates will not be accepted, except in very exceptional circumstances, and with the authorisation of the relevant Director. In these very exceptional circumstances the employee will have to wait for the sickness payment until the next pay period.**

Formal Action

- Where it is necessary for warnings to be issued as a result of poor attendance, it is essential to have written evidence of all occasions when the employee was absent, and why, within the time period considered.

3.2 Mechanisms of Recording Absence

- The Return to Work Interview Form (Appendix 1) which is completed on return from every period of sickness absence in conjunction with a return to work interview.
- Weekly Absence Return **(record all calendar days) – available via the following link** <http://cmsserv1/intranet/docs/abreturnnov09.doc>
- Time Management System. This provides monthly reports which detail individuals' sickness absence as well as Absence Profiles, which allows for patterns of absence to be detected. **(Record only scheduled working days).**

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4. RETURN TO WORK INTERVIEWS

Every employee **must** be seen informally by their Line Manager on their return to work after sickness absence **(whatever the duration of the absence)**. **It is the responsibility of the employee to report to their Line Manager upon their return to work. The Line Manager is responsible for conducting a Return to Work Interview and completing the Return to Work Form immediately upon their return to work.**

The benefits of this are that it provides an early opportunity to discuss any problems the employee may be experiencing and indicates to the non-genuine absentee and to the rest of the Department that sickness absence is being monitored and is taken seriously.

The Departmental Contact for Absence Reporting shall complete the relevant section of the Return to Work Interview Form (Appendix 1) and pass this to the Line Manager for action. The Line Manager will meet with the employee upon their return to work after every period of absence. When the meeting is completed, both the Line Manager and the employee must sign the form and a copy is given to the employee if requested. This form must be placed in the Department/Section's Sickness Monitoring File, which should be secured and kept confidential.

Sickness absence can be a very sensitive issue and getting the right message across is important. **This meeting should aim to identify support measures with the employee where there is an underlying medical condition/pattern of absence emerging**

Checklist for return to work interview

- Select the interview site to ensure privacy and freedom from interruption
- Have the employee's record to hand and be aware of previous absence
- Begin by welcoming them back to work
- Let the employee know that this interview is standard procedure and that all absences are being monitored
- Discuss the reason for absence, was their doctor consulted; are they receiving medication, etc.

- Ask how they are feeling now and what is their general state of health (identify if there are any limitations on them undertaking the full range of duties of their post and any underlying issues, e.g. family/work related problems)
- [Identify any support measures which may prevent further sickness absence](#)
- Let them know what happened while they were off, especially if there were any problems
- [Explain the Flow Chart on page 11 to give them an understanding of the process and implications of future absence](#)
- If the employee has been absent due to long term sickness, determine if there are any training needs.
- Make brief notes of what is said and record these on the Return to Work Interview Form.
- Recognise that if the employee feels they cannot discuss issues with you as a result of Harassment & Bullying, the employee should be encouraged to raise these issues through the Harassment & Bullying Procedure.
- Ensure that the employee has completed a self- certification form or submitted a [Fit Note](#) for all periods of absence (including any half-day absences).
- Review the risk assessment if appropriate.
- Agree with the employee how they want their return to work to be treated by others – are they happy for other team members to ask them how they are or know why they have been absent.

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N.B. The outcome of the interview should be to leave the employee feeling that their input is appreciated and that they are missed when they are absent

5. **SHORT TERM SICKNESS ABSENCE TRIGGERS**

Frequent/short term absences are those absences, certified or not which in aggregate result in a disruption to the service/concerns for other employees who have to cover the service during these absences. Frequent absenteeism would include both those employees who have odd days off, where no underlying medical problems exist, and those who suffer from recurring ailments which result in frequent absences.

Current Trigger Points

In order to provide consistency in the application of the Council's Managing Sickness Absence Policy, the individual's absence records will be reviewed if the individual is absent:-

- 6 [or more](#) working days in a rolling 12 month period ([pro rata for part time employees](#))

NB part day absences will be counted towards the above trigger. Sickness absence of half the standard working day will count as a half day, and sickness absence of more than half the standard working day will count as a full day. The standard working day for a full time employee is 7 hours 24 minutes.

Monthly trigger reports will be provided to Heads of Service by Human Resources. For advice on dealing with disability related sickness please refer to Appendix 3 for advice on adjusting triggers.

|

6. SHORT TERM SICKNESS ABSENCE PROCEDURE

A flow chart showing the actions to be taken when an employee triggers under this procedure is provided at page 11. However, before conducting the relevant sickness reviews it is necessary to read the following sections of this procedure:-

6.1 General Guidance

Whenever an employee's absence reaches the trigger level (as detailed above), their sickness absence record must be examined to determine if the review procedure should be evoked.

Heads of Service and the next tier of management below, do have the discretion, when they receive the trigger reports from HR, not to interview employees who have triggered, where upon examination of their record, it shows that this is a 'one off' sickness absence. **This discretion cannot be delegated to below this level of management.**

A 'one-off' sickness absence is where the employee has been absent for one period which has hit the trigger, but there has been zero sickness absence in the previous 12 months. If there is any sickness in the subsequent 12 months a Sickness Review **must be** conducted – no further discretion can be exercised.

Managers **do not** have the discretion to determine not to interview based on their belief that the sickness is genuine or the periods of absence are for unconnected reasons. **To do so will put Managers at risk of claims of unfairness.**

When conducting a review Line Managers need to remember that they should always concentrate on the effect the person's sickness absence is having on the service and their colleagues. **NEVER** make sickness absence a personal issue. It is important to realise that action, which could ultimately lead to dismissal, can still take place where the absences are genuine and covered by medical certificates. At the end of the day, it is the amount of lost time and the effect this has on the Council's service, which are the determining factors.

Managers should also concentrate on offering support to the employee to improve their attendance by trying to identify any underlying issues the employee may have at work or home and then offering appropriate support. A full checklist of issues to cover is included in this procedure at paragraph 6.2.

If Managers are unsure of what support is available they should refer to Section 4.5 of the Council's Managing Sickness Absence Policy which sets out the support mechanisms available or contact HR for guidance, but they should always be the one maintaining contact with the member of their team.

[When the sickness trigger has been reached, Sickness Reviews should take place within 4-6 weeks from the employees return to work date.](#)

Whilst carrying out sickness review interviews, it is essential that the employee concerned and their representative should be clear that the process is not considered to be part of the disciplinary procedure. The main purpose is not to force employees who have unfortunate sickness absence records out of employment but to assist them to improve their attendance record to a level that is acceptable to the Council. However, it should also be made clear that where reasonable adjustments have been implemented and there is no improvement, then the outcome is likely to be termination of their employment. There are a number of principles, which should be followed in order to achieve this:-

- **Consult** with the employee concerned in order that they may be informed of the operational problems caused by their absence, and to determine whether there is anything we can do to assist them to achieve a better attendance record. The time limit set for such sickness reviews should be adhered to. Do not let review dates pass without talking to the employee even if it is only to extend the review period or to congratulate the employee on improved attendance.
- **Investigate** the situation promptly, thoroughly and openly with the employee, seeking medical advice when relevant and discuss the possibility of work problems with the employee concerned. If there is misconduct or abuse of the system, disciplinary procedures may be invoked.
- **Consider** if there are solutions such as alternative employment, part time working, redeployment, changes in operating practices or assistance in the way of equipment, which are alternatives to dismissal throughout the process. Please refer to Appendix 2 and Appendix 3 for guidance on reasonable adjustments and dealing with employees with special health problems.
- **Inform** the employee that a continual pattern of intermittent or prolonged absence is likely ultimately to result in the employment of the individual being terminated.
- **Outcome** the most desired outcome from the whole process is the employee's health, and as a consequence, their attendance record will improve to a level that is acceptable to the Council and to the employing Department. If, however, this can not be achieved the following are possibilities which must be considered, preferably in the order below:-
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Reasonable Adjustments - In accordance with the Equality Act 2010, it is the employers' duty to make reasonable adjustments to an employee's duties or workplace if they are defined as being disabled under the terms of the Act. To be covered by the Equality Act the employee must have:

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- A mental or physical impairment that has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities

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Human Resources survey all employees on a two year cycle for them to declare whether they meet this definition, this is supplemented through the two year period with individual employee declarations/notifications via occupational health.

The Occupational Health Unit will be able to help with advice on aiding an employee's return to work/improved attendance, to assist with an assessment of individual potential for redeployment or retraining or to determine whether there is some practical support which may be available.

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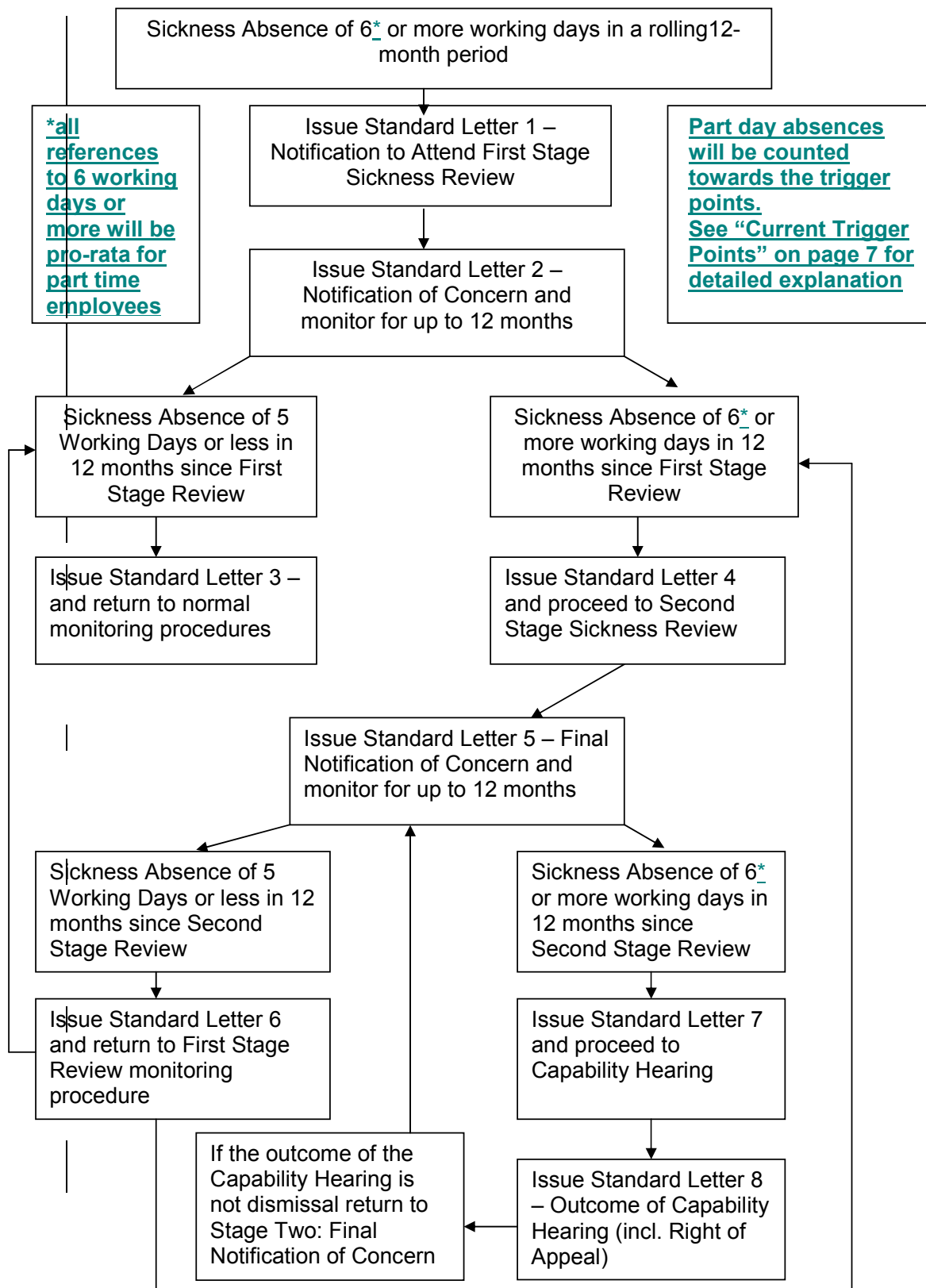
Redeployment - before any consideration is given to the termination of an employee's contract arising out of ill-health/their absence record all possibilities of redeployment should be explored, **where this may assist in improving the employee's attendance.** This can only be done after careful discussion with the employee in order to determine what they consider to be suitable and what they consider to be possible in terms of alternative employment. Our medical advisors should confirm these views and then the opportunities for such redeployment explored fully with all concerned. Where redeployment is made as a result of the medical adviser stating that the employee is incapable of carrying out the duties for which they are employed, the employee's salary will be subject to protection as outlined in the Council's Redeployment/Early Retirement Policy.

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Dismissal – where an employee's standard of attendance does not meet the standards required by the Council, despite the issue of a Notification of Concern and a Formal Notification of Concern the employee will be referred to a Capability Hearing for consideration of termination of employment.

Disciplinary – where the Line Manager has evidence of abuse of the sick pay scheme. Before disciplinary action is considered Line Managers must contact Human Resources for advice.

FLOW CHART OF SHORT TERM SICKNESS ABSENCE PROCEDURE



6.2 Short Term Sickness Review Checklist

Stage One: Notification of Concern

- Issue standard letter 1 – Notification to Attend First Stage Sickness Review at least 5 working days prior to the date of the meeting, and within 4-6 weeks of their return to work date that led to the trigger having been reached.
- At review meeting determine nature of absence(s) to decide what action may be required.
- Personal Interview with employee (and colleague or trade union representative if requested). If they are on their own, check that they understand their right to be accompanied.
- Ensure interview site is private and is free from interruptions
- Have the employee's record to hand and be aware of the dates and reasons for previous absences (check for patterns of absence - absence profile on TMS).
- If you have been notified by the employee that they are disabled – have you checked whether the reasons for absence are related to their disability – if so refer to adjustments to triggers in Appendix 3
- Is the sickness absence for related to their pregnancy – if so these must be removed completely for the purposes of triggering a sickness review
- Explain the problem clearly and outline your concerns as the Line Manager
- Discuss the number of absences and days lost and identify nature of the sickness problem
- Check the employee's explanation of their current state of health
- Explore ways in which improvement can be achieved and maintained
- If problems are non-medical discuss assistance which could be given, e.g. re-organising work, support.
- Consider if relevant to seek a medical report from the occupational health nurse.
- Alert the employee to the implications of continuing poor attendance
- Ensure the employee understands what is expected of them
- Make file notes of your discussion

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Action Required following Stage One Review

- Issue standard letter 2 - Notification of Concern - setting out standard of attendance required over next 12 months and consequences of non achievement of this standard.
- If these levels of absence are not reached at any point during the 12-month period, the line manager will issue standard letter 4 – Notification to Attend Second Stage Sickness Review. It is not necessary to wait until the full 12 month monitoring period has expired.
- If the employee's attendance is satisfactory, the line manager will issue standard letter 3 and return to normal sickness monitoring.

Stage Two: Final Notification of Concern

- Issue standard letter 4 – Notification to Attend Second Stage Sickness Review at least 5 working days prior to the date of the meeting, and within 4-6 weeks of their return to work date that led to the trigger having been reached.
- Get report from Council's Medical Advisor (consider information required as set out in Appendix 4 and seek Human Resources input). If this will result in the Sickness Review being delayed beyond 4-6 weeks since their return to work, then hold the review and agree to reconvene when the report is received if this highlights support mechanisms which could be put in place.
- Interview as Stage One Review
- Discuss in more detail any initiatives which may assist the employee to improve attendance, e.g. reasonable adjustments/redeployment (refer to Appendix 2)
- Ensure employee and their representative are clear that non achievement of the required standard following the issue of a Final Notification of Concern will lead to automatic referral to a Capability Hearing, which could result in the termination of their employment.
- Make File Notes of your discussion

Action Following Stage Two Review

- Issue standard letter 5 - Final Notification of Concern setting out standard of attendance required over next 12 months and consequences of non achievement of this standard.
- If these standards are not met at any point during the 12-month period, the line manager, will produce a report setting out all the action taken to-date in accordance with this procedure and issue standard letter 7 - Invitation to Capability Hearing. It is not necessary

to wait until the full 12 month monitoring period has expired, in order to proceed to a Capability Hearing.

- If the employee's attendance is satisfactory, i.e. sickness absence meets the standard set at the Second Stage Review, the line manager will issue standard letter 6 and return to a First Stage Sickness Review monitoring procedure. This letter states that they have achieved a satisfactory level of attendance during the monitoring period and they will now be monitored under Stage One of the Managing Sickness Absence Procedure for a further 12 months. If they should hit any of the sickness triggers during this 12-month period, they will return to Stage Two. However, if their attendance is satisfactory during this 12-month period they will return to normal sickness absence monitoring procedures.

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Stage Three: Capability Hearing

- Should the employee have failed to reach a satisfactory standard of attendance despite reasonable adjustments, and the issuing of two Notifications of Concern, then the employee should be referred to a Capability Hearing for consideration of termination of employment.
- A representative of Human Resources/Legal Services will attend the Capability Hearing to provide advice and guidance on the application of the Managing Sickness Absence Procedure.
- The Capability Hearing will be tape recorded to ensure an accurate record of the proceedings is produced.
- Any dismissal will be subject to the right of appeal to Elected Members, which will also be tape recorded. Confirmation of how to lodge an appeal will be provided in the dismissal letter (standard letter 8).
- Reasonable notice of attendance will be given to the employee, i.e. at least 5 working days, and the right to be supported at the meeting by a trade union representative or work colleague will be explained. The role of the supporter is not to answer questions on behalf of the employee but rather to help present the employee's case and provide general guidance if necessary.
- The line manager who has been dealing with the case will be required to produce a report to be sent with standard letter 7 to all parties. This report must contain a summary of the action taken to date in accordance with the Managing Sickness Absence Procedure, a copy of the employee's sickness record over the last two years, copies of letters issued to the employee and occupational health reports.
- At this hearing the employee would be expected to identify any mitigating circumstances for the level of sickness absence. The need to take further medical advice from occupational health will also be considered.

- Again the option of re-deployment on a permanent or temporary basis or adaptation of working methods and environment will be considered if it is felt that this will improve attendance.
- The decision will be confirmed in writing. If the decision is to dismiss the employee, the letter will confirm the right of appeal and how to lodge an appeal.
- The Capability Hearing and any subsequent Appeal Hearing will be undertaken in accordance with ACAS guidelines.

7. **LONG TERM SICKNESS ABSENCE**

7.1 **General Guidance**

Long term absence usually describes the situation where an employee is absent from work for a considerable number of weeks or months as a result of a serious health problem. For the purposes of this procedure Long Term Sickness Absence is defined as 20 working days or more (pro rata for part timers).

Major considerations before taking action

There are three main points to be considered when dealing with long term sickness absence:-

- The needs of the service
- The needs of the individual
- The possibility of an unfair dismissal. Any dismissal on the grounds of ill health is a dismissal in law and as such the Council must be able to demonstrate that the Council have acted reasonably in dealing with the case and that the dismissal is fair.

Procedure to be followed

Human Resources, in consultation with the Head of Service, will judge each employee's absence on an individual basis, considering departmental needs and employee welfare.

- Regular contact will be maintained with employees on long term sickness absence in order to monitor the situation and plan ahead, making arrangements for cover, etc., and to reassure the employee that the Council is concerned about their welfare.
- Where an employee has submitted fit note(s), which total 20 working days or more (including the self certified period of absence), then Human Resources will write to the employee to arrange a First Stage Review
- Further reviews will take place between 4-6 weeks of the First Stage Review.

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7.2 First Stage Review

This review is held with the occupational health nurse and covers:-

- the current state of health of the employee
- likely return to work date
- any reasonable adjustments to facilitate a return to work
- suggested medical review period where a return to work is not imminent.

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¶ If the employee is unable to return to their original job, a number of possibilities must be considered, as follows:-¶

¶
<#>Re-deployment ¶
<#>Ill health retirement¶
<#>Dismissal ¶

Where a medical review period is longer than 4-6 weeks, this will not prevent the Council from moving to a Second Stage Review.

Deleted: one to two months

A copy of the occupational health nurse's report is sent to the individual by Human Resources. A summary of any work related issues are conveyed to the Line Manager. If a return to work is not imminent a Second Stage Review Meeting date will be communicated to the employee at the same time.

7.3 Second Stage Review

Within 4-6 weeks from the first stage review

Deleted: one to two months

- Determine whether to seek a further report from Council's Occupational Health Advisor.
- Discuss in more detail any initiatives, which may assist the employee to return to work, e.g. reasonable adjustments/ redeployment
- Raise possibility of ill-health retirement/termination of employment, and if applicable obtain pension estimates.
- Where a return to work date is agreed the employee will be informed that they will be placed on a 12 month monitoring period. Should they will be absent for 20 working days or more during this period they will automatically return to a Third Stage Review meeting.
- Ensure a record of the meeting and points discussed are conveyed to the employee and their representative.
- If a return to work is not imminent a Third Stage Review Meeting date will be communicated to the employee, at the same time.

7.4 Third Stage Review

Within 4-6 weeks from second review

Deleted: one to two

Deleted: months

- Contents of the medical advisor's report will be discussed with the employee and their representative.
- Employee's three year sickness record reviewed and any concerns discussed.
- All information recorded and employee given opportunity to respond.
- Informed that now necessary to make a decision regarding:-
 - Re-deployment/rehabilitation
 - Ill-health retirement
 - Dismissal
- Ill-health retirement will require referral to two independent doctors for certification.
- If a return to work date is agreed at this stage the employee is informed that they will be placed on a 12 month monitoring period and should they trigger under the Procedure during this period they will automatically move to a Capability Hearing.
- If no return to work date is agreed the employee will be referred to the relevant Director/Chief Executive Officer for a Capability Hearing. Human Resources will prepare a report setting out the action taken to date in accordance with this procedure, a copy of the employee's sickness record over the last three years, copies of letters issued to the employee and copies of all occupational health reports.
- The Capability Hearing and any subsequent Appeal Hearing will be undertaken in accordance with ACAS guidelines, and tape recorded to ensure an accurate record of the proceedings is available.

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PRIVATE AND CONFIDENTIAL**BOLSOVER DISTRICT COUNCIL**
RETURN TO WORK INTERVIEW FORM

To be completed by the Department Contact for Absence Reporting and passed to the employee's Line Manager for action

Name of Employee

Supervising Officer's Name:.....

Dept: Section:

Date Absence Commenced: Date/Time Notified:

To be completed by the Line Manager following every period of sick leave during a return to work interview.

Date of Meeting: No. of Days Absence:

Dates of Absence: From: To:

Self Certification ☐ Doctors Note ☐ Certificates received ☐

Reasons for Absence (to be confirmed by employee in return to work interview)

.....

.....

Are you fit to undertake the full range of duties required of your post?

Yes ☐ No ☐

Are there any family/work-related issues relevant to this period of absence?

Yes ☐ No ☐

Is this period of absence related to a disability/industrial injury/pregnancy – if YES (please tick relevant box)?

Disability ☐ Industrial Injury ☐ Pregnancy ☐

Record of discussion or action to be taken in respect of issues raised in this interview:

.....

.....

Employee's Signature Date

Supervising Officer's Signature Date

Did the employee request a copy of this form YES/NO

The purpose of the record will be enable Line Managers to monitor individual absence levels. All records must be stored confidentially within the DEPARTMENT. An employee may view their individual absence record by contacting their Line Manager.

REASONABLE ADJUSTMENTS

The following are examples of the type of reasonable adjustments the Council must consider in trying to facilitate an employee's return to work:-

Rehabilitation within current job

An employee may be experiencing difficulties with undertaking the full range of tasks in their current job, or may experience difficulties in coping with the work situation. These difficulties may be temporary or permanent. The Council will consider whether there are any ways that the employee can return to their current job and whether any adjustments may be required. Adjustments within the current job could relate to phased returns, reduced or changed hours or change in work practices.

When considering rehabilitation within the current job, the general points below will be considered, as well as specific issues related to the adjustment being pursued:-

- Is rehabilitation a reasonable and practical option for the Council? If not, the Council is required to provide clear justification, particularly if the employee could be disabled and, therefore, subject to the requirements of the [Equalities Act 2010](#) to make reasonable adjustments [for an employee with a disability](#).
- If the adjustment is only for a specific period, a review mechanism must be agreed and implemented.
- If the adjustment is permanent, does the employee understand and agree to the implications of this, such as the impact on the duties they will undertake and changes to any employment terms? [If the adjustment is permanent a Grading Review Procedure must be completed to assess the impact on the grade of the job.](#)
- Is there documentation that needs to be completed to confirm the arrangements, including confirmation for the employee?
- Is there any external support mechanisms that can be investigated to help the employee or to help the Council in implementing the arrangement?
- Has the Council consulted fully with the employee and their trade union representative, if appropriate, throughout the process?
- Has the risk assessment review indicated any health and safety implications for the individual or their work colleagues? Are further controls required?
- Has the Council maintained a record of the actions they have taken in trying to enable the employee to return to work?

Deleted: Disability
Discrimination Act

Phased Returns to Work

There may be circumstances where the Medical Adviser advises that an employee phases their return to work over a period. A phased return to work can help the employee to acclimatise themselves back to the work routine and work tasks, whilst also checking that they are in fact fit enough to return. Pursuing this option may also mean that the employee is able to return to work earlier than they perhaps might have been able to, where they to come back only when they were capable of performing their full hours and/or duties.

Phased returns take place over a short period, such as a few weeks and enable the employee to build up their working hours. For example, a full time employee may have a phased return over a four week period, starting in week one undertaking one day's work and building up week by week until by the fifth week they are working their normal five days.

Pay During Phased Returns

Once an employee returns to work their entitlement to SSP for the period of sickness absence ends. Consequently it is not possible for an employee to receive part sick pay and part of their normal salary. Sickness absence should not be notified to [the Human Resources Team](#) or entered into the Time Management System for any period during a phased return to work.

Deleted: Payroll

The Council will provide full pay for a maximum of four weeks to facilitate a phased return to work. In exceptional circumstances, where the employee requires a longer period of rehabilitation the following options should be considered:-

- Use of annual leave or flexitime
- Pay only for actual hours worked (rather than contractual hours)

The second option should only be used in exceptional circumstances, as this may have an effect on pensionable service.

Specific Issues When Exploring Phased Return Periods

- Have [the employee's doctor](#)/occupational health given advice that the employee is fit to undertake a phased return to work?
- Has the employee obtained a [Fit Note from their doctor stating 'my be fit for some work' and ticked the box for 'phased return'](#)?
- Has the Line Manager/Human Resources been consulted and is there a clear agreement on the following:
 - Is there a clear timetable for the phased return period – what hours are being completed and over what period?
 - Are other team members clear about the arrangements, in terms of contact with the employee and operational practicalities?
 - Is there a clear pay arrangement in place? Is this consistent with other similar situations in the Council?
 - Has the Payroll Team been informed of any changes to pay?

Deleted: signing off note

Deleted: from their G.P. stating they are fit for part-time work?¶

Reduced or Changed Hours in the Same Job

The occupational health adviser may state that the employee is unable to continue undertaking their normal working hours on a permanent basis and consideration should, therefore, be given to reducing their contractual working hours.

Specific Issues to consider when investigating reduced or changed hours:-

- Has the Council considered all options for reducing hours? For example, it may be possible to put in place job share arrangements instead of traditional part-time working.
- Have Payroll and Pensions been informed of the change in contractual hours [by the HR Team](#)?
- Has the employee been informed of the effect on their Pension (see factsheet on Part-time Working and Pensions available via [Derbyshire County Council Website – Pensions Section](#))

Deleted: the Intranet or from Human Resources)?

Changes in Work Practices in the Same Job

Instead of, or in addition to, changes in working hours the occupational health adviser may suggest that changes in work practices will aid an employee in returning to work. These could include making adjustments to the equipment used or changing the actual tasks involved. Although there may be changes in work practices, the employee remains in the same job, within the boundaries of the role and its terms and conditions.

Specific issues to consider are:-

- What is the impact on [service provision](#)?
- other team members of the changes?
- Will the adjustments lead to the need to employ another person to undertake specific parts of the job and is this a practical option?
- Are there implications for the grade of the post?

Medical Re-deployment

Where rehabilitation measures have proved unsuccessful, redeployment should be considered as an alternative to dismissal. When considering alternative jobs there is no obligation on the Council to create a new job specifically for the employee.

However, the employee should be provided with the opportunity to consider as many potential redeployment opportunities as possible. The employee may, therefore, wish to consider redeployment opportunities at a lower level in terms of responsibility or contractual benefits, as well as opportunities at a similar level to their current post.

Where an employee is medically redeployed, i.e. on the recommendations of the occupational health adviser, the Council will provide salary protection in line with the provisions set out in the Redeployment/[Early Retirement](#) Policy, a copy of which is available via the Intranet or from Human Resources.

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EMPLOYEES WITH POTENTIAL HEALTH PROBLEMS

Drug and Alcohol Abuse

Special care should be taken in dealing with employees who are suspected of suffering from alcohol or drug abuse. The aim should be to identify employees affected and encourage them to seek help and treatment.

There are a number of symptoms related to drug and alcohol abuse including poor performance, changes in personality, irritability, slurred speech, impaired concentration and memory, deterioration in personal hygiene, anxiety and depression.

Where it is established that an employee is suffering from alcohol or drug abuse, management should consider whether it is appropriate to treat the problem as a medical one rather than a disciplinary matter. In all cases, consideration should be given to a management referral to occupational health so that the employee can seek appropriate medical assistance or special counselling from an experienced person.

The HR Team can also provide contact details for Derbyshire Alcohol Advisory Service who will be able to provide guidance and assistance.

Pregnancy

Higher levels of sickness absence may occur during pregnancy and can be problematical to deal with. Managers should deal sympathetically with any genuine pregnancy related sickness. Temporary alternative employment or a restructuring of the workload may help in some situations. Pregnancy related sickness should be removed completely for the purposes of triggering a sickness review.

Deleted: take into account the employee's previous sickness record prior to the pregnancy if contemplating taking action, and should

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A dismissal of a woman during her pregnancy due to absence caused by a pregnancy-related illness would be automatically unfair sex discrimination.

Disability Related Absence

Whilst it is impossible to define within this Procedure what constitutes a disability the following is given as guidance:

A person is disabled if they have a physical or mental impairment which has a substantial and long term adverse effect on their ability to carry out normal day to day activities, which would include things like using a telephone, reading a book or using public transport.. **A long-term impairment is defined as one which has lasted at least 12 months or where the total period for which it lasts is likely to be at least 12 months. Some conditions are automatically treated as disabilities under the Act, e.g. HIV, Cancer or Multiple Sclerosis.**

Deleted: A person has a disability if he or she has a mental or physical impairment that has a substantial and long-term adverse effect on his or her ability to carry out normal day-to-day activities

Disabled employees must not be treated unfavourably in connection with their disability and reasonable adjustments should be made to enable disabled employees to remain in employment. Some accommodation of sickness absence due to a disability would probably be seen as a reasonable adjustment. HR advice must be sought prior to adjusting short term sickness triggers for disability related sickness.

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The Council will consider the reason for absence when reviewing an employee's record. Where the absence is related to ill health, which in turn is related to a disability, the Council will offer support and adjustments to the work situation. The fact that the absence is disability related does not, however, prevent the Council from taking action where the level of absence brings into question the employee's capability to undertake the duties of the post.

Examples of reasonable adjustments are detailed in Appendix 2. Advice must be sought from Human Resources and Occupational Health prior to these options being implemented.

Any absence, which is not related to disability, will be handled in accordance with the normal trigger points within this procedure.

Ill Health – Not Leading to Absence From Work

There may be occasions where an employee is suffering from ill health, but this does not lead to the employee being absent from work. If the employee believes that their ill health is having an impact on their ability to undertake the job they should raise this with their Line Manager. The Line Manager should discuss the matter confidentially with the employee, review the workplace risk assessment and discuss whether any additional support can be provided to the employee to support them at work, using the Council's Work Life Balance Policy as a framework. Depending on the circumstances of the case, it may be helpful to seek the advice of Occupational Health.

In exceptional circumstances it may be appropriate to ask the Head of Human Resources/Payroll to suspend an employee on medical grounds under the Health & Safety at Work Act.

Stress Related Absence

Employees who are absent due to stress related reasons will be offered an opportunity to meet with the occupational health nurse at an early stage.

The aim of this early referral being to allow the employee an opportunity to have a confidential discussion with the occupational health nurse in order to identify whether or not there are any actions the Council could take or any support the Council could offer to assist this employee. This referral will be on a voluntary basis and does not constitute a First Stage Review under this procedure. [A First Stage Review will be conducted once an employee has submitted fit note\(s\), which total 20 working days or more \(including the self certified period of absence\).](#)

HSE Reportable Accidents

Any accident, which is reportable under RIDDOR (Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2005), will result in the accident report being analysed by the Health & Safety Officer or Head of Human Resources with a view to considering if early referral to occupational health would be beneficial to the employee's recovery.

Consideration will also be given by management, based on HR advice, to an adjustment to the sickness triggers where absence is related to a RIDDOR accident.

CHECKLIST OF MEDICAL REFERRAL QUESTIONS

Questions to be answered by Occupational Health:

1. Please indicate likely date of return to work?
2. Is it likely they will experience reduced capability due to their condition?
3. If yes what duties / adjustments do you recommend?
4. Are the changes in their capability temporary or permanent?
5. Could the individual's condition be caused or aggravated by work?
6. As an employer is there anything we can do to assist their return to work?
7. In what capacity would they be able to render regular and efficient service?
8. Is it likely that the [disability definition in the Equalities Act 2010](#) will apply in this case?

Deleted: DDA 2005

Other questions, please specify below:

Rules for employees working whilst on sick leave which is covered by a doctor's certificate

Introduction

Employees that are absent due to illness must not carry out any work whilst covered by a Fit Note stating "you are not fit for work". However, depending upon the length of the absence or the reason for the absence, on some occasions it may be beneficial for a gradual return to working full contractual hours/full duties to be accommodated.

Deleted: doctor's certificate

In cases where this is an option, the following procedures must be followed to protect the interest of both the employee and the Authority.

The following procedure must be followed BEFORE an employee is allowed to carry out any work whilst absent due under a Fit Note stating "you may be fit for working taking into account the following advice".

Deleted: to incapacity.

Procedure

1. Where an employee has been issued with a Fit Note stating "you may be fit for working taking into account the following advice" and the relevant box related to "a phased return to work", "altered hours", "amended duties" or "workplace adaptations" has been ticked, the employee must contact their line manager immediately to make an appointment to discuss the recommendations of their GP. THEY MUST NOT RETURN TO WORK ASSUMING THE RECOMMENDATIONS CAN BE ACCOMMODATED.
2. On receipt of the appropriately worded Fit Note, the employee's line manager must determine the feasibility of accommodating the limited working and carry out a risk assessment if the duties to be worked by the employee are to be amended for a short period.
3. Once this has been done, and where the employee has been absent for 20 working days or more, the line manager must consult Human Resources to agree the basis and the date of the return to work. If the employee has been absent for less than 20 working days the line manager can agree the time limited adjustments for up to two weeks without reference to Human Resources.
4. In exceptional circumstances, where the adjustments to hours/working practices are in excess of two weeks, the line manager should seek further advice from occupational health, by contacting Human Resources.
5. From the date of the agreed return to work, the employee will not be classed as being on sick leave even though full contractual hours/duties will not be worked. The line manager must advise their TMS operator of the position.
6. A Return to Work Interview must be conducted upon the date of the agreed return to work. Prior to returning to full contractual hours, the Manager must have an informal chat on a weekly basis to ensure that the arrangement is working and that any problems can be dealt with quickly. The employee will not be required to return to their GP for a further Fit Note at the end of the phased return/workplace adaptations period.

Deleted: Gradual return to work **will not be considered** unless the employee has submitted a doctor's certificate

Deleted: which allows the employee to return on a limited basis.

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Deleted: basis of the

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Deleted: Any matters of concern must be discussed with Human Resources.

Deleted: <#>The employee must not return to working full contractual hours unless this is supported by a doctor's certificate allowing them to return to full duties. ¶

**NOTIFICATION TO ATTEND FIRST STAGE SHORT TERM SICKNESS ABSENCE
REVIEW INTERVIEW**

Dear

SICKNESS ABSENCE MANAGEMENT PROCEDURE – FIRST STAGE REVIEW –
SHORT TERM SICKNESS

In accordance with the Council's Managing Sickness Absence Procedure I request that you attend a First Stage Sickness Review to discuss your absence record, and any [support](#) measures that can be taken to [help you](#) improve your attendance, on *(date)* at *(time)* in *(location)*.

I note from my records that you have been absent from work on the following occasions:-

(List all occasions including [number of days](#), dates and reasons for absence).

You are entitled to be accompanied at this meeting by a colleague or trade union representative and should you wish to do so please make the necessary arrangements.

Please complete the tear-off slip below as confirmation that you are able to attend the interview, plus an indication as to whether or not you will be accompanied.

Yours sincerely,

TO:

FROM:

I am/am not able to attend the First Stage Sickness Review on *(date)*.

I will/will not be accompanied.

STANDARD LETTER 2

LETTER ISSUING NOTIFICATION OF CONCERN FOLLOWING FIRST STAGE SHORT TERM SICKNESS REVIEW

Dear *

OUTCOME OF FIRST STAGE SHORT TERM SICKNESS ABSENCE REVIEW – NOTIFICATION OF CONCERN

I am writing to confirm the outcome of the First Stage Short Term Sickness Review I held with you on * (date). The purpose of this meeting was to discuss with you your sickness absence record and any support measures which the Council could put in place which may assist you in reducing your levels of sickness absence. Also present at this meeting was *.

Deleted: my concerns relating to your levels of sickness absence

I explained that the reason for this review was that you have had * days of absence during the past * months. I detailed your sickness absence record in my letter dated * and discussed any underlying causes of sickness absence at the review meeting. In addition, * (enter no. of return to work interviews conducted) return to work interviews have been held with you prior to this review meeting, where your reasons for sickness absence have been discussed.

Deleted: my concern

Deleted: */at the meeting. (please delete as appropriate)

Deleted: ¶
As you are aware

At the First Stage Short Term Sickness Review meeting on * you offered the following reasons for your sickness absence:

Deleted: (date) we discussed your sickness absence levels and reasons for absence.

*
–

We also discussed whether there was any additional support that could be provided to you such as *.

Deleted: Your response was *.

We agreed that the following measures would be put in place:-

(include reference to support measures agreed, e.g. referral to Occupational Health, Counselling, changes to working hours/practices)

I explained that it was important that if you continue to experience problems that affect your attendance record you discuss these with me, so that we can determine whether any further support could be made available to you.

I hope that the measures agreed will help you to improve your attendance. However, if your sickness absence reaches 6[#] or more working days in the next 12 months (pro rata for part timers), you will be required to attend a Second Stage Short Term Sickness Absence Review.

Deleted: is

[#] Any part day sickness absences of more than half the standard day will count as a full day for sickness trigger purposes (see “Current Triggers Points” on page 7 of the Managing Sickness Procedure for a more detailed explanation)

For Disabled Employees/Absences as a result of an Industrial Injury include the following paragraph:

Deleted: Should your attendance levels still not meet the required standard following this Second Stage Short Term Sickness Review, and following the implementation of any appropriate reasonable measures to improve your attendance, then your job will be at risk.

Each day of sickness absence relating to your disability/industrial injury (delete as applicable) will be counted as a half day for sickness trigger purposes. However, non disability related absences will be counted as a full day.

I hope this clarifies the points we discussed and that there is a sustained improvement in your health and attendance levels.

(if appropriate) I enclose a second copy of this letter that you may wish to pass to your representative.

Yours sincerely

*

c.c. Human Resources – for retention on central employee file

STANDARD LETTER 3

ATTENDANCE LEVEL REACHES TARGET SET FOLLOWING FIRST STAGE SHORT TERM SICKNESS REVIEW

Dear *

Further to the First Stage Short Term Sickness Review on *, your attendance levels have been monitored for a period of 12 months and I am pleased to inform you that you have attained a satisfactory level of attendance during this monitoring period.

No further formal Sickness Reviews will be convened unless your sickness absence levels again reach 6[#] or more working days in a rolling 12-month period (pro rata for part timers).

Any part day sickness absences of more than half the standard day will count as a full day for sickness trigger purposes (see “Current Triggers Points” on page 7 of the Managing Sickness Procedure for a more detailed explanation)

For Disabled Employees/Absences as a result of an Industrial Injury include the following paragraph:

Each day of sickness absence relating to your disability/industrial injury (delete as applicable) will be counted as a half day for sickness trigger purposes. However, non disability related absences will be counted as a full day.

If you have any questions regarding the content of this letter please do not hesitate to contact me.

Yours sincerely

*

c.c. Human Resources – for retention on central employee file

STANDARD LETTER 4

NOTIFICATION TO ATTEND SECOND STAGE SHORT TERM SICKNESS REVIEW FOLLOWING FAILURE TO MEET ATTENDANCE TARGET SET AT FIRST STAGE SHORT TERM SICKNESS REVIEW

Dear *

Further to the First Stage Short Term Sickness Review on *, when you were advised that your sickness absence levels should not reach 6 working days or more in a rolling 12 month period, I note from my records that you have been absent from work on the following occasions:-

(List all occasions including number of days, dates and reasons for absence).

In accordance with the Council's Absence Management Procedure I request that you attend a Second Stage Short Term Sickness Review to discuss your absence record, and any further support measures the Council can put in place to assist you improve your health/attendance levels, on (date) at (time) in (location).

Deleted:

You are entitled to be accompanied at this interview by a colleague or trade union representative and should you wish to do so please make the necessary arrangements.

Please complete the tear-off slip below as confirmation that you are able to attend the interview, plus an indication as to whether or not you will be accompanied.

Yours sincerely,

TO:

FROM:

I am/am not able to attend the Second Stage Short Term Sickness Review on (date).

I will/will not be accompanied.

STANDARD LETTER 5

LETTER ISSUING FINAL NOTIFICATION OF CONCERN FOLLOWING SECOND STAGE SHORT TERM SICKNESS REVIEW

Dear *

OUTCOME OF SECOND STAGE SHORT TERM SICKNESS ABSENCE REVIEW – FINAL NOTIFICATION OF CONCERN

I am writing to confirm the outcome of the Second Stage Short Term Sickness Review I held with you on * (date). The purpose of this meeting was to discuss with you my ongoing concerns relating to your levels of short term sickness absence, and consider any further support measures the Council could take to assist you in improving your health/attendance levels. Also present at this meeting was *.

I explained that the reason for my concern was that you have had * days of absence during the past * months. I gave you a copy of your sickness absence record with my letter dated and we discussed any underlying causes of sickness absence at the review meeting.

Deleted: */at the meeting. (please delete as appropriate)

At the First Stage Short Term Sickness Review meeting on * (date) we discussed your sickness absence levels and reasons for absence. We agreed that the following measures would be put in place:-

(include reference to support measures agreed, e.g. referral to Occupational Health, Counselling, changes to working hours/practices)

At the Second Stage Short Term Sickness Review meeting we discussed further reasonable adjustments to working practices, including recommendations from occupational health, and it was agreed that *

I hope that the measures agreed will help you to improve your health/attendance levels. However, if your sickness absence reaches 6[#] or more working days in the next 12 months (pro rata for part timers), you will be referred to a Capability Hearing with the Director of */Solicitor to the Council/Chief Executive Officer, when a decision will be taken with regard to termination of employment.

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[#] Any part day sickness absences of more than half the standard day will count as a full day for sickness trigger purposes (see "Current Triggers Points" on page 7 of the Managing Sickness Procedure for a more detailed explanation)

For Disabled Employees/Absences as a result of an Industrial Injury include the following paragraph:

Each day of sickness absence relating to your disability/industrial injury (delete as applicable) will be counted as a half day for sickness trigger purposes. However, non disability related absences will be counted as a full day.

I hope this clarifies the points we discussed and that there is a sustained improvement in your health and attendance levels.

(if appropriate) I enclose a second copy of this letter that you may wish to pass to your representative.

Yours sincerely

*

c.c. Human Resources – for retention on central employee file

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STANDARD LETTER 6

ATTENDANCE LEVEL REACHES TARGET SET FOLLOWING SECOND STAGE SHORT TERM SICKNESS REVIEW

Dear *

Further to the Second Stage Short Term Sickness Review on *, your attendance levels have been monitored for a period of 12 months and I am pleased to inform you that you have attained a satisfactory level of attendance during this monitoring period.

In view of this improvement in attendance levels you will now revert back to Stage One of the Managing Sickness Absence Procedure. No further formal Sickness Reviews will be convened unless your sickness absence is 6[#] or more working days in a rolling 12-month period ([pro rata for part timers](#)). Should your sickness absence levels reach 6[#] or more working days in the next 12 months ([pro rata for part timers](#)) you will be referred back for a Stage Two Sickness Review.

[# Any part day sickness absences of more than half the standard day will count as a full day for sickness trigger purposes \(see "Current Triggers Points" on page 7 of the Managing Sickness Procedure for a more detailed explanation\)](#)

For Disabled Employees/Absences as a result of an Industrial Injury include the following paragraph:

[Each day of sickness absence relating to your disability/industrial injury \(delete as applicable\) will be counted as a half day for sickness trigger purposes. However, non disability related absences will be counted as a full day.](#)

If you have any questions regarding the content of this letter please do not hesitate to contact me.

Yours sincerely

*

c.c. Human Resources – for retention on central employee file

STANDARD LETTER 7

NOTIFICATION TO ATTEND CAPABILITY HEARING FOLLOWING FAILURE TO MEET ATTENDANCE STANDARD SET AT SECOND STAGE SHORT TERM SICKNESS REVIEW

Dear *

CAPABILITY HEARING

You are required to attend a Capability Hearing, which is being convened under the Council's Managing Sickness Absence Procedure, a copy of which is enclosed with this letter. This Hearing will be held on *(date), at (time) in * (location), and will be conducted by * (Director of */Solicitor to the Council/Chief Executive Officer, with advice from Human Resources/Legal Services.

The Capability Hearing has been convened as a result of your failure to meet the attendance standards required despite being issued with two Notifications of Concern and the implementation of support measures/reasonable adjustments to working practices. *(Please delete reference to reasonable adjustments if none have been identified by yourself, the employee or occupational health).* At the hearing you, and your manager, will have the opportunity to put forward any mitigating circumstances. The hearing will be tape recorded to ensure an accurate record of the proceedings.

You are entitled to be accompanied at this hearing by a colleague or trade union representative and should you wish to do so please make the necessary arrangements.

Two copies of my report to the Director of */Solicitor to the Council/Chief Executive Officer are enclosed. Please pass a copy to your representative.

Please complete the tear-off slip below as confirmation that you are able to attend the hearing, plus an indication as to whether or not you will be accompanied.

Please inform me immediately if you are unable to attend, failure to do so will lead to the hearing taking place in your absence. I must inform you that failure to appear at this hearing without valid reason will be considered as an offence for which disciplinary action would be taken.

Yours sincerely,

Encs. Managing Sickness Absence Procedure
Two copies of report outlining action taken to date

c.c. Head of Human Resources/Payroll

TO:

FROM:

I am/am not able to attend the Capability Hearing on (date).

I will/will not be accompanied.

STANDARD LETTER 8

OUTCOME OF CAPABILITY HEARING

Dear *

Further to the Capability Hearing held on *, I write to confirm the decision of the Director of */Solicitor to the Council/Chief Executive Officer that *

If decision is not to dismiss

You will return to a Second Stage: Final Notification of Concern Review and your attendance will be monitored. If your sickness absence levels reach 6[#] or more working days in the next 12 months (pro rata for part timers), you will be referred automatically to a Capability Hearing with the Director of */Solicitor to the Council/Chief Executive Officer, when a decision will be taken with regard to termination of employment.

Deleted: is

Any part day sickness absences of more than half the standard day will count as a full day for sickness trigger purposes (see "Current Triggers Points" on page 7 of the Managing Sickness Procedure for a more detailed explanation)

For Disabled Employees/Absences as a result of an Industrial Injury include the following paragraph:

Each day of sickness absence relating to your disability/industrial injury (delete as applicable) will be counted as a half day for sickness trigger purposes. However, non disability related absences will be counted as a full day.

If decision is to dismiss

Your employment will terminate on *, to allow for your contractual notice period of * weeks to expire/with * weeks pay in lieu of notice. You will also receive payment for * days untaken holiday entitlement.

If decision is to dismiss

You have the right of appeal against this decision to Elected Members. Should you wish to exercise this right of appeal please notify me in writing within 5 days of receipt of this letter. I would be obliged if you would also notify me as to whether you are appealing based on the facts of the case, or the severity of the decision.

If you have any questions in relation to the content of this letter please do not hesitate to contact me.

Yours sincerely

Linda Keeling
Head of Human Resources/Payroll

**RECOMMENDED ITEM FROM UNION/EMPLOYEE CONSULTATION
COMMITTEE HELD ON 15TH NOVEMBER 2010**

**566. DRAFT HARASSMENT & BULLYING PROCEDURE &
TRANSGENDER GUIDANCE
EXEMPT PARAGRAPH 4**

The Head of Human Resources and Payroll presented a report to inform committee members of revisions made to the Harassment and Bullying Procedure which also included guidance on Transgender issues as a result of the Equalities Act 2010.

Changes had been made to the Harassment and Bullying Procedure as a result of feedback from managers and users that the document was too lengthy and difficult to use.

The meeting's attention was drawn to paragraph 8.2 of the Procedure. The Head of Human Resources and Payroll advised the meeting that in addition to the procedure she had produced and circulated a briefing note for employees and line managers on what they should do if cases of harassment, bullying or violence by service users were reported. Notices had also been drawn up and these were displayed at the contact centres, leisure centres and community houses – these notices made it clear to members of the public the standards of behaviour expected and that the Council would support its employees if these standards were breached.

Councillor Tomlinson left the meeting at this point.

Guidance on transgender issues in the work place had also been produced for managers and employers and had been put together following research of best practice. The guidance did not require Council approval as it was not a Policy or Procedure but was provided to the meeting for comments and any suggested changes, prior to it being made available on the intranet.

Moved by Councillor J.A. Clifton, seconded by Councillor E. Watts
RESOLVED that (1) the report be received,

**RECOMMENDED that (1) the Harassment and Bullying Procedure be
referred to Council for approval.**

(Head of Human Resources and Payroll / Head of Democratic Services)

Committee:	Union Employee Consultation Committee	Agenda Item 10. No.:	
Date:	15 th November 2010	Category	*
Subject:	Draft Harassment & Bullying Procedure & Transgender Guidance	Status	Exempt – Paragraph 4
Report by:	Head of Human Resources/Payroll		
Other Officers involved:	Senior Management Team Extended Management Team Heads of Service (not in EMT) Senior HR Officer Organisational Development Officer Equality Improvement Officer Principal Solicitor Legal & Standards Officer		
Director	Chief Executive Officer		
Relevant Portfolio Holder	Councillor J.E. Bennett, Portfolio Holder for Performance and Heritage Champion		

RELEVANT CORPORATE AIMS

STRATEGIC ORGANISATIONAL DEVELOPMENT – Continually improving our organisation, by ensuring Policies/Procedures are regularly reviewed to meet the needs of the Council.

SOCIAL INCLUSION – Promoting fairness, equality and lifelong learning, by ensuring clear guidance exists to deal with harassment/bullying cases and assist managers and employees deal with equalities issues which may arise.

TARGETS

The subject matter of this report does not directly contribute to a target in the Corporate Plan.

VALUE FOR MONEY

The proposals deliver value for money for the Council by providing clear and consistent guidance on harassment/bullying cases and transgender issues in the workplace which aim to improve working relationships and avoid costly litigation

THE REPORT

1. The Council has had in place a Harassment/Bullying Procedure for a number of years. This procedure has been used on limited occasions, but feedback has been received from managers and users of the document that they find it too lengthy and difficult to use.
2. As a result of this feedback and the Equalities Act 2010, which contains elements relating to harassment, it was an opportune time to undertake a complete review of the document.
3. This review has resulted in the following changes:
 - The policy has been 'slimmed down' by using a flow chart to describe the process of dealing with harassment/bullying claims
 - A time limit on raising issues has been included to avoid cases being raised years after the incident being complained of.
 - Employees must now go through an informal stage to try and resolve issues before resorting to a formal complaint
 - Guidance on mediation has been included
 - Cross referencing has been undertaken to the grievance procedure and disciplinary procedure, rather than repeating this process in the harassment/bullying procedure
4. Consultation has taken place on this revised policy with the following groups:-
 - Senior Management Team
 - Extended Management Team
 - Heads of Service (outside Extended Management Team)

Suggested amendments have been taken on board and a final draft policy is attached to the report.
5. As a result of changes to equalities legislation in the Equalities Act 2010, the Head of Human Resources/Payroll has taken the opportunity of producing guidance for managers and employees on transgender issues in the workplace. This is a completely new document which has been put together following researching of best practice.
6. Consultation has taken place with external LGBT groups, through the Equality Improvement Officer, and this resulted in gaps being identified in the original draft. These have now been included in the final draft guidance attached. This guidance does not require Council approval as it is not a Policy/Procedure, but is provided to UECC for comments/ suggested changes, prior to being made available on ERIC.

ISSUES FOR CONSIDERATION

1. Feedback on the draft Harassment/Bullying Procedure is requested from UECC Members.
2. Feedback on the draft Guidance on Transgender Issues in the Workplace, is requested from UECC Members.
3. The draft Harassment/Bullying Procedure will then be referred to Council for approval.

IMPLICATIONS

Financial : None
Legal : Compliance with the Health & Safety at Work Act and the Equalities Act 2010
Human Resources : As outlined in the Procedure

RECOMMENDATION(S) that;

- 1. The report be received.**
- 2. The Harassment/Bullying Procedure be referred to Council for approval.**
- 3. Members of UECC are invited to comment on the transgender guidance.**

ATTACHMENT: Y (2)
FILE REFERENCE: N/A
SOURCE DOCUMENT: N/A



**DRAFT PROCEDURE
FOR DEALING WITH COMPLAINTS OF
HARASSMENT AND BULLYING AT
WORK**

OCTOBER 2010

PROCEDURE FOR DEALING WITH COMPLAINTS OF HARASSMENT

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Introduction

- 1.1 This Council recognises that harassment, discrimination, victimisation or bullying of any kind is unacceptable and is committed to ending it. In support of this, acts of bullying, intimidation, victimisation or other forms of harassment may be considered to constitute an act of misconduct in accordance with the Council's disciplinary procedure. Harassment can also be unlawful under legislation covering discrimination and protection from harassment.
- 1.2 This procedure represents a formal mechanism for dealing with complaints where informal action by the employee has not resolved the matter. The aim of the procedure is to resolve complaints fairly, promptly and at the earliest opportunity.
- 1.3 An employee may pursue a complaint of harassment under this procedure where it is believed the conduct or behaviour of another individual could constitute harassment and that conduct or behaviour falls below the agreed or required standards of treatment they are entitled to expect as an employee.
- 1.4 Any employee found to have used the procedure for the purposes of making a complaint of a malicious or vexatious nature may be subject to disciplinary action.
- 1.5 It is not intended that this procedure be used for matters relating to personal grievances or for addressing personal differences between employees, which should be resolved by management outside of the formal machinery, by utilising the mediation skills techniques for which training has been provided.
- 1.6 The content of this document shall be regarded as supplementary to and not a substitution for any right to redress through the legal system.

Scope

- 2.1 This procedure shall apply to all employees and is to be followed in response to all formal complaints of harassment.

Responsibilities and Rights

- 3.1 It is the responsibility of each employee to protect the dignity of everyone they work with and not to indulge in any behaviour that may cause an individual to feel undermined or the subject of harassment. It is the responsibility of managers to deal with such matters speedily and consistently.
- 3.2 Any employee who raises a complaint will be treated fairly and with due sensitivity, respect and understanding for their rights as an employee and an individual. Any employee against whom a complaint is made will be afforded the same rights and treatment.
- 3.3 Confidentiality will be maintained by those making a complaint, those subject to a complaint and those involved in resolving the complaint.

Advice

- 4.1 It is important that complaints of harassment are dealt with fairly, consistently and systematically using the procedure outlined in section 7. Failure to do so could create serious problems for the Council including poor morale; loss of respect for

managers and supervisors; poor performance; loss of productivity; absenteeism; resignation; damage to Council's reputation and the risk of costly tribunal cases.

- 4.2 Managers should seek the advice, guidance and assistance of the Head of Human Resources/Payroll, Senior Human Resources Officer or the Organisational Development Officer.

Time Limits

- 5.1 Complaints should be submitted in writing within **three months** from the date of the incident(s) complained of in order that any investigation is based on accuracy of facts. Recollection of details relating to the incident may be impaired if subject to time delay.
- 5.2 Consideration will not normally be given to complaints of incidents occurring outside this time limit unless it can be shown that they form part of the overall allegation and are of particular relevance. In these instances, any decision to extend the time limit in respect of specific allegations made will be the responsibility of the relevant Director/Head of Service.
- 5.3 The complainant will be notified of the course of action to be taken within ten working days of receipt of the complaint.

Definitions

- 6.1 While by nature difficult to define, acts of bullying, harassment or intimidation will normally be based on common characteristics or behaviours. ACAS, in their guide for managers and employers on bullying and harassment at work, advises that 'If employees complain they are being bullied or harassed, then they have a grievance which must be dealt with, regardless of whether or not their complaint accords with a standard definition.'
- 6.2 Bullying may be characterised as offensive, intimidating, malicious or insulting behaviour or an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient.
- 6.3 Harassment is unwanted conduct relating to a 'protected characteristic' that has the purpose or effect of violating a person's dignity or creating an intimidating, hostile, degrading, humiliating or offensive environment for the person. 'Protected characteristics' covered by the Equalities Act 2010 are because of age, disability, gender reassignment, race, religion or belief, sex, sexual orientation or any personal characteristic of the individual, whether the person possesses a particular characteristic, it is perceived they do or they are associated with another person who possesses a particular characteristic. The harassment claim may arise due to persistent conduct or due to an isolated incident.
- 6.4 Such unwanted conduct does not have to be directed at a complainant for them to feel harassed. The key element is that the actions or comments are viewed as demeaning and unacceptable to the recipient and/or management.
- 6.5 Bullying and harassment may not necessarily be face to face, it may be by written communications, email, phone or supervision methods if they are not universally

applied to all employees. However, additional supervision methods for underperforming employees do not form a basis for a claim of bullying and harassment.

6.6 Typical bullying behaviour might include verbal or physical threats, humiliating someone in front of others, making offensive or abusive personal remarks about people or levelling false allegations against them. It might also be found in undermining people, freezing them out or making it impossible for them to do their job. This could be brought about by setting unattainable targets, withholding information, persistent criticism of a person's work in front of others or removing areas of responsibility.

6.7 Examples of unacceptable behaviour which may give rise to a complaint of harassment may therefore include:

- Spreading malicious rumours or insulting someone (particularly on protected characteristics grounds as defined in paragraph 6.3).
- Copying/emailing memos that are critical about someone to others who do not need to know.
- Ridiculing or demeaning someone – picking on them or setting them up to fail.
- Exclusion or victimisation.
- Overbearing supervision or other misuse of power or position.
- Unwelcome sexual advances – touching, standing too close or display of offensive materials.
- Making threats or comments about job security without foundation.
- Deliberately undermining a competent worker by overloading and constant criticism.
- Preventing individuals progressing by intentionally blocking promotion or training opportunities.

6.8 If a complaint of harassment or similar is raised by an employee during the course of a disciplinary matter or associated procedure, action should be as follows:

- Where a complaint is raised and the issues relate to the disciplinary matter or associated procedure, these will be considered during, and as part of, the disciplinary or other process.
- Where a complaint is raised which is separate and unrelated to the matter in hand, this will be considered separately at the conclusion of the disciplinary or other process.

However, it should be noted that conducting an investigation under the disciplinary procedure where there is a genuine belief that misconduct may have occurred, or raising performance or attendance issues with an employee in accordance with agreed procedures, are legitimate elements of a manager's responsibilities and would not normally lead to a complaint of harassment.

7. Harassment Complaints Procedure (See Flowchart – Appendix 1)

Actions under Stage 1 must be completed before a formal complaint is made under Stage 2 of the procedure.

7.1 Stage 1 – Informal

Employee Action – Stage 1

- The employee should, in the first instance, make it clear that the alleged harasser's behaviour is inappropriate and ask the harasser to stop.
- In circumstances where it is too difficult for the employee to do this, an initial approach may be through the manager/supervisor, fellow employee or trade union representative, who may act on behalf of the employee.
- If informal action does not resolve the situation, the employee should raise the matter formally with their line manager in accordance with Stage 2 of the procedure.

Management Action – Stage 1

- When dealing with complaints of harassment, the primary focus should be on attempting to resolve the matter at the earliest opportunity.
- Initial steps should be taken to resolve the matter through face-to-face discussion and mediation to determine the most appropriate course of action. Managers/Supervisors have been trained in mediation skills to facilitate early resolution.
- The emphasis of any action should be to achieve early conciliation between those involved.
- Where informal mediation techniques have failed consideration should be given as to whether formal mediation may resolve the issue – please refer to the guidance on mediation in Appendix 2.

Stage 2 – Formal Complaint

Employee Action – Stage 2

- Written details of the complaint should be submitted to the employee's line manager as promptly as possible. This should be within a maximum period of **three months** from the date of the incident(s) complained of. Where employees have difficulty in expressing themselves because of language or other difficulties they may seek help from a trade union representative or colleague, Senior HR Officer, Organisational Development Officer or the Council's Equality Improvement Officer.
- If the complaint is against the line manager, the matter should be raised with the employee's Head of Service.
- The statement of complaint should include the following information:
 - Names of the individual(s) concerned

- Details of the allegation(s) including dates, locations and nature of incidents
- Names of any potential witnesses
- Details of any previous actions undertaken by the complainant to address the matter.

The complainant should include any other documentation or corroborating information with the statement of complaint.

Management Action – Stage 2

If the complaint is raised formally under Stage 2, consideration should be given to the following questions to determine the course of action:

Potential Misconduct

Does the nature of the allegation constitute a potential act of misconduct according to the Council's disciplinary procedure?

If so, the matter should be investigated and addressed as appropriate, in accordance with the disciplinary procedure, and the employee informed accordingly.

Allegation of a General Nature – Further Investigation Required

Is the allegation of a more general nature, based upon personal behaviours, which at face value does not appear to constitute misconduct?

If so, efforts should be made to identify and clarify the issues to establish the essence of the problem and actions taken should be:

- Using the complainant's written statement of case, separate meetings should be conducted with both the complainant and the alleged harasser, in accordance with the Council's Grievance Procedure.
- If further information is required, it may be necessary to interview witnesses or any other person(s) who may have relevant or corroborative information. This should assist in distinguishing the facts which have a direct bearing on the case.
- At this stage Human Resources should be consulted for advice and Trade Union or work colleague representation will be afforded to both parties.
- Where the relationship between the parties creates an unworkable situation, alternative working arrangements can be considered. This should be a short-term, temporary arrangement and subject to regular review. **It is envisaged that this course of action should only be used in rare instances.**
- Having concluded the interviews, and taking a balanced view of the information that emerges, consideration should be given to the most appropriate course of action to be followed.

- If the allegation is found to be unsubstantiated, consideration should be given as whether further mediation between the parties would resolve the situation. The complainant will have a right of appeal against the decision to the next level of management in accordance with the Grievance Procedure.
- Where the claim is apparently substantiated, there are two possible courses of action:
 1. If the matter could constitute an act of misconduct/gross misconduct, the complaint should be pursued under the formal disciplinary procedure.
 2. If the matter does not constitute misconduct, management recommendations should be put in place to resolve the issue.
- All parties involved should be informed precisely what has been decided and what action is to be put in place, including timescales.

It is anticipated that Stage 2 intervention will not normally exceed fifteen working days. The line manager should set out reasons to the parties if this time period is to be exceeded.

Employee Action – Stage 3

The complainant has a right to appeal against the outcome of their complaint. This must be submitted to the next most senior management representative, within five working days of receipt of the written response.

No further right of appeal exists beyond Stage 3.

Management Action – Stage 3

The Senior Management representative should follow the management actions set out for Stage 2.

8. Harassment by People Met in ‘The Course of Business’, Service Users, Directors, Heads of Service and Elected Members

8.1 People met in the ‘course of business’

An employee who believes they are the subject of harassment by a person met in the ‘course of business’ should submit a written complaint to their Head of Service. If, after investigation, the complaint is upheld, consideration should be given to reasonable steps to prevent it happening again. ‘In the course of business’ includes client meetings, networking events and dealings with external suppliers.

8.2 Service Users

An employee who believes they are the subject of harassment by a service user should submit a written complaint to their Head of Service. If, after

investigation, the complaint is upheld, consideration should be given to actions necessary to rectify the situation. This may include management mediation or, ultimately, the withdrawal of service provision in more serious cases.

Where the employee feels they are at risk from the person concerned, and where there have been any specific incidents of harassment, bullying, violence etc. the employee should report this in writing to their manager on the 'Violent Incident Report Form' in Guidance Note 2 of the Employee Protection and Lone Working Guidance Note, which is available on the Corporate Health & Safety pages of ERIC. A copy of this form will also be provided to the Head of Human Resources/Payroll and Equality Improvement Officer.

8.3 Directors/Heads of Service

Complaints against an employee's Director/Head of Service should be made, in writing, to the Chief Executive Officer within the prescribed timescales. The Chief Executive Officer or nominated representative will consider the complaint in accordance with the procedure detailed at Appendix 1.

8.4 Chief Executive Officer

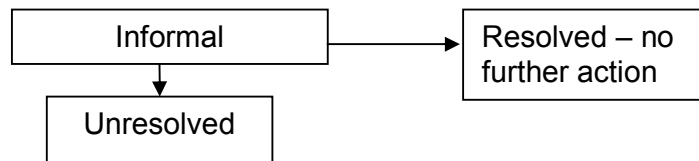
Complaints against the Chief Executive Officer should be made, in writing, to the Council's Monitoring Officer (Solicitor to the Council) who will consider the complaint in accordance with the procedure detailed at Appendix 1.

8.5 Elected Members

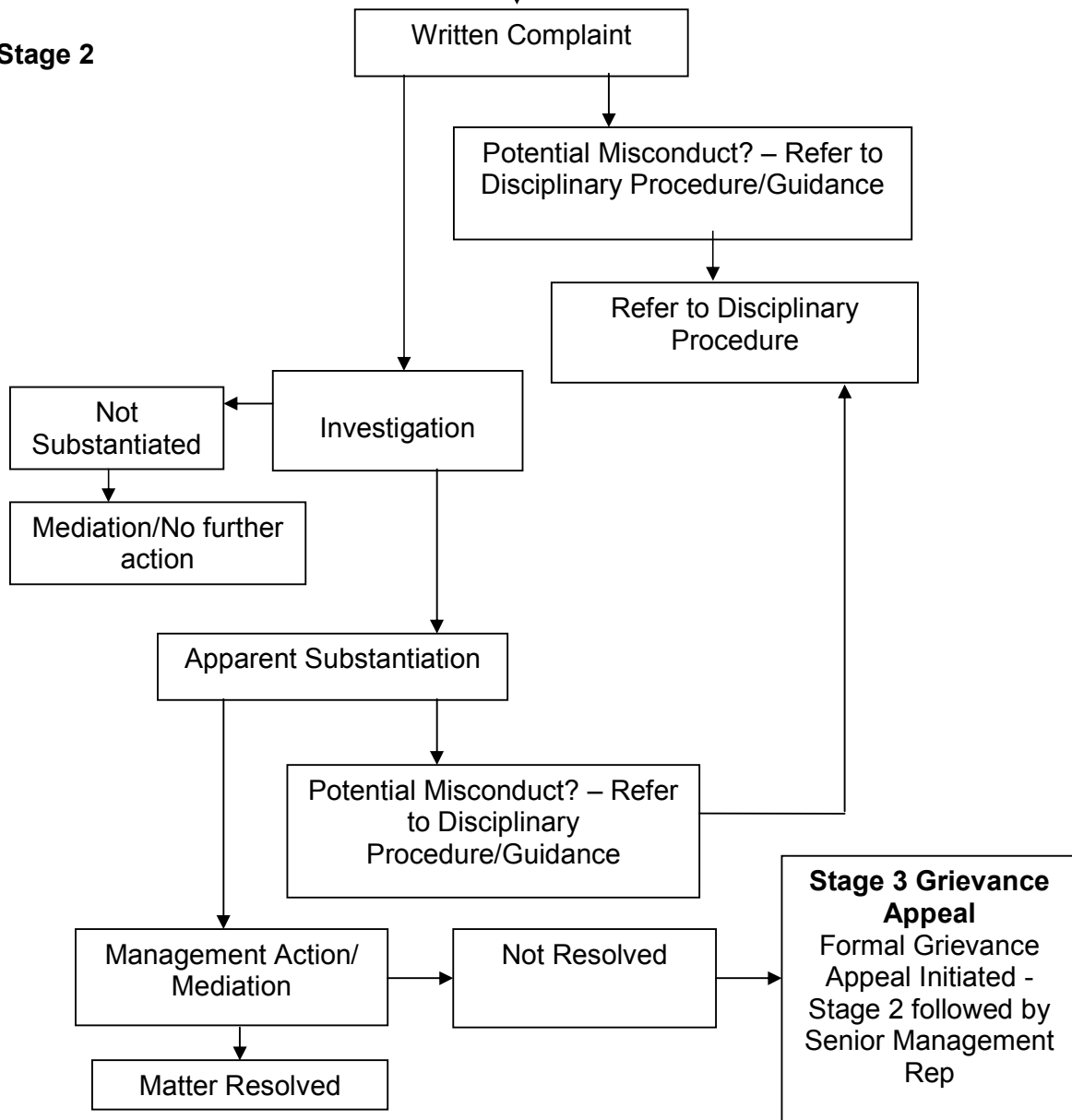
Complaints against Elected Members should be raised with the Council's Monitoring Officer (Solicitor to the Council).

Procedure for Dealing with Complaints of Harassment

Stage 1



Stage 2



(The complainant will normally be notified of the course of action to be taken within 10 working days of receipt of the complaint.)

Using Mediation

An independent mediator can sometimes resolve grievance issues. Mediation is a voluntary process where the mediator helps two or more people in a dispute to attempt to reach an agreement. Any agreement comes from those in dispute, not from the mediator.

The mediator is not there to:

- judge, to tell one person they are right and the other is wrong
- tell those involved in mediation what they should do

The mediator is in charge of the process of seeking to resolve the problem, but not the outcome.

There are no hard and fast rules for when mediation is appropriate but it can be used:

- For conflict involving colleagues of a similar job or grade, or between a line manager and their employees.
- At any stage in the conflict as long as any ongoing formal procedures are put in abeyance.
- To rebuild relationships after a formal dispute has been resolved.
- To address a range of issues, including relationship breakdown, personality clashes, communication problems, bullying and harassment.

Cases Unsuitable for Mediation

- Used as a first resort – because employees should be encouraged to speak to each other and talk to their manager before they seek a solution via mediation.
- It is used by a manager to avoid their managerial responsibilities
- A decision about right or wrong is needed
- The employee bringing a discrimination or harassment case wants it investigated
- The parties do not have the power to settle the issue
- One side is completely intransigent and using mediation will only raise unrealistic expectations of a positive outcome.

For more information about mediation see the ACAS website at www.acas.org.uk and the ACAS/CIPD guide *Mediation: An Employers Guide* which can be downloaded from the website.

Formally trained internal mediators may be developed in the future, but in the meantime external mediation has a cost associated with it, which must be met from existing budgets and have the prior approval of your Director/Chief Executive Officer.

BOLSOVER DISTRICT COUNCIL

Guidance on Transgender Issues in the

Workplace

Draft October 2010



The Bolsover District Council Equalities Statement

Bolsover District Council is committed to equalities as an employer and in all the services provided to all sections of the community.

The Council believes that no person should be treated unfairly and is committed to eliminate all forms of discrimination in compliance with the Equality Policy.

The Council also has due regard to eliminate racial discrimination and to proactively promote equality of opportunity and good relations between persons of different racial groups when performing its functions.

This document is available in large print and other formats from any of the Council Offices or by contacting the Chief Executives Directorate on 01246 242341 . Please bear in mind we will need a few days to arrange this facility.

If you need help to read this document please do not hesitate to contact us.

Our Equalities Officer can be contacted by [Email](#) or by telephoning 01246 242323 or 01246 242407.

Minicom: 01246 242450

Fax: 01246 242424

DATA PROTECTION

Information given to Bolsover District Council will be used only for the Council's lawful purposes, for the provision of joined up services, and will not be passed to anyone outside the Council without lawful authority.

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1. Introduction

The Council is working towards having an inclusive environment where employees can be honest and open about who they are.

While many people may be familiar with terms that denote sexual orientation such as straight, gay, lesbian, or bisexual, they may be less familiar with the terms like transgender, trans or gender identity.

Transgender or trans are those whose gender identity or gender expression differs from the gender assumptions made about them when they were born. For the purposes of this guidance we will use the term 'transgender' or 'trans' to cover employees throughout this guidance.

Fact: Just as there are gay, lesbian and bisexual employees at the Council (some are 'out' and others are not), there may also be employees who are transgender.

In society at large most transgender employees are not 'out' as trans to their workplace colleagues or managers. Many trans do not feel they can afford to take the risk of being 'out' as transgender in the workplace.

Some trans will have just started to undergo gender reassignment (transition) to change the gender role in which they live to better reflect their gender identity, others will already have completed their transition and simply have a trans history. Some trans may still be deciding whether or not to change the gender role in which they work and may express their gender differently on a part-time basis in non-work situations.

A glossary is included at Section 7 of this guidebook.

This guidebook was created to help foster dialogue and understanding of transgender issues in the workplace.

2. Gender Identity and Sexual Orientation

One area that sometimes creates confusion is differentiating between sexual orientation and gender identity issues. It is a myth that someone who is homosexual is confused about his or her gender identity. This may have been perpetuated because some gays and lesbians are gender non-conforming, adopting unconventional gender norms, although they may not be attempting to present themselves as a different gender.

What is sexual orientation?

Sexual orientation is the direction of thought, inclination, or interest expressed with regards to emotional, physical or romantic attraction. Orientations include gay, lesbian, bisexual and heterosexual. If you are gay or lesbian, this means that you have innate strong physical, emotional and romantic feelings for people of the same gender. Being bisexual means you are attracted to

both men and women. Being heterosexual means you are attracted to the opposite gender.

What is gender identity?

Gender identity is a person's innate, deeply felt psychological identification as male or female. This may or may not correspond to that person's body or sex as assigned at birth. Most people give little thought to their gender identity. There is no disconnection between physical appearance and their feeling male or female.

Transgender people often say that they are trapped in the wrong body, i.e. they were born one sex but feel more like another.

For those who are transgender, coming 'out' means acknowledging their gender identity, the internal sense of being male or female, and then determining how to express that identity.

Everyone has both a sexual orientation and a gender identity. For example, when someone is categorised as a straight man, that person has just been identified by both orientation (heterosexual) and gender (male).

3. What is the impact of an anti-trans workplace?

- **Reduced productivity and motivation and a loss of skills to the Council**
- **Risk of legal action and damage to our reputation**
 - Transgender people are an asset to their employers, yet they may feel they cannot stay with their existing employer during transitioning due to transphobic discrimination, leading to a loss of important skills and experience to the organisation.
 - Unless the Council becomes explicitly transgender inclusive, trans people considering transitioning may fear the reaction of their colleagues and managers and leave the Council.
 - The Council has a responsibility to combat discrimination and harassment of all their employees. Employment tribunals lead to reputational damage and cost the Council in terms of money and resources.

Some examples of discrimination on the grounds of gender reassignment include the following:

- Refusing to associate with or ignoring someone because they are trans.
- Refusing to address the person using their new name and gender pronoun.
- Refusing to amend employment records with their new name and gender or asking for a Gender Recognition Certificate.
- Probing into the person's private life and relationships.
- Spreading malicious gossip about that person.
- Failing to keep confidential information about that person's trans status.

- Refusal to allow the use of toilet/changing facilities appropriate to the gender in which the person is living.
- Treating that person less favourably than others in regard to sickness or other absences.

The Equality Act 2010 removes the requirement that the relevant gender reassignment process must be medically supervised in order to qualify for protection. Instead the person will be protected if they are proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning the person's sex by changing physiological or other attributes of sex. A person is also covered where, for example, a female at birth decides to spend the rest of her life as a man and does so. As the person passes successfully as a man, he decides not to seek any medical treatment.

4. Transitioning

The transition process is extensive. In general, it will involve psychological testing, monitoring and a trial period living as the other gender to ascertain the level of comfort the person has in the reassignment. All of this is accomplished with the help of medical professionals in accordance with recognised standards of care.

Given that many transitioning employees must come out to their employers in order to live consistently with one's gender identity full-time, employers necessarily become involved in an employee's transition.

It is usually at the beginning of the trial living stage that the employer is notified of an employee's diagnosis and intentions.

5. Recruitment

In most cases the gender of an employee is of no relevance to their ability to do their job. The Council seeks to attract, recruit and retain people of the highest caliber by applying the principles of fairness, consistency and equality in its employment practices and systems. It is committed to ensuring potential employees are not discriminated against in the recruitment process and has put in place monitoring systems.

5.1 Interviewing and Selection

Transgender candidates may not wish to disclose that they are transgender for fear of prejudice and harassment as a result of the disclosure. There is no legal requirement for a transsexual to disclose that they have transitioned from one gender to the other except in very specific circumstances where there are Genuine Occupational Qualifications (GOQs), which are defined as follows:-

- Where the job involves working in a private home where there would be close physical or social contact, or knowledge of a person's life and the employer can show that people would object.

- Where the job involves conducting personal searches to statutory powers.
- Where there is a genuine occupational requirement for a job to be carried out by a particular sex.

The application of GOQs to a District Council are likely to be very limited and the GOQs must be applied reasonably, including giving consideration as to whether there are existing employees able to take the above roles.

In addition, employees currently undergoing gender reassignment must disclose their transgender status in roles where the following GOQs apply:

- Jobs that require an employee to share accommodation provided by the Council whilst the employee is in the process of gender reassignment.
- Jobs that require an employee who is undergoing gender reassignment to provide personal services to vulnerable individuals

5.2 Documentation

Any forms and documents provided during the interview and resulting procedures will be considered confidential and will not be accessible by anyone outside the Human Resources/Occupational Health Department.

Sometimes it may be necessary for a transgender candidate to disclose a previous identity so that references from past employers can be obtained. Once again, strict confidentiality must be applied. This information is classed as “sensitive data” under the Data Protection Act and must be treated accordingly.

5.3 CRB Checks

If a post is subject to a disclosure check from the Criminal Records Bureau (CRB) applicants must disclose any previous names and/or gender directly to the CRB. Transgender applicants may make use of the special application procedure established by the CRB so that their previous name is not disclosed to the Council.

6. General Employment Issues

6.1 Sickness Absence

Transgender employees undergoing medical and surgical procedures may invariably require some time off work. Complications may arise following medical treatment, resulting in the long term sickness absence procedure being triggered. As with any other long term sickness absence the employee will be monitored under the Council’s Managing Sickness Absence Policy and provided with support by

Human Resources and their line manager, guided by the advice of occupational health. Flexible working patterns and requests for unpaid leave could also be considered.

- **Counselling and medication** – this initial stage of gender reassignment may take several months or years. Appointments may be required during normal working time, and requests for attendance at these appointments should be dealt with in accordance with normal Council policy.
- **Surgery** – There is typically a period of one to two years following counselling and medication before the individual is accepted for reconstructive surgery. Line managers should discuss how much time the individual would need to take off work. This will vary between 2 weeks to around 12 weeks depending upon the nature of the surgery.

6.2 Dress Codes

Whilst the Council does not generally have a dress code, if a dress code applies to the job performed by the employee, consideration must be given as to what, if any flexibility should be applied to accommodate the transition.

6.3 Record Keeping

It is a criminal offence to disclose the fact that a person with a Gender Recognition Certificate has changed gender, without their permission.

- **Updating Records** – all human resources records must be updated at the time of the transition. Employers need to create new records rather than amend old ones, to ensure confidentiality. All data protection principles must be adhered to.
- **Replacing Documents** – where copies of documents (such as birth certificates, exam certificates, etc.) have been received by the Council at the commencement of employment, every effort must be made to replace these documents with equivalent documents in the trans employee's new name and gender.

Unless a person holds a Gender Recognition Certificate, they cannot alter their birth certificate. However, they can obtain other documents in their new identity, such as:-

- Passport
- Driving licence
- National insurance number
- **Public References** – all documents, public references (such as telephone directories or website content), intranet contacts and employment details must reflect the acquired gender of the individual. This will prevent any breaches of confidentiality.

- **Access and Disclosure** - access to records showing the change of name and any other details associated with the transgender employee's status (such as records of absences for medical treatment) must be restricted to those who require the information in connection with their work.

Transgender employees may choose voluntarily to disclose information, for example when asking for support from their line manager. However, strict confidentiality must be observed, as further disclosure must not be made without the express permission of the individual.

- **Applications for Gender Recognition** – the Gender Recognition Act states that an individual's application for gender recognition and gender history are "protected information" and it is therefore a criminal offence to disclose this information unless the individual cannot be identified or gives their consent.
- **References** – where the Council is asked to provide a reference to a third party for a transgender employee, we will provide this without hinting that the person involved has changed their gender or is in the process of transitioning.

7. Terminology you may encounter

Coming out

This is the process in which a person first acknowledges, accepts and appreciates his or her sexual orientation or gender identity and begins to share that with others. This process can be challenging and may be accompanied by a wide range of emotions because the person coming out often does not know how friends, relatives, colleagues or others may react.

Gender

Gender (sometimes referred to as sex) refers to the biological attributes that classify one as male or female, and other features such as height, weight and body hair.

Gender Characteristics

Gender characteristics include dress, mannerisms, physical characteristics, speech patterns or other external characteristics and behaviors that are socially defined as either masculine or feminine. Social or cultural norms can vary widely and some characteristics which may be accepted as masculine, feminine or neutral in one culture may not be assessed the same in another.

Gender Identity

Gender identity is a person's innate, deeply felt psychological identification as male or female. This may or may not correspond to that person's body or sex as assigned at birth.

Gender Identity Disorder (GID) / Gender Dysphoria

GID is a psychological diagnosis of severe distress and discomfort caused by the conflict between one's gender identity and one's sex at birth.

Gender Reassignment

Gender reassignment or gender transitioning is the process that a transgender undergoes to move from living in their assigned gender at birth to living in their acquired gender. The process usually involves some form of counseling both before and after its commencement, and medical interventions which may or may not include hormones and a range of surgical procedures.

Presentation

Presentation refers to how a person expresses their gender to the world (see Gender Characteristics). A person may be biologically one gender, but present as that of their gender identity. This is an important milestone in the transition process.

Transgender

Transgender is a broad term that applies to people who live all or substantial portions of their lives expressing an innate sense of gender other than their birth sex. This includes transsexuals, cross-dressers and people who simply feel like their biological sex fails to reflect their true gender.

Transitioning

This is the process through which a person modifies his/her physical characteristics and/or manner of expression to satisfy the standards for membership in a gender other than the one he/she was assigned at birth. Some people transition simply by living as a member of the other gender, while others undergo medical treatment to alter their physical characteristics. This may or may not include hormone therapy and eventual sex reassignment surgery.

Transsexual

A person who identifies with the roles, expectations and expressions more commonly associated with a sex different from one he/she was assigned at birth, a transsexual often seeks to change his/her physical characteristics and manner of expression to transition to the other gender. After transitioning, transsexuals may identify themselves as male-to-female (MTF) or female-to-male (FTM) to acknowledge their transition.

Whether a person is transsexual has no direct or predictable connection to his/her sexual orientation.

Guidance for Transitioning Employees

If you are a transitioning employee, you have the right to openly be who you are. This means expressing your gender identity, characteristics or expression without fear of consequences. It is important, however, that you inform key personnel who can assist you.

Your first point of contact may be your immediate line manager, a member of the Human Resources Team, a trusted work colleague or a trade union representative. Contact should be made by the employee well ahead of the employee's planned transition date. Explain your intentions, needs and concerns to the person to whom you've chosen to speak. If you are not sure or perhaps uncomfortable contacting the above-mentioned individuals, contact the Council's Equality Improvement Officer who will be able to assist you.

Remember you are covered under Council's Equality Policy

Your line manager, HR contact or trade union contact and others may not be educated about transgender issues and may not understand clearly what your needs may be. You should be prepared to spend some time educating people. We recommend creating a Workplace Engagement Plan as part of your transition process. This can be used as a springboard for initial conversations as well as a way to help create the support team you will need during this time.

The following is a checklist of things you may want to cover in a Workplace Engagement Plan:

Develop a stakeholders list

- ☐ Who are all the people in the Council you may need to have engaged at some point during the transition?
- ☐ When do they need to be engaged?
- ☐ Are there any specific issues that need to be addressed sooner rather than later?

Create a timeline -- Day 1 minus 365 days

- ☐ What are the transitioning employee's milestones?
- ☐ Block out dates such as legal name change, transition milestones, and other events.
- ☐ Document agreements on appearance, dress code and use of gender-specific facilities, e.g. toilets/changing rooms
- ☐ Review the stakeholder list and develop the program to allow time for education & engagement

Things to Consider

- ☐ Will workspace changes need to be made during the transition?
- ☐ How long do certain HR functions take? (e.g. legal name changes in HR systems, staff directory, intranet etc.)

Expect the unexpected

Think about potential roadblocks and adjust your Workplace Engagement Plan accordingly.

Guidance for Line Managers

If you have an employee who is transitioning, it is important that you demonstrate an understanding and sensitive approach to his/her needs and concerns. It may be frightening to an employee to make himself or herself vulnerable to a person in a supervisory capacity.

You should always act in accordance with the Council's Equality Policy

If your employee informs you of his/her desire to transition or if an employee is currently in the transitioning process, your support is critical. Be open-minded and discuss with the employee his/her needs and concerns.

Make it clear to the employee that your conversation will be held in the strictest of confidence. Explain any concerns you might have and ask the employee's opinion regarding the best method and time for informing colleagues about the transition process.

Don't be afraid to ask questions.

Allow the transitioning employee to help educate you. You can also seek advice and assistance from the Human Resources Team, the Council's Equality Improvement Officer or national sources of support (see sources of support at the end of this guidebook).

Confirm who will be the main point of contact within the department during the transition process and schedule a follow-up meeting with the employee to discuss and agree upon an action plan to assist the employee in his or her transition. (See —Creating a Workplace Engagement Plan on page 4).

During the early stages of an employee's transition, few, if any, accommodations will be required on your part. However, at some point, you may be faced with issues concerning an employee's physical appearance and use of toilet facilities. Human Resources/the Council's Equality Improvement Officer will provide information and advice on specific issues but some general guidance on appearance and use of toilet facilities is provided below.

Appearance Standards

Individuals who are transitioning will assume the appearance and role for their Gender Identity. The decision as to when and how to begin the real-life experience remains the employee's choice. Part of that experience is dressing in the desired gender role.

Human Resources/the Council's Equality Improvement Officer will provide advice and assistance for line managers working with a transitioning individual.

Generally a transitioning employee will dress the same as other individuals of the desired gender in the workplace. If, as a manager, you are concerned about the appearance your transgender employee will present when she or he starts coming to work in the other gender role, you might ask for a picture of her or him in professional attire.

Toilet Facilities

Toilets are a mundane part of life, yet this one issue seemingly causes more discussion than any other aspect of the transition.

Toilet access issues need to be handled with sensitivity not only because of the Council's obligation to provide transitioning employees with the same level of toilet access available to non-transgender employees, but also because of the emotional responses and privacy concerns of colleagues relative to the idea of sharing facilities with a transgender colleague.

Transitioning employees will be permitted to use the facilities that correspond to their gender identity. However, usage of available single-occupancy or unisex facilities may be considered for a temporary period during the employee's transition process.

Once transition is complete, a transgender employee has the right to the same access as a non-transgender employee of the same gender.

Guidance for Colleagues

The moment a colleague makes the decision to come out as transgender to you this is an act of trust, and that person deems you trustworthy. There is no one right way to demonstrate your support.

Be as open and honest as you would like your colleague to be with you.

- ☐ If this is new for you -- and if you feel awkward, say so.
- ☐ Ask your colleague to be honest with you about what you say or do, which may make him or her uncomfortable.
- ☐ Tell your colleague if he or she does or says something that makes you uncomfortable.
- ☐ Ask questions
- ☐ Take the time to talk and be prepared to listen.

Here are some behaviors that help create an inclusive workplace by being a buddy:

- ☐ Don't make assumptions about a person's sexuality or gender. Not everyone's appearance or behavior plays to stereotypes.
- ☐ Know and understand the Council's Equalities Policy and Harassment & Bullying Procedure.
- ☐ Let your colleagues know that you won't tolerate even subtle forms of discrimination or harassment in the workplace.

Why become a workplace buddy?

- ☐ Make a positive impact on a fellow employee's life
- ☐ Become a better leader
- ☐ Personal and professional growth
- ☐ Personal satisfaction
- ☐ Help create a better and more productive workplace
- ☐ Champion and celebrate all aspects of diversity

Further Guidance and Support

Stonewall Tower Building York Road London SE1 7NX Tel: 020 7633 0759 Email: info@stonewall.org.uk www.stonewall.org.uk/at_work/default.asp	Campaigns for equality and justice for lesbian, gay, bisexual and transgender people. Supports employers in improving their workplaces for transgender people.
Press for Change (PFC) BM Network London WC1N 3XX Email: letters@pfc.org.uk www.pfc.org.uk	Campaigns for equal civil rights for trans people. Also provides legal help and advice for individuals and online trans equality guidance for employers and service providers.
UNISON National Trans Caucus Membership participation unit 1 Mabledon Place London WC1H 9AJ Tel: 0845 355 0845 Email: out@unison.co.uk www.unison.co.uk/out	In addition to branch and regional LGBT groups, UNISON has a confidential national transgender caucus that any trans member can join by e-mailing UNISON at the email address to the left. UNISON also provides a variety of trans equality guidance resources for trans employees and trade union reps.
Equality and Human Rights Commission Arndale House The Arndale Centre Manchester M4 3AQ Tel: 0845 604 6610 (helpline M-F 8-6) Email: englandhelpline@equalityhumanrights.com www.equalityhumanrights.com	The Equality and Human Rights Commission aims to reduce inequality, eliminate discrimination, strengthen good relations between people, and promote and protect human rights. It enforces equality legislation as well as providing advice and guidance to businesses, voluntary and public sectors, and also to individuals.
Gender Recognition Panel PO Box 6987 Leicester LE1 6ZX Tel: 0845 355 5155 Email: grpenquiries@tribunals.gsi.gov.uk www.grp.gov.uk	The Gender Recognition Panel is a group of lawyers and doctors appointed by the UK Government to consider and decide upon transsexual people's applications for gender recognition certificates. It also provides information about the gender recognition application process.
Derbyshire Friend Lesbian, Gay, Bisexual and Transgender Support Service The Pavilion LGBT Centre 2-3 Friary Street Derby DE1 1JF Tel: 01332 207704 Email: info@gayderbyshire.co.uk www.gayderbyshire.co.uk/?about-df,7	To advise, assist, inform and support the health and well being of lesbians, gay men, bisexuals, men who have sex with men and people in doubt about their sexuality.

**RECOMMENDED ITEM FROM UNION/EMPLOYEE CONSULTATION
COMMITTEE HELD ON 15TH NOVEMBER 2010**

**567. MOBILE WARDENS STAND-BY ALLOWANCES –
PENSIONABLE PAY STATUS – UPDATE
EXEMPT PARAGRAPH 4**

The Head of Human Resources and Payroll presented a report to provide an update to committee members on a report of the same title, which was submitted to Union Employee Consultation Committee on 5th February 2010, regarding mobile warden stand-by allowances and that these payments should have been treated as pensionable since 1982.

Following consultation with the Trade Unions, and options provided to the affected employees, the financial liability for the Council was £29,309.36 and this had already been paid to Derbyshire County Council.

Moved by Councillor J.A. Clifton, seconded by Councillor E. Watts
**RECOMMENDED that the report be referred to Council for retrospective
approval for the £29,309.36 to be funded from
Reserves.**

(Head of Human Resources and Payroll / Head of Democratic Services)

Committee:	Union Employee Consultation Committee	Agenda Item No.:	11.
Date:	15 th November 2010	Category	*
Subject:	Mobile Wardens Stand by Allowances – Pensionable Pay Status – Update	Status	Exempt – paragraph 4
Report by:	Head of Human Resources and Payroll		
Other Officers involved:	Payroll Manager		
Director	Chief Executive Officer		
Relevant Portfolio Holder	Councillor J. E. Bennett, Portfolio Holder for Performance and Heritage Champion		

RELEVANT CORPORATE AIMS

STRATEGIC ORGANISATIONAL DEVELOPMENT – Continually improving our organisation by ensuring we comply with pension regulations.

TARGETS

None applicable.

VALUE FOR MONEY

Not applicable.

THE REPORT

This report is to provide an update on the report of the same title which was submitted to this Committee on 5th February 2010.

It had been brought to our attention that due to the nature of stand by allowances paid to Mobile Wardens these payments should have been treated as pensionable since 1982.

It was resolved that following the consultation with the Trade Unions, the Payroll Manager would write to the affected employees to ascertain whether they wish to continue not to pay Local Government Pension contributions on

stand-by payments or start to pay pension scheme contributions on future stand-by payments. In which case, they would be required to enter into an agreement to pay contribution arrears over a period of time. The financial liability for the Council in respect of the employer's contributions would have to be paid immediately and reported to Full Council.

Fourteen employees were affected by this and all have been advised of the options available and possible effect on their Local Government Pension Scheme benefits. Four employees have declined the option to pay arrears and will continue to have their stand-by payments treated as non pensionable. Ten employees have decided to pay the arrears and have signed an agreement to this effect.

It was originally estimated that the employer's costs would be about £47,000 however the actual figure is less because the estimate was based on all of these employees opting to pay arrears and now a more detailed calculation has been made for the individuals opting to pay.

The financial liability for the Council of this is £29,309.36 and has now been paid in a single payment as required by Derbyshire County Council.

ISSUES FOR CONSIDERATION

Issues for consideration were set out in the previous report.

IMPLICATIONS

Financial :	The financial liability on the Council is £29,309.36
Legal :	Implications of the Local Government Pension Scheme
Human Resources :	To review working procedures to safeguard against a similar situation arising in the future.

RECOMMENDATION

That this item is referred to Council for retrospective approval for the £29,309.36 to be funded from Reserves.

ATTACHMENT:	No
FILE REFERENCE:	None
SOURCE DOCUMENT:	None

Council:	Council	Agenda Item No.:	11
Date:	19 th January 2011	Category	3
Subject:	Fees and Charges 2011/12	Status	Open
Report by:	Director of Resources		
Other Officers involved:			
Director	Director of Resources		
Relevant Portfolio Holder	Councillor Watts, Leader of the Council		

RELEVANT CORPORATE AIMS

STRATEGIC ORGANISATIONAL DEVELOPMENT – to continually improve the efficiency and effectiveness of all Council Services by maximising the potential use of Council resources.

TARGETS

The development of Policy Led Budgeting will help to inform future spending plans and assist in the delivery of the efficiency gain targets.

VALUE FOR MONEY

The Budget Process challenges existing spending levels and new spending proposals to ensure that resources are effectively used and directed towards the delivery of the Corporate Aims.

Introduction

1. This report is to seek retrospective approval of the use of a delegated power to the Chief Executive Officer. This action was taken as a matter of urgency to provide approval for a single price change due to the VAT increase on 1st January 2011 and so reduce the need for future administration to change prices again in April 2011 and support the Council's financial position.
2. The delegated power is 4.10.1 (2) (b) (2) on page 261 of the Constitution which states:

"If there is an urgent need for a commercial decision, the Chief Executive Officer, in consultation with the Chairman and Vice-Chairman of Executive, shall make the decision and retrospective approval will be sought from the Council."

3. These items have been reported to the Scrutiny Committees that met in early January 2011.

Main report

4. This report sets out the proposed increases in General Fund Fees and Charges for 2011/12. The meetings of the Scrutiny Committees in January 2011 considered this item.
5. Heads of Service have been asked to review their Fees and Charges for 2011/12. The results of the review are shown in Appendix A. Specific comments on highlighted areas analysed between directorates are shown below.

NEIGHBOURHOODS

6. Trade Refuse, Cesspool/Septic Tank Fees and Bulky Refuse
 - ◆ The proposed charges for trade refuse and emptying of cesspools and septic tanks have been set after taking into account the costs of the service.
 - ◆ The income in respect of these services will be increased by £6,711.
 - ◆ The demand for the removal of bulky refuse has been far lower than anticipated, a reduction of £19,000. The income for future years has been reduced to £30,000 to reflect this.
 - ◆ Recycling materials has been reduced by £43,050 based on previous actuals received and the expected amount for this year based on current payments received.
7. Leisure Services
 - ◆ It is proposed that all leisure fees and charges are increased by 3%.
 - ◆ This will increase leisure centre income by £25,610 in 2011/12.

DEVELOPMENT

8. Markets
 - ◆ There are no proposed increases in the charges for market stalls at this time.
 - ◆ Over the past few years the market stalls income has dropped through lower demand.

9. Pest Control

- ◆ It is proposed that the charges are increased by 4.6%. This will increase income by approximately £450

10. Animal Welfare

- ◆ Some of the charges are set by statute. It is proposed that the discretionary element is increased by differing amounts ranging from 4.6% to 4.9%.

11. Car Parks

- ◆ It is proposed that there will be no charges for car-parking in the District.

12. The following information is relevant for budget purposes but does not require a decision on the level of fees and charges.

DEVELOPMENT

13. Development Control

- ◆ Planning fee income has been reduced to reflect the current economic downturn. The total budgeted income in 2011/12 is expected to be £115,000 less than the opening 2010/11 budgeted income. This is subject to ongoing monthly monitoring by SMT / Cabinet. The Head of Planning and Environmental Health has provided options to resolve the financial imbalance via a temporary use of Planning Delivery Grant.

14. Pleasley Vale

- ◆ This is based on figures provided by Innes England on current occupancy. A vacancy factor has been included which amounts to approximately 10% of the gross income.
- ◆ The leases to tenants are of varying lengths. On renewal Innes England, on behalf of the Council, negotiate the best deal based on market conditions. Based on the Council report on 3rd November the management of this facility will be transferred back to the Council in an endeavour to achieve higher income levels after 2011/12 as well as saving costs in 2011/12.
- ◆ The electricity recharge reflects the actual cost of electricity supplied plus service charge.

15. Premises development

- ◆ Income has been increased from 2012/13 onwards as it is expected that more buildings / office space will be rented out.

16. Pollution Control

- ◆ As the fees are set in statute and we have no way of knowing whether any new businesses will apply. The budget has been increased by £1,269.

17. Dog Control

- ◆ There are proposed increases in charges. The kennelling charges are set to recover the costs. The release fee and the fixed penalty fees for dog fouling are set in statute.

CHIEF EXECUTIVES

18. Land Charges

- ◆ Previously legislation requires fees to be set to at least cover expenditure over a 3 year period. Competition from the private sector is increasing and causing income to fall.
- ◆ Changes to the pricing structure (reflecting new Government guidance) have seen the Council's income levels drop by £10,000 for the current and future years.

19. Licensing

- ◆ Most of the fee income derived from Licensing is set by statute.

IMPLICATIONS

Financial: The outturn budgets for income show an overall reduction of £132,090. The opportunity to increase prices from 1st January 2011 in line with the VAT increase will go some way to reduce this reduction.

The proposed budget for 2011/12 sees changes resulting in a reduction in budgeted gross income of £161,031 compared to the 2010/11 original budget.

Legal: None

Human Resources: None

RECOMMENDATIONS

1. That retrospective approval be given to the delegated power exercised by the Chief executive to increase fees and charges from 1st January 2011.
2. That the other information relating to income is noted.
3. That approval is given for no charges be levied for domestic drain-rodding services or for car parking.

ATTACHMENTS: **N**
FILE REFERENCE: None
SOURCE DOCUMENT: Background papers held in Financial Services

General Fund Fees and Charges Estimates 2010 - 2014

	Service		Statutory Fee	Actual 2007/08 £'s	Actual 2008/09 £'s	Actual 2009/10 £'s	Original Budget 2010/11 £'s	Estimated Outturn 2010/11 £'s	Original Budget 2011/12 £'s	Forecast 2012/13 £'s	Forecast 2013/14 £'s
G089 / 9041	Premises Development - Rents	Regeneration	N	(37,543)	(36,570)	(37,656)	(38,000)	(37,721)	(38,852)	(45,000)	(50,000)
G092 / 9061	Pleasley Vale Electricity Recharges	Regeneration	N	(140,559)	(153,454)	(142,099)	(201,680)	(143,274)	(150,000)	(155,000)	(160,000)
G090 / 9041	Pleasley Vale Rents	Regeneration	N	(429,282)	(403,379)	(414,183)	(408,260)	(428,651)	(430,000)	(451,500)	(463,862)
G099 / 9017	Restaurant	Regeneration	N	(50,067)	(49,783)	(33,610)	0	0	0	0	0
G029 / 9041	Markets - Rents	Regeneration	N	(164,329)	(159,254)	(148,915)	(158,500)	(155,000)	(155,000)	(155,000)	(155,000)
G028 / 9091	Cesspools	Comm & Street	N	(22,634)	(21,799)	(22,946)	(30,010)	(18,008)	(36,181)	(37,664)	(39,209)
G028 / 9035	Recycling Materials	Comm & Street	N	(217,958)	(143,245)	(131,410)	(175,050)	(132,000)	(135,300)	(138,000)	(141,000)
G028 / 9037	Trade Refuse	Comm & Street	N	(228,554)	(229,441)	(249,438)	(256,440)	(260,000)	(275,730)	(287,304)	(298,803)
G028 / 9124	Bulky Refuse	Comm & Street	N	0	0	(29,912)	(48,750)	(30,000)	(30,000)	(30,000)	(30,000)
G021 / 9035	Pollution Reduction	Environmental Hlth	Y	(17,041)	(21,735)	(13,227)	(11,800)	(12,869)	(13,069)	(13,069)	(13,069)
G026 / 9035	Animal Welfare	Environmental Hlth	Part	(2,523)	(4,212)	(4,666)	(5,000)	(5,000)	(5,000)	(5,000)	(5,000)
G026 / 9021	Licences - Animals	Environmental Hlth	Y	(2,337)	(2,181)	(2,109)	(2,010)	(2,000)	(2,000)	(2,000)	(2,000)
G023 / 9035	Pest Control	Regeneration	N	(6,147)	(3,436)	(4,360)	(6,300)	(6,300)	(6,750)	(7,000)	(7,200)
G030 / 9035	Street Trading	Environmental Hlth	Y	0	(840)	(800)	(800)	(800)	(837)	(837)	(837)
G018 / 9035	Public Conveniences	Environmental Hlth	N	(270)	(258)	(259)	(250)	(250)	(250)	(250)	(250)
G032 / 9050	Grounds Maintenance DCC Agency	Comm & Street	N	(63,156)	(63,000)	(68,727)	(67,010)	(67,010)	(69,020)	(71,090)	(73,222)
G053 / 9022	Licences - Drivers Applications	Legal Services	Y	(8,400)	(12,325)	(13,681)	(11,000)	(12,900)	(11,500)	(11,500)	(11,500)
G053 / 9023	Licences - Operators Licences	Legal Services	Y	(3,905)	(4,021)	(5,220)	(3,500)	(4,000)	(3,750)	(3,750)	(3,750)
G053 / 9024	Licences - Vehicle	Legal Services	Y	(11,603)	(16,864)	(22,761)	(15,000)	(20,000)	(19,000)	(19,000)	(19,000)
G053 / 9025	Licences - Hackney Vehicles	Legal Services	Y	(4,564)	(4,439)	(2,801)	(2,200)	(1,600)	(1,000)	(900)	(800)
G053 / 9026	Licences - Criminal Records Bureau	Legal Services	Y	(3,600)	(4,104)	(4,483)	(3,500)	(3,500)	(3,500)	(3,500)	(3,500)
G053 / 9028	Licences - Lotteries	Legal Services	Y	(1,311)	(1,535)	(1,546)	(1,300)	(1,000)	(900)	(900)	(900)
G053 / 9030	Licences - Gaming Machines	Legal Services	Y	(1,476)	(1,500)	(1,600)	(1,200)	(1,300)	(1,000)	(1,000)	(800)
G053 / 9031	Liquor Licensing - Personal	Legal Services	Y	(2,310)	(2,530)	(2,756)	(2,500)	(2,200)	(2,200)	(2,200)	(2,200)
G053 / 9032	Liquor Licensing - Premises	Legal Services	Y	(44,558)	(43,985)	(45,310)	(40,000)	(40,000)	(40,000)	(40,000)	(40,000)
G053 / 9104	Gambling Act	Legal Services	Y	(8,060)	(6,560)	(7,205)	(5,000)	(5,000)	(5,000)	(5,000)	(5,000)
G056 / 9035	Land Charges	Legal Services	N	(124,272)	(65,507)	(80,004)	(73,000)	(63,000)	(63,000)	(63,000)	(63,000)
G070 / 9035	Outdoor Sports & Recreation Facilities	Leisure Services	N	(14,510)	(11,399)	(14,700)	(15,660)	(15,660)	(16,000)	(16,400)	(16,800)
G071 / 9***	Creswell Leisure Centre	Leisure Services	N	(139,067)	(202,965)	(163,516)	(166,010)	(178,900)	(182,370)	(178,670)	(184,070)
G062 / 9035	Energised Youth Programme	Leisure Services	N	(119,360)	(130,372)	(131,078)	(97,000)	(97,000)	(100,000)	(110,000)	(115,000)
G063 / 9035	GO Football	Leisure Services	N	(15,563)	(11,628)	(7,732)	(5,000)	(6,000)	(6,000)	(6,000)	(6,000)
G064 / 9035	Community Sports Coach Scheme	Leisure Services	N	(1,435)	(1,425)	(1,536)	(2,170)	(2,000)	(1,500)	(1,500)	(1,500)
G069 / 9***	Kingsgate Leisure Centre	Leisure Services	N	(149,407)	(90,503)	(37,046)	(164,710)	(146,000)	(165,100)	(175,700)	(184,800)
G065 / 9035	Parks, Playgrounds & Open Spaces	Leisure Services	N	(4,132)	(4,243)	(4,709)	(3,930)	(5,000)	(5,200)	(5,200)	(5,300)
G074 / 9053	Development Control - Planning Fees	Planning Services	Y	(381,274)	(386,810)	(312,480)	(440,000)	(325,000)	(325,000)	(325,000)	(325,000)
G048 / 9041	Town Centre Housing	Housing	N	(15,010)	(16,251)	(19,465)	(18,000)	(19,500)	(19,500)	(19,500)	(19,500)
				(2,436,195)	(2,311,563)	(2,183,946)	(2,480,540)	(2,248,444)	(2,319,509)	(2,387,434)	(2,447,872)

Licensing

	Individual Fees			Total Budget		
	Current 2010/11 charges £	Proposed 2011/12 charges £	Proposed Increase £	Original Budget 2010/11 £	Estimated Outturn 2010/11 £	Draft Budget 2011/12 £
Drivers' Licences	55.00	55.00	0	(11,000)	(12,900)	(11,500)
Private Hire Vehicle Operators	60.00	60.00	0	(3,500)	(4,000)	(3,750)
	120.00	120.00	0			
- one vehicle	60.00	60.00	0			
- 2 to 5 vehicles						
- each additional 5 vehicles						
- dependant on CO2 emissions	136.00	136.00	0	(15,000)	(20,000)	(19,000)
- dependant on CO2 emissions	160.00	160.00	0			
Criminal Records Bureau (CRB)	36.00	36.00	0	(3,500)	(3,500)	(3,500)
Gaming Machines	50.00	50.00	0	(1,200)	(1,300)	(1,000)
Liquor - Personal Licences	37.00	37.00	0	(2,500)	(2,200)	(2,200)
Liquor - Premises Licences	100.00	100.00	0	(40,000)	(40,000)	(40,000)
Lotteries	40.00	40.00	0	(1,300)	(1,000)	(900)
	20.00	20.00	0			
Gambling Act Premises	195.00	195.00	0	(5,000)	(5,000)	(5,000)

Individual fees are not proposed to increase, therefore the changes in annual budget are due to anticipated changes in levels of activity.

Land Charges

	Individual Fees			Total Budget		
	Current 2010/11 charges £	Proposed 2011/12 charges £	Proposed Increase £	Original Budget 2010/11 £	Estimated Outturn 2010/11 £	Draft Budget 2011/12 £
Full Search:						
Residential						
Commercial						
				(73,000)	(63,000)	(63,000)
Split Searches:						
Residential						
Commercial						
CON29 optional questions:						
Parcels of land						

Regeneration

	Individual Fees			Original Budget 2010/11 £	Total Budget	
	Current charges 2010/11 £	Proposed charges 2011/12 £	Proposed Increase £	Budget 2010/11 £	Estimated Outturn 2010/11 £	Draft Budget 2011/12 £
			% Increase			
<i>Pest Control:</i>						
Wasps inside and outside				(6,300)	(6,300)	(6,750)
- standard	34.12	35.69	1.57			
- out of hours	53.55	56.01	2.46			
Cockroaches						
- standard	34.12	35.69	1.57			
- out of hours	53.55	56.01	2.46			
Fleas						
- standard	34.12	35.69	1.57			
- out of hours	53.55	56.01	2.46			
Cluster flies						
- standard	34.12	35.69	1.57			
- out of hours	53.55	56.01	2.46			
Bed Bugs						
- standard	34.12	35.69	1.57			
- out of hours	53.55	56.01	2.46			
				(158,500)	(155,000)	(155,000)
<i>Markets:</i>						
<i>Clowne:</i>						
Thursday (stalls)						
- self erect (L)	6.00	6.00	0			
- self erect (UL)	6.00	6.00	0			
- second hand goods - car	6.00	6.00	0			
- second hand goods - van	12.00	12.00	0			
<i>Shirebrook:</i>						
Tuesday (stalls)						
- self erect (L)	8.00	8.00	0			
- self erect (UL)	10.00	10.00	0			
- second hand goods - car	6.00	6.00	0			
Wednesday (stalls)						
- self erect (L)	11.00	11.00	0			

	- self erect (UL)	11.50	11.50	0
	- council (L)	12.50	12.50	0
	- council (UL)	13.00	13.00	0
Friday (stalls)				
	- self erect (L)	14.00	14.00	0
	- self erect (UL)	15.00	15.00	0
	- council (L)	13.50	13.50	0
	- council (UL)	15.00	15.00	0
Saturday (stalls)				
	- self erect (L or UL)	9.00	9.00	0
	- council (L or UL)	10.00	10.00	0
Cars - secondhand				
	- regular	6.50	6.50	0
	- casual	7.00	7.00	0
Deposit		3.00	3.00	0
Non Market Days		14.00	14.00	0
Pitches over 10ft (Tues & Sat)		1.00	1.00	0
Clothing Rails/Tables/Boxes		1.00	1.00	0
Exten. on stall end (over 2ft)		7.50	7.50	0
Elect. on Fridge/Freezer		2.00	2.00	0
Vehicle @ stall		4.00	4.00	0
Vehicles in unauthorised area		25.00	25.00	0

Markets:

Individual fees are not proposed to increase, therefore the changes in annual budget are due to anticipated changes in levels of activity.

9	907	963	56	6.2%
10	1,008	1,070	62	6.2%
11	1,109	1,177	68	6.1%
12	1,209	1,284	75	6.2%

Fees and Charges Review

Councils Sport and Leisure Activities

From 1st January 2011

Activity		+ 3% inflation 10 / 11	Net Vat 10/1	+20% VAT	% inflation 11	charges for 2011 / 12
Leisure Lifestyles	Residents Pass	£ 6.30	£ 5.36	£ 6.40	£ 6.60	£ 7.00
annual pass fee	Non Residents Pass	£ 7.30	£ 6.21	£ 7.50	£ 7.70	£ 8.00
	Concessionary	£ 5.00	£ 4.26	£ 5.10	£ 5.30	£ 5.50
	Club Pass	£ 8.30	£ 7.06	£ 8.50	£ 8.80	£ 9.00
		£ -				
Swimming	No Pass	£ 4.00 £4.00 Now	£ 3.40	£ 4.10	£ 4.20	£ 4.20
	Residents Pass	£ 2.90 £2.90 Now	£ 2.47	£ 3.00	£ 3.10	£ 3.10
	Non Residents Pass	£ 3.20 £3.20 Now	£ 2.72	£ 3.30	£ 3.40	£ 3.40
	Concessionary	£ 2.40 £2.40 Now	£ 2.04	£ 2.50	£ 2.60	£ 2.60
		£ -				£ -
Squash	No Pass	£ 6.00 £6.00 Now	£ 5.11	£ 6.10	£ 6.30	£ 6.30
	Residents Pass	£ 4.30 £4.30 Now	£ 3.66	£ 4.40	£ 4.50	£ 4.50
	Non Residents Pass	£ 4.60 £4.60 Now	£ 3.91	£ 4.70	£ 4.80	£ 4.80
	Concessionary	£ 3.30 £3.30 Now	£ 2.81	£ 3.40	£ 3.50	£ 3.50
		£ -				£ -
Sauna	No Pass	£ 4.10	£ 3.49	£ 4.20	£ 4.30	£ 4.30
	Residents Pass	£ 2.80	£ 2.38	£ 2.90	£ 3.00	£ 3.00
	Non Residents Pass	£ 3.10	£ 2.64	£ 3.20	£ 3.30	£ 3.30
	Concessionary	£ 2.80	£ 2.38	£ 2.90	£ 3.00	£ 3.00
		£ -				£ -
Swimming Lessons - Child		£ 3.40			£ 3.40	£ 3.40
		£ -				£ -
Swimming Lessons - Adult		£ 3.40			£ 3.40	£ 3.40
		£ -				£ -
Child Indoor Canoeing		£ 3.70 N/A			£ 3.60	£ 3.60
		£ -				£ -
Adult Indoor Canoeing		£ 3.70 N/A			£ 3.60	£ 3.60
		£ -				£ -
Swimming Pool Hire	No Pass	£ 35.00 £35.00 Now	£ 29.79	£ 35.70	£ 36.80	£ 36.80
	Residents Pass	£ 35.00 £35.00 Now	£ 29.79	£ 35.70	£ 36.80	£ 36.80
	Non Residents Pass	£ 35.00 £35.00 Now	£ 29.79	£ 35.70	£ 36.80	£ 36.80
	Concessionary	£ 35.00 £35.00 Now	£ 29.79	£ 35.70	£ 36.80	£ 36.80
		£ -	£ -	£ -	£ -	£ -
Aqua Fit	No Pass	£ 4.00 £4.00 Now			£ 3.90	£ 3.90
	Residents Pass	£ 3.20 £3.20 now			£ 3.10	£ 3.10
	Non Residents Pass	£ 3.40 £3.40 Now			£ 3.30	£ 3.30
	Concessionary	£ 3.20 £3.20 Now			£ 3.10	£ 3.10
		£ -				£ -
Parent & Baby	No Pass	£ 4.00 Adult Swim	£ 3.40	£ 4.10	£ 4.20	£ 4.20
	Residents Pass	£ 2.90 Adult Swim	£ 2.47	£ 3.00	£ 3.10	£ 3.10
	Non Residents Pass	£ 3.20 Adult Swim	£ 2.72	£ 3.30	£ 3.40	£ 3.40
	Concessionary	£ 2.40 Adult Swim	£ 2.04	£ 2.50	£ 2.60	£ 2.60
		£ -				£ -
Sauna / Swim package	No Pass	£ 6.20 £6.20 Now	£ 5.28	£ 6.30	£ 6.50	£ 6.50
	Residents Pass	£ 4.10 £4.10 now	£ 3.49	£ 4.20	£ 4.30	£ 4.30
	Non Residents Pass	£ 4.60 £4.60 Now	£ 3.91	£ 4.70	£ 4.80	£ 4.80
	Concessionary	£ 4.10 £4.10 Now	£ 3.49	£ 4.20	£ 4.30	£ 4.30
		£ -				£ -
Circuit Training	No Pass	£ 4.00 £4.00 Now			£ 4.00	£ 4.00
	Residents Pass	£ 3.20 £3.20 Now			£ 3.20	£ 3.20
	Non Residents Pass	£ 3.40 £3.40 Now			£ 3.40	£ 3.40
	Concessionary	£ 3.20 £3.20 Now			£ 3.20	£ 3.20
		£ -				£ -
Swim Squad	No Pass	£ 3.20 £3.20 Now			£ 3.20	£ 3.20
	Residents Pass	£ 3.20 £3.20 Now			£ 3.20	£ 3.20
	Non Residents Pass	£ 3.20 £3.20 Now			£ 3.20	£ 3.20
	Concessionary	£ 3.20 £3.20 Now			£ 3.20	£ 3.20
		£ -				£ -
Aerobiking	No Pass	£ 4.00 £4.00 Now			£ 4.00	£ 4.00
	Residents Pass	£ 3.20 £3.20 Now			£ 3.20	£ 3.20
	Non Residents Pass	£ 3.40 £3.40 Now			£ 3.40	£ 3.40

Activity	+ 3% inflation 10 / 11		Net Vat 10/1	+20% VAT	% inflation 11	charges for 2011 / 12
	Concessionary	£ 3.20	£3.20 Now		£ 3.20	£ 3.20
		£ -				£ -
Over 50's	No Pass	£ 4.10		£ 3.49	£ 4.20	£ 4.30
	Residents Pass	£ 3.40		£ 2.89	£ 3.50	£ 3.60
	Non Residents Pass	£ 3.60		£ 3.06	£ 3.70	£ 3.80
	Concessionary	£ 3.40		£ 2.89	£ 3.50	£ 3.60
		£ -				
Aerobics	No Pass	£ 4.00	£4.00 Now		£ 4.00	£ 4.10
	Residents Pass	£ 3.20	£3.20 Now		£ 3.20	£ 3.30
	Non Residents Pass	£ 3.40	£3.40 Now		£ 3.40	£ 3.50
	Concessionary	£ 3.20	£3.20 Now		£ 3.20	£ 3.30
		£ -				
Step Aerobics	No Pass	£ 4.00	£4.00 Now		£ 4.00	£ 4.10
	Residents Pass	£ 3.20	£3.20 Now		£ 3.20	£ 3.30
	Non Residents Pass	£ 3.40	£3.40 Now		£ 3.40	£ 3.50
	Concessionary	£ 3.20	£3.20 Now		£ 3.20	£ 3.30
		£ -				
Oxigym - Casual	No Pass	£ 5.00	£5.00 Now	£ 4.26	£ 5.10	£ 5.30
	Residents Pass	£ 3.60	£3.60 Now	£ 3.06	£ 3.70	£ 3.80
	Non Residents Pass	£ 4.10	£4.10 Now	£ 3.49	£ 4.20	£ 4.30
	Concessionary	£ 3.20	£3.20 Now	£ 2.72	£ 3.30	£ 3.40
		£ -				£ -
Oxigym Off Peak Membership		£ 18.50	Not Used	£ 15.74	£ 18.90	£ 19.50
		£ -				£ -
Oxigym Bronze Membership		£ 22.90	Not Used	£ 19.49	£ 23.40	£ 24.10
		£ -				£ -
Oxigym Silver Membership		£ 30.50	Not Used	£ 25.96	£ 31.10	£ 32.00
		£ -				£ -
Oxigym Gold Membership		£ 32.80	Not Used	£ 27.91	£ 33.50	£ 34.50
		£ -				£ -
Badminton	No Pass	£ 7.20	£ 7.20	£ 6.13	£ 7.40	£ 7.60
	Residents Pass	£ 5.60	£ 5.60	£ 4.77	£ 5.70	£ 5.90
	Non Residents Pass	£ 6.10	£ 6.10	£ 5.19	£ 6.20	£ 6.40
	Concessionary	£ 4.20	£ 4.20	£ 3.57	£ 4.30	£ 4.40
		£ -				£ -
Outdoor Pitch (plus £2 floodlights)	No Pass	£ 17.50	£ 17.50	£ 14.89	£ 17.90	£ 18.40
	Residents Pass	£ 14.20	£ 14.20	£ 12.09	£ 14.50	£ 14.90
	Non Residents Pass	£ 15.20	£ 15.20	£ 12.94	£ 15.50	£ 16.00
	Concessionary	£ 14.20	£ 14.20	£ 12.09	£ 14.50	£ 14.90
	Club Pass	£ 14.60		£ 12.43	£ 14.90	£ 15.30
		£ -				£ -
Martial Arts (1 court - 1 hour)	No Pass	£ 13.50	£ 13.50	£ 11.49	£ 13.80	£ 14.20
	Residents Pass	£ 10.20	£ 10.20	£ 8.68	£ 10.40	£ 10.70
	Non Residents Pass	£ 11.00	£ 11.00	£ 9.36	£ 11.20	£ 11.50
	Concessionary	£ 10.20	£ 10.20	£ 8.68	£ 10.40	£ 10.70
		£ -				£ -
Martial Arts (1 court - 2 hours)	No Pass	£ 23.30	£ 23.30	£ 19.83	£ 23.80	£ 24.50
	Residents Pass	£ 18.00	£ 18.00	£ 15.32	£ 18.40	£ 19.00
	Non Residents Pass	£ 19.70	£ 19.70	£ 16.77	£ 20.10	£ 20.70
	Concessionary	£ 18.00	£ 18.00	£ 15.32	£ 18.40	£ 19.00
		£ -				
Ladies Morning (plus 80p for child in supervised play)	No Pass	£ 3.80	£ 3.80	£ 3.23	£ 3.90	£ 4.00
	Residents Pass	£ 3.10	£ 3.10	£ 2.64	£ 3.20	£ 3.30
	Non Residents Pass	£ 3.30	£ 3.30	£ 2.81	£ 3.40	£ 3.50
	Concessionary	£ 3.10	£ 3.10	£ 2.64	£ 3.20	£ 3.30
		£ -				
Junior Games	No Pass	£ -		£ -	£ -	£ -
	Residents Pass	£ -		£ -	£ -	£ -
	Non Residents Pass	£ -		£ -	£ -	£ -
	Concessionary	£ 1.50		£ 1.28	£ 1.50	£ 1.50
Over 50's club	No Pass	£ 2.30	£ 2.30	£ 1.96	£ 2.30	£ 2.40
	Residents Pass	£ 1.80	£ 1.80	£ 1.53	£ 1.80	£ 1.90
	Non Residents Pass	£ 2.00	£ 2.00	£ 1.70	£ 2.00	£ 2.10
	Concessionary	£ 1.80	£ 1.80	£ 1.53	£ 1.80	£ 1.90
		£ -				
Cricket Nets	No Pass	£ 36.00	£ 36.00	£ 30.64	£ 36.80	£ 37.90
	Residents Pass	£ 27.60	£ 27.60	£ 23.49	£ 28.20	£ 29.00

Activity	+ 3% inflation 10 / 11		Net Vat 10/1	+20% VAT	% inflation 11	charges for 2011 / 12
	Non Residents Pass	£ 30.80	£ 30.80	£ 26.21	£ 31.50	£ 32.40
	Concessionary	£ 27.60	£ 27.60	£ 23.49	£ 28.20	£ 29.00
		£ -				£ -
Roller Skating	No Pass	£ 2.60	n/a	£ 2.21	£ 2.70	£ 2.80
	Residents Pass	£ 2.20	n/a	£ 1.87	£ 2.20	£ 2.30
	Non Residents Pass	£ 2.40	n/a	£ 2.04	£ 2.50	£ 2.60
	Concessionary	£ 2.10	n/a	£ 1.79	£ 2.10	£ 2.20
		£ -				£ -
Soft Play Block Hire	No Pass	£ 30.00	£ 30.00	£ 25.53	£ 30.60	£ 31.50
	Residents Pass	£ 30.00	£ 30.00	£ 25.53	£ 30.60	£ 31.50
	Non Residents Pass	£ 30.00	£ 30.00	£ 25.53	£ 30.60	£ 31.50
	Concessionary	£ 30.00	£ 30.00	£ 25.53	£ 30.60	£ 31.50
Soft Play Session Fee	No Pass					£ 2.00
	Residents Pass					£ 2.00
	Non Residents Pass					£ 2.00
	Concessionary	£ 1.70	£ 1.70	£ 1.45	£ 1.70	£ 2.00
		£ -		£ -	£ -	
Trampolining	No Pass	£ 2.50	£ 2.50	£ 2.13	£ 2.60	£ 2.70
	Residents Pass	£ 2.50	£ 2.50	£ 2.13	£ 2.60	£ 2.70
	Non Residents Pass	£ 2.50	£ 2.50	£ 2.13	£ 2.60	£ 2.70
	Concessionary	£ 2.50	£ 2.50	£ 2.13	£ 2.60	£ 2.70
		£ -		£ -	£ -	
Bar Hire	No Pass	£ 25.00	£ 25.00	£ 21.28	£ 25.50	£ 26.30
	Residents Pass	£ 25.00	£ 25.00	£ 21.28	£ 25.50	£ 26.30
	Non Residents Pass	£ 25.00	£ 25.00	£ 21.28	£ 25.50	£ 26.30
	Concessionary	£ 25.00	£ 25.00	£ 21.28	£ 25.50	£ 26.30
		£ -		£ -	£ -	£ -
Sports Hall Hire	No Pass	£ 34.00	£ 34.00	£ 28.94	£ 34.70	£ 35.70
	Residents Pass	£ 25.00	£ 25.00	£ 21.28	£ 25.50	£ 26.30
	Non Residents Pass	£ 29.00	£ 29.00	£ 24.68	£ 29.60	£ 30.50
	Concessionary	£ 25.00	£ 25.00	£ 21.28	£ 25.50	£ 26.30
		£ -		£ -	£ -	£ -
Sports Hall Hire ½ Hall	No Pass	£ 19.00	£ 19.00	£ 16.17	£ 19.40	£ 20.00
	Residents Pass	£ 16.00	£ 16.00	£ 13.62	£ 16.30	£ 16.80
	Non Residents Pass	£ 17.00	£ 17.00	£ 14.47	£ 17.40	£ 17.90
	Concessionary	£ 16.00	£ 16.00	£ 13.62	£ 16.30	£ 16.80
		£ -		£ -	£ -	£ -
Tennis	No Pass	£ 5.90	£ 5.90	£ 5.02	£ 6.00	£ 6.20
	Residents Pass	£ 4.30	£ 4.30	£ 3.66	£ 4.40	£ 4.50
	Non Residents Pass	£ 4.40	£ 4.40	£ 3.74	£ 4.50	£ 4.60
	Concessionary	£ 3.10	£ 3.10	£ 2.64	£ 3.20	£ 3.30
		£ -		£ -	£ -	£ -
Badminton Club	No Pass	£ 3.30	£ 3.30	£ 2.81	£ 3.40	£ 3.50
	Residents Pass	£ 2.30	£ 2.30	£ 1.96	£ 2.30	£ 2.40
	Non Residents Pass	£ 2.80	£ 2.80	£ 2.38	£ 2.90	£ 3.00
	Concessionary	£ 1.70	£ 1.70	£ 1.45	£ 1.70	£ 1.80
		£ -		£ -	£ -	£ -
Badminton Coaching	No Pass	£ 3.30	£ 3.30	£ 2.81	£ 3.40	£ 3.50
	Residents Pass	£ 2.30	£ 2.30	£ 1.96	£ 2.30	£ 2.40
	Non Residents Pass	£ 2.80	£ 2.80	£ 2.38	£ 2.90	£ 3.00
	Concessionary	£ 1.70	£ 1.70	£ 1.45	£ 1.70	£ 1.80
		£ -		£ -	£ -	£ -
Table Tennis	No Pass	£ 5.80	£ 5.80	£ 4.94	£ 5.90	£ 6.10
	Residents Pass	£ 4.10	£ 4.10	£ 3.49	£ 4.20	£ 4.30
	Non Residents Pass	£ 4.40	£ 4.40	£ 3.74	£ 4.50	£ 4.60
	Concessionary	£ 3.10	£ 3.10	£ 2.64	£ 3.20	£ 3.30
		£ -		£ -	£ -	£ -
Short Mat Bowls	No Pass	£ 2.30	£ 2.30	£ 1.96	£ 2.30	£ 2.40
	Residents Pass	£ 1.70	£ 1.70	£ 1.45	£ 1.70	£ 1.80
	Non Residents Pass	£ 2.10	£ 2.10	£ 1.79	£ 2.10	£ 2.20
	Concessionary	£ 1.50	£ 1.50	£ 1.28	£ 1.50	£ 1.60
Party Soft Play Hire	No Pass	£ 30.00	£ 30.00	£ 25.53	£ 30.60	£ 31.50
	Residents Pass	£ 30.00	£ 30.00	£ 25.53	£ 30.60	£ 31.50
	Non Residents Pass	£ 30.00	£ 30.00	£ 25.53	£ 30.60	£ 31.50
	Concessionary	£ 30.00	£ 30.00	£ 25.53	£ 30.60	£ 31.50

Activity		+ 3% inflation 10 / 11		Net Vat 10/1	+20% VAT	% inflation 11	charges for 2011 / 12
Bouncy Castle Party	No Pass	£ 30.00	£ 30.00	£ 25.53	£ 30.60	£ 31.50	£ 30.00
½ Hall	Residents Pass	£ 30.00	£ 30.00	£ 25.53	£ 30.60	£ 31.50	£ 30.00
	Non Residents Pass	£ 30.00	£ 30.00	£ 25.53	£ 30.60	£ 31.50	£ 30.00
	Concessionary	£ 30.00	£ 30.00	£ 25.53	£ 30.60	£ 31.50	£ 30.00
		£ -		£ -	£ -	£ -	
Bouncy Castle Party	No Pass	£ 30.00	£ 30.00	£ 25.53	£ 30.60	£ 31.50	£ 30.00
	Residents Pass	£ 30.00	£ 30.00	£ 25.53	£ 30.60	£ 31.50	£ 30.00
	Non Residents Pass	£ 30.00	£ 30.00	£ 25.53	£ 30.60	£ 31.50	£ 30.00
	Concessionary	£ 30.00	£ 30.00	£ 25.53	£ 30.60	£ 31.50	£ 30.00
		£ -		£ -	£ -	£ -	
Sports Hall Activity Party	No Pass	£ 30.00	£ 30.00	£ 25.53	£ 30.60	£ 31.50	£ 30.00
	Residents Pass	£ 30.00	£ 30.00	£ 25.53	£ 30.60	£ 31.50	£ 30.00
	Non Residents Pass	£ 30.00	£ 30.00	£ 25.53	£ 30.60	£ 31.50	£ 30.00
	Concessionary	£ 30.00	£ 30.00	£ 25.53	£ 30.60	£ 31.50	£ 30.00
		£ -		£ -	£ -	£ -	
		£ -		£ -	£ -	£ -	
Party Food per head (Cold)	No Pass	£ 3.20	New Menu	£ 2.72	£ 3.30	£ 3.40	£ 3.40
	Residents Pass	£ 3.20		£ 2.72	£ 3.30	£ 3.40	£ 3.40
	Non Residents Pass	£ 3.20		£ 2.72	£ 3.30	£ 3.40	£ 3.40
	Concessionary	£ 3.20		£ 2.72	£ 3.30	£ 3.40	£ 3.40
		£ -		£ -	£ -	£ -	£ -
Party Food per head (Hot)	No Pass	£ 3.50	New Menu	£ 2.98	£ 3.60	£ 3.70	£ 3.70
	Residents Pass	£ 3.50		£ 2.98	£ 3.60	£ 3.70	£ 3.70
	Non Residents Pass	£ 3.50		£ 2.98	£ 3.60	£ 3.70	£ 3.70
	Concessionary	£ 3.50		£ 2.98	£ 3.60	£ 3.70	£ 3.70
		£ -		£ -	£ -	£ -	
Gymnastics		£ 2.00	£ 2.00			£ 2.00	£ 3.00
		£ -					
Gymnastics / Trampoline Joint Package		£ 3.80				£ 3.80	£ 5.00
		£ -					
Shower		£ 6.00	£ 6.00	£ 5.11	£ 6.10	£ 6.30	£ 7.00
		£ -		£ -	£ -	£ -	
Spectator		£ 0.80		£ 0.68	£ 0.80	£ 0.80	£ 0.80
		£ -		£ -	£ -	£ -	
Special Functions	Small Function	£ 30.00	£ 30.00	£ 25.53	£ 30.60	£ 31.50	£ 35.00
	Medium Function	£ 40.00	£ 40.00	£ 34.04	£ 40.90	£ 42.10	£ 45.00
	Large Function	£ 50.00	£ 50.00	£ 42.55	£ 51.10	£ 52.60	£ 55.00
		£ -		£ -	£ -	£ -	
Bowling per match	No Pass	£ 3.00	£ 3.00	£ 2.55	£ 3.10	£ 3.20	£ 3.20
	Residents Pass	£ 2.20	£ 2.20	£ 1.87	£ 2.20	£ 2.30	£ 2.30
	Non Residents Pass	£ 2.60	£ 2.60	£ 2.21	£ 2.70	£ 2.80	£ 2.80
	Concessionary	£ 1.70	£ 1.70	£ 1.45	£ 1.70	£ 1.80	£ 1.70
		£ -		£ -	£ -	£ -	
Bowls Season Ticket	No Pass	£ 32.40	£ 32.40	£ 27.57	£ 33.10	£ 34.10	£ 34.10
	Residents Pass	£ 27.10	£ 27.10	£ 23.06	£ 27.70	£ 28.50	£ 28.50
	Non Residents Pass	£ 29.80	£ 29.80	£ 25.36	£ 30.40	£ 31.30	£ 31.30
	Concessionary	£ 27.10	£ 27.10	£ 23.06	£ 27.70	£ 28.50	£ 28.50
		£ -		£ -	£ -	£ -	£ -
Cricket Pitch per match	No Pass	£ 37.60	£ 37.60	£ 32.00	£ 38.40	£ 39.60	£ 39.60
	Residents Pass	£ 30.30	£ 30.30	£ 25.79	£ 30.90	£ 31.80	£ 31.80
	Non Residents Pass	£ 32.40	£ 32.40	£ 27.57	£ 33.10	£ 34.10	£ 34.10
	Concessionary	£ 30.30	£ 30.30	£ 25.79	£ 30.90	£ 31.80	£ 31.80
		£ -		£ -	£ -	£ -	£ -
Football Pitch per match	No Pass	£ 33.40	£ 33.40	£ 28.43	£ 34.10	£ 35.10	£ 35.10
	Residents Pass	£ 26.20	£ 26.20	£ 22.30	£ 26.80	£ 27.60	£ 27.60
	Non Residents Pass	£ 31.40	£ 31.40	£ 26.72	£ 32.10	£ 33.10	£ 33.10
	Concessionary	£ 26.20	£ 26.20	£ 22.30	£ 26.80	£ 27.60	£ 27.60
		£ -		£ -	£ -	£ -	£ -
Cricket Club ground rent per	-----	£ 677.40		£ 576.51	£ 691.80	£ 712.60	£ 712.60
		£ -		£ -	£ -	£ -	£ -
Bowling ground rent per seas	-----	£ 983.40		£ 836.94	£ 1,004.30	£ 1,034.40	£ 1,034.40
		£ -		£ -	£ -	£ -	£ -
Clune Street ground rent per	-----	£ 295.00		£ 251.06	£ 301.30	£ 310.30	£ 310.30
		£ -		£ -	£ -	£ -	£ -
Events & Festivals		£ -		£ -	£ -	£ -	£ -
		£ -		£ -	£ -	£ -	£ -
Bolsover Castle Fireworks Co	Advance ticket only	£ 5.30		£ 4.51	£ 5.40	£ 5.60	£ 5.60

Activity		+ 3% inflation 10 / 11		Net Vat 10/1	+20% VAT	% inflation 11	charges for 2011 / 12
		£ -		£ -	£ -	£ -	£ -
Indoor Concert	Advance Ticket	£ 7.00	£ 7.00	£ 5.96	£ 7.10	£ 7.30	£ 7.30
Kissingate Leisure Centre	On the night	£ 10.00	£ 10.00	£ 8.51	£ 10.20	£ 10.50	£ 10.50
		£ -		£ -	£ -	£ -	£ -
Childrens Pantomime	Family ticket	£ 13.20		£ 11.23	£ 13.50	£ 13.90	£ 13.90
Kissingate Leisure Centre	Adult	£ 4.80		£ 4.09	£ 4.90	£ 5.00	£ 5.00
	Child	£ 3.80		£ 3.23	£ 3.90	£ 4.00	£ 4.00
	OAP	£ 3.80		£ 3.23	£ 3.90	£ 4.00	£ 4.00
		£ -		£ -	£ -	£ -	£ -
Playgrounds & Open Spaces		£ -		£ -	£ -	£ -	£ -
		£ -		£ -	£ -	£ -	£ -
Parish Council Inspection Service		£ -		£ -	£ -	£ -	£ -
(per playground per inspection)		£ 17.50		£ 14.89	£ 17.90	£ 18.40	£ 18.40
		£ -		£ -	£ -	£ -	£ -
Annual Independent Inspection		£ -		£ -	£ -	£ -	£ -
by ROSPA (per playground)		£ 52.50		£ 44.68	£ 53.60	£ 55.20	£ 55.20
		£ -		£ -	£ -	£ -	£ -
Extreme Wheels Mobile Skate Park		£ -		£ -	£ -	£ -	£ -
		£ -		£ -	£ -	£ -	£ -
Standard roadster roadshow hire charge per hour (del		£ 87.40	these	£ 74.38	£ 89.30	£ 92.00	£ 92.00
Roadshow set up / travelling time		£ 50.30		£ 42.81	£ 51.40	£ 52.90	£ 52.90
Standard Crupi roadshow hire charge per hour (delive		£ 98.30		£ 83.66	£ 100.40	£ 103.40	£ 103.40
BMX racing roadshow hire charge per hour (delivery)		£ 98.30		£ 83.66	£ 100.40	£ 103.40	£ 103.40
		£ -		£ -	£ -	£ -	£ -
Sports Development & Outreach		£ -		£ -	£ -	£ -	£ -
		£ -		£ -	£ -	£ -	£ -
Brazilian Soccer Schools	Registration	£ 9.60	Not used	£ 8.17	£ 9.80	£ 10.10	£ 10.10
	2hr Session Fee	£ 3.20	Not used	£ 2.72	£ 3.30	£ 3.40	£ 3.40
		£ -		£ -	£ -	£ -	£ -
After Schools Clubs		£ 3.20	Not used	£ 2.72	£ 3.30	£ 3.40	£ 3.40
		£ -		£ -	£ -	£ -	£ -
Holiday Programmes	Sports Specific 3hr	£ 3.30	Not used	£ 2.81	£ 3.40	£ 3.50	£ 3.50
	Sports Specific 2hr	£ 2.30	Not used	£ 1.96	£ 2.30	£ 2.40	£ 2.40
	Multi Activity	£ 2.30	Not used	£ 1.96	£ 2.30	£ 2.40	£ 2.40
		£ -		£ -	£ -	£ -	£ -
Go Football Programme	Full course payment up	£ 25.40	£26 NOW	£ 21.62	£ 25.90	£ 26.70	£ 30.00
	Deposit	£ 14.80	£12 NOW	£ 12.60	£ 15.10	£ 15.60	£ 16.00
	Weekly payments	£ 1.60	£2 NOW	£ 1.36	£ 1.60	£ 1.60	£ 2.00
		£ -		£ -	£ -	£ -	£ -
		£ -		£ -	£ -	£ -	£ -
Go Football Programme	Registration	£ 10.90	Not used	£ 9.28	£ 11.10	£ 11.40	£ 11.40
	1hr Session Fee	£ 2.00	Not used	£ 1.70	£ 2.00	£ 2.10	£ 2.10
Go Football Academy	2 hour session fee	£ 3.70	Not used	£ 3.15	£ 3.80	£ 3.90	£ 3.90
		£ -		£ -	£ -	£ -	£ -
		£ -		£ -	£ -	£ -	£ -
Active Sports	1hr session	£ 2.30	Not used	£ 1.96	£ 2.30	£ 2.40	£ 2.40
		£ -		£ -	£ -	£ -	£ -
NGB Programme (non active)	1hr session	£ 2.30	Not used	£ 1.96	£ 2.30	£ 2.40	£ 2.40
		£ -		£ -	£ -	£ -	£ -
		£ -		£ -	£ -	£ -	£ -
Pleasley Vale Outdoor Activity Centre		£ -		£ -	£ -	£ -	£ -
		£ -		£ -	£ -	£ -	£ -
Group Activity Hire (multiples	per hour	£ 28.60	these	£ 24.34	£ 29.20	£ 30.10	£ 30.10
	half day	£ 71.20		£ 60.60	£ 72.70	£ 74.90	£ 74.90
	full day	£ 119.90		£ 102.04	£ 122.50	£ 126.20	£ 126.20
		£ -		£ -	£ -	£ -	£ -
On site group activities		£ -		£ -	£ -	£ -	£ -
multiples of 8 people	per hour	£ 28.60		£ 24.34	£ 29.20	£ 30.10	£ 30.10
	half day	£ 71.20		£ 60.60	£ 72.70	£ 74.90	£ 74.90
	full day	£ 119.90		£ 102.04	£ 122.50	£ 126.20	£ 126.20
		£ -		£ -	£ -	£ -	£ -
		£ -		£ -	£ -	£ -	£ -
Adventure days (min 10 people)	full day	£ 143.30		£ 121.96	£ 146.30	£ 150.70	£ 150.70
		£ -		£ -	£ -	£ -	£ -
Saturday club - 3hr session fee	Child	£ 4.00		£ 3.40	£ 4.10	£ 4.20	£ 4.20
	Adult	£ 6.30		£ 5.36	£ 6.40	£ 6.60	£ 6.60
		£ -		£ -	£ -	£ -	£ -
		£ -		£ -	£ -	£ -	£ -

Activity	+ 3% inflation 10 / 11		Net Vat 10/1	+20% VAT	% inflation 11	charges for 2011 / 12
		£ -				

Council		Agenda Item No.:	13 Option 1
Date:	19th January 2011	Category	
Subject:	Local Government Finance Act 1992 – Calculation of Council Tax Base	Status	Open
Report by:	Head of Finance and Revenues		
Other Officers involved:	Billing and Recovery Manager Director of Resources		
Director	Director of Resources		
Relevant Portfolio Holder	Leader of the Council		

RELEVANT CORPORATE AIMS

STRATEGIC ORGANISATIONAL DEVELOPMENT – Maximising the use of the Council's resources.

TARGETS

N/A

VALUE FOR MONEY

N/A

THE REPORT

The Local Government Finance Act 1992 Calculation of Council Tax Base Regulations 1992 require each billing authority such as the Bolsover District Council to calculate a Council Tax Base for its area or if there are any Special Expenses for a part of its area. These figures have to be calculated and notified to major precepting authorities and levying bodies prior to the 31st January in the year preceding that to which they apply. In Bolsover District Council's case this means we must notify Derbyshire County Council, the Police Authority, Fire Authority and Severn Trent and Yorkshire Water areas of the Environment Agency. Additionally, if Parish Councils or other levying bodies request them they have to be notified of them within 10 days of their request.

As Bolsover District Council has Special Expenses relating to expenditure incurred as a result of Parish Precepts it is necessary to calculate the Council Tax Base for each Parish within the District.

In order to calculate the Council Tax for each Parish it is necessary to estimate the following factors for each of the Council Tax Bandings:-

- Number of Properties
- Number of Properties Receiving Disabled Relief
- Number of Exempt Properties
- Estimated Number of New Properties to be built during the year
- Estimated Number of Demolished Properties during the year
- Estimated Number Receiving Single Occupier Discount of 25%
- Other 25% Discounts
- Other 50% Discounts
- Estimated Number of Discount Changes during the year

Once the factors have been estimated as stated above, calculations have been made for each of the bands in each Parish to convert to a band D equivalent. It is then necessary to estimate the likely collection rate for the year.

The calculation and estimates of the Council Tax Base for each band within each Parish are shown in the following pages:-

<u>Parish</u>	<u>Page No.</u>
Ault Hucknall	190
Barlborough	191
Blackwell	192
Clowne	193
Elmton-with-Creswell	194
Glapwell	195
Old Bolsover	196
Pinxton	197
Pleasley	198
Scarcliffe	199
Shirebrook	200
South Normanton	201
Tibshelf	202
Whitwell	203

In the figures it has been assumed that Bolsover District Council will achieve a 99.6% collection rate.

ISSUES FOR CONSIDERATION

Members approve the Council Tax Base for the financial year 2011/2012 as follows:

	2011/12	2010/11	Change
Ault Hucknall	332.39	308.65	23.74
Barlborough	1,133.38	1,133.23	0.15
Blackwell	1,304.38	1,301.12	3.26
Clowne	2,352.23	2,338.43	13.80
Elmton-with-Creswell	1,624.63	1,597.56	27.07
Glapwell	500.99	506.19	-5.20
Old Bolsover	3,471.43	3,453.06	18.37
Pinxton	1,708.59	1,711.08	-2.49
Pleasley	758.70	720.74	37.96
Scarcliffe	1,505.14	1,504.47	0.67
Shirebrook	2,643.23	2,634.17	9.06
South Normanton	2,901.30	2,883.42	17.88
Tibshelf	1,136.98	1,134.43	2.55
Whitwell	1,420.94	1,411.96	8.98
Total	22,794.31	22,638.51	155.80

There is an overall increase in the notional tax base for the district in 2011/12 of 155.80. This ranges from a decrease of 5.20 in Glapwell to an increase of 37.96 in Pleasley.

The table below shows the relative weightings for each band of Council Tax and the number of properties in each band. Band A- represents those properties that fall into Band A, but also qualify for Disabled Relief. This, effectively, reduces the property by another band and are charged at 5/9 of the Band D rate.

Band	Ratio	Estimated Number of properties
A-	5/9	19.41
A	6/9	12,153.39
B	7/9	3,724.42
C	8/9	3,132.09
D	9/9	2,010.94
E	11/9	1,159.53
F	13/9	406.45
G	15/9	180.11
H	18/9	7.97
		22,794.31

IMPLICATIONS

Financial : The Tax Base is used to calculate the Council Tax for 2011/2012.

Legal : None

Human Resources : None

RECOMMENDATIONS that;

1) the report of the Head of Finance and Revenue Services for the calculation of the Council's Tax Base for the year 2011/2012 be approved,

2) pursuant to the report of the Head of Finance and Revenues and in accordance with the Local Authority's (Calculation of Tax Base) Regulations 1992 the amount calculated by Bolsover District Council as its Council Tax Base for the year 2011/12 (2010/2011 shown for comparison) for the respective parish parts of its area is as shown above.

ATTACHMENT: Parish Schedules

FILE REFERENCE:

SOURCE DOCUMENT:

District of Bolsover Calculation of Council Tax Base

COUNCIL TAX

Notional Tax Base 2011/12

AULT HUCKNALL

Tax Band	A-	A	B	C	D	E	F	G	H	Totals
No. of Properties	0	258	51	35	28	40	25	14	0	451
Disabled Relief	0	0	1	(1)	1	(1)	0	0	0	0
Exempt Properties	0	(13)	(3)	(1)	0	(2)	0	0	0	(19)
New Properties	0	0	0	0	0	0	0	0	0	0
Demolished Properties	0	0	0	0	0	0	0	0	0	0
Total Properties	0	245	49	33	29	37	25	14	0	432
Single Occ 25%	0	82	11	6	3	6	2	3	0	113
25% Discount	0	5	0	0	0	0	1	0	0	6
50% Discount	0	9	2	3	4	0	1	0	0	19
Discount Changes	0	0	0	0	0	0	0	0	0	0
Band D Equiv.	0.00	145.83	35.19	26.67	26.25	43.39	34.31	22.08	0.00	333.72
Factor	0.996	0.996	0.996	0.996	0.996	0.996	0.996	0.996	0.996	
Band D Equiv	0.00	145.25	35.05	26.56	26.15	43.22	34.17	21.99	0.00	332.39

District of Bolsover Calculation of Council Tax Base

COUNCIL TAX

Notional Tax Base 2011/12

BARLBOROUGH

Tax Band	A-	A	B	C	D	E	F	G	H	Totals
No. of Properties	0	402	232	217	199	266	35	14	1	1,366
Disabled Relief	0	3	(2)	0	1	(2)	0	0	0	0
Exempt Properties	0	(11)	(4)	(2)	(2)	(2)	(2)	0	0	(23)
New Properties	0	0	0	0	0	0	0	0	0	0
Demolished Properties	0	0	0	0	0	0	0	0	0	0
Total Properties	0	394	226	215	198	262	33	14	1	1,343
Single Occ 25%	0	156	60	52	31	27	4	1	0	331
25% Discount	0	7	2	0	0	0	0	0	0	9
50% Discount	0	7	7	4	7	4	2	0	0	31
Discount Changes	0	0	0	0	0	0	0	0	0	0
Band D Equiv.	0.00	233.17	161.00	177.78	186.75	309.53	44.78	22.92	2.00	1,137.93
Factor	0.996	0.996	0.996	0.996	0.996	0.996	0.996	0.996	0.996	
Band D Equiv	0.00	232.24	160.36	177.07	186.00	308.29	44.60	22.83	1.99	1,133.38

District of Bolsover Calculation of Council Tax Base

COUNCIL TAX

Notional Tax Base 2011/12

BLACKWELL

Tax Band	A-	A	B	C	D	E	F	G	H	Totals
No. of Properties	0	1,182	341	224	115	56	13	4	1	1,936
Disabled Relief	2	1	1	(2)	(2)	1	0	0	(1)	0
Exempt Properties	0	(17)	(9)	(2)	(1)	(1)	0	0	0	(30)
New Properties	0	0	0	0	0	0	0	0	0	0
Demolished Properties	0	0	0	0	0	0	0	0	0	0
Total Properties	2	1,166	333	220	112	56	13	4	0	1,906
Single Occ 25%	0	465	82	49	13	6	0	0	0	615
25% Discount	0	7	4	4	2	0	1	0	0	18
50% Discount	0	30	9	0	1	1	1	1	0	43
Discount Changes	0	0	0	0	0	0	0	0	0	0
Band D Equiv.	1.11	688.67	238.78	183.78	107.75	66.00	17.69	5.83	0.00	1,309.61
Factor	0.996	0.996	0.996	0.996	0.996	0.996	0.996	0.996	0.996	
Band D Equiv	1.11	685.92	237.82	183.04	107.32	65.74	17.62	5.81	0.00	1,304.38

District of Bolsover Calculation of Council Tax Base

COUNCIL TAX

Notional Tax Base 2011/12

CLOWNE

Tax Band	A-	A	B	C	D	E	F	G	H	Totals
No. of Properties	0	1,751	817	525	252	94	16	6	1	3,462
Disabled Relief	5	(4)	2	(1)	(1)	1	(1)	0	(1)	0
Exempt Properties	0	(67)	(18)	(9)	(4)	0	(1)	0	0	(99)
New Properties	0	0	0	0	0	0	0	0	0	0
Demolished Properties	0	0	0	0	0	0	0	0	0	0
Total Properties	5	1,680	801	515	247	95	14	6	0	3,363
Single Occ 25%	2	724	228	105	41	13	0	1	0	1,114
25% Discount	0	14	1	3	1	1	0	0	0	20
50% Discount	0	45	14	9	2	2	1	1	0	74
Discount Changes	0	0	0	0	0	0	0	0	0	0
Band D Equiv.	2.50	982.00	573.03	429.78	235.50	110.61	19.50	8.75	0.00	2,361.67
Factor	0.996	0.996	0.996	0.996	0.996	0.996	0.996	0.996	0.996	
Band D Equiv	2.49	978.07	570.74	428.06	234.56	110.17	19.42	8.72	0.00	2,352.23

District of Bolsover Calculation of Council Tax Base

COUNCIL TAX

Notional Tax Base 2011/12

ELMTON-WITH-CRESWELL

Tax Band	A-	A	B	C	D	E	F	G	H	Totals
No. of Properties	0	1,849	381	194	89	26	20	15	2	2,576
Disabled Relief	3	(1)	0	(1)	(1)	1	0	0	(1)	0
Exempt Properties	0	(84)	(8)	(5)	(1)	(1)	0	0	0	(99)
New Properties	0	0	0	0	0	0	0	0	0	0
Demolished Properties	0	0	0	0	0	0	0	0	0	0
Total Properties	3	1,764	373	188	87	26	20	15	1	2,477
Single Occ 25%	1	649	107	36	15	3	1	2	0	814
25% Discount	0	6	3	0	1	0	0	0	0	10
50% Discount	1	67	14	9	0	0	1	1	0	93
Discount Changes	0	0	0	0	0	0	0	0	0	0
Band D Equiv.	1.25	1,044.50	263.28	155.11	83.00	30.86	27.81	23.33	2.00	1,631.14
Factor	0.996	0.996	0.996	0.996	0.996	0.996	0.996	0.996	0.996	
Band D Equiv	1.25	1,040.32	262.23	154.49	82.67	30.74	27.70	23.24	1.99	1,624.63

District of Bolsover Calculation of Council Tax Base

COUNCIL TAX

Notional Tax Base 2011/12

GLAPWELL

Tax Band	A-	A	B	C	D	E	F	G	H	Totals
No. of Properties	0	353	160	114	42	24	20	8	0	721
Disabled Relief	1	(1)	0	1	(1)	0	0	0	0	0
Exempt Properties	0	(12)	0	(4)	0	0	0	0	0	(16)
New Properties	0	0	0	0	0	0	0	0	0	0
Demolished Properties	0	0	0	0	0	0	0	0	0	0
Total Properties	1	340	160	111	41	24	20	8	0	705
Single Occ 25%	0	147	49	37	13	5	2	0	0	253
25% Discount	1	2	1	0	0	0	0	0	0	4
50% Discount	0	8	3	6	0	0	0	6	0	23
Discount Changes	0	0	0	0	0	0	0	0	0	0
Band D Equiv.	0.42	199.17	113.56	87.78	37.75	27.81	28.17	8.33	0.00	502.99
Factor	0.996	0.996	0.996	0.996	0.996	0.996	0.996	0.996	0.996	
Band D Equiv	0.42	198.37	113.11	87.43	37.60	27.70	28.06	8.30	0.00	500.99

District of Bolsover Calculation of Council Tax Base

COUNCIL TAX

Notional Tax Base 2011/12

OLD BOLSOVER

Tax Band	A-	A	B	C	D	E	F	G	H	Totals
No. of Properties	0	3,527	782	599	296	103	21	16	4	5,348
Disabled Relief	8	(5)	0	(2)	0	(1)	0	4	(4)	0
Exempt Properties	0	(107)	(17)	(8)	(3)	(1)	0	(1)	0	(137)
New Properties	0	0	0	0	0	0	0	0	0	0
Demolished Properties	0	0	0	0	0	0	0	0	0	0
Total Properties	8	3,415	765	589	293	101	21	19	0	5,211
Single Occ 25%	2	1,381	184	135	51	15	1	4	0	1,773
25% Discount	0	24	8	5	4	0	0	0	0	41
50% Discount	2	123	32	9	4	5	2	6	0	183
Discount Changes	0	0	0	0	0	0	0	0	0	0
Band D Equiv.	3.61	2,001.50	545.22	488.44	277.25	115.81	28.53	25.00	0.00	3,485.36
Factor	0.996	0.996	0.996	0.996	0.996	0.996	0.996	0.996	0.996	
Band D Equiv	3.60	1,993.49	543.04	486.49	276.14	115.35	28.42	24.90	0.00	3,471.43

District of Bolsover Calculation of Council Tax Base

COUNCIL TAX

Notional Tax Base 2011/12

PINXTON

Tax Band	A-	A	B	C	D	E	F	G	H	Totals
No. of Properties	0	1,540	362	355	189	68	11	4	2	2,531
Disabled Relief	1	2	(2)	0	(1)	0	1	0	(1)	0
Exempt Properties	0	(48)	(5)	(7)	(2)	0	0	0	0	(62)
New Properties	0	0	0	0	0	0	0	0	0	0
Demolished Properties	0	0	0	0	0	0	0	0	0	0
Total Properties	1	1,494	355	348	186	68	12	4	1	2,469
Single Occ 25%	1	569	96	57	28	15	2	0	0	768
25% Discount	0	4	3	2	0	0	0	0	0	9
50% Discount	0	43	4	3	2	1	1	1	1	56
Discount Changes	0	0	0	0	0	0	0	0	0	0
Band D Equiv.	0.42	886.17	255.31	294.89	178.00	77.92	15.89	5.83	1.00	1,715.43
Factor	0.996	0.996	0.996	0.996	0.996	0.996	0.996	0.996	0.996	
Band D Equiv	0.42	882.63	254.29	293.71	177.29	77.61	15.83	5.81	1.00	1,708.59

District of Bolsover Calculation of Council Tax Base

COUNCIL TAX

Notional Tax Base 2011/12

PLEASLEY

Tax Band	A-	A	B	C	D	E	F	G	H	Totals
No. of Properties	0	562	299	120	83	23	16	6	0	1,109
Disabled Relief	1	2	(3)	1	0	(1)	0	0	0	0
Exempt Properties	0	(14)	(7)	0	(1)	0	0	(1)	0	(23)
New Properties	0	0	0	0	0	0	0	0	0	0
Demolished Properties	0	0	0	0	0	0	0	0	0	0
Total Properties	1	550	289	121	82	22	16	5	0	1,086
Single Occ 25%	0	209	76	22	17	1	4	0	0	329
25% Discount	1	5	0	3	0	0	0	0	0	9
50% Discount	0	24	6	6	6	0	0	0	0	42
Discount Changes	0	0	0	0	0	0	0	0	0	0
Band D Equiv.	0.42	323.00	207.67	99.33	74.75	26.58	21.67	8.33	0.00	761.75
Factor	0.996	0.996	0.996	0.996	0.996	0.996	0.996	0.996	0.996	
Band D Equiv	0.42	321.71	206.84	98.93	74.45	26.47	21.58	8.30	0.00	758.70

District of Bolsover Calculation of Council Tax Base

COUNCIL TAX

Notional Tax Base 2011/12

SCARCLIFFE

Tax Band	A-	A	B	C	D	E	F	G	H	Totals
No. of Properties	0	1,861	216	121	69	54	33	9	2	2,365
Disabled Relief	7	(5)	(1)	0	(1)	0	0	2	(2)	0
Exempt Properties	0	(55)	(4)	(4)	0	0	0	0	0	(63)
New Properties	0	0	0	0	0	0	0	0	0	0
Demolished Properties	0	0	0	0	0	0	0	0	0	0
Total Properties	7	1,801	211	117	68	54	33	11	0	2,302
Single Occ 25%	1	635	64	29	11	6	4	1	0	751
25% Discount	0	4	2	2	2	1	0	0	0	11
50% Discount	0	54	9	1	4	1	0	4	0	73
Discount Changes	0	0	0	0	0	0	0	0	0	0
Band D Equiv.	3.75	1,076.17	147.78	96.67	62.75	63.25	46.22	14.58	0.00	1,511.17
Factor	0.996	0.996	0.996	0.996	0.996	0.996	0.996	0.996	0.996	
Band D Equiv	3.74	1,071.87	147.19	96.28	62.50	63.00	46.04	14.52	0.00	1,505.14

District of Bolsover Calculation of Council Tax Base

COUNCIL TAX

Notional Tax Base 2011/12

SHIREBROOK

Tax Band	A-	A	B	C	D	E	F	G	H	Totals
No. of Properties	0	3,503	452	324	56	11	1	3	2	4,352
Disabled Relief	5	(2)	(1)	(2)	0	0	2	(1)	(1)	0
Exempt Properties	0	(105)	(12)	(2)	0	0	0	0	0	(119)
New Properties	0	0	0	0	0	0	0	0	0	0
Demolished Properties	0	0	0	0	0	0	0	0	0	0
Total Properties	5	3,396	439	320	56	11	3	2	1	4,233
Single Occ 25%	0	1,338	130	65	10	2	0	0	0	1,545
25% Discount	0	18	4	1	0	0	0	0	0	23
50% Discount	0	103	21	3	2	0	2	1	1	133
Discount Changes	0	0	0	0	0	0	0	0	0	0
Band D Equiv.	2.78	2,003.67	307.22	268.44	52.50	12.83	2.89	2.50	1.00	2,653.83
Factor	0.996	0.996	0.996	0.996	0.996	0.996	0.996	0.996	0.996	
Band D Equiv	2.77	1,995.66	305.99	267.37	52.29	12.78	2.88	2.49	1.00	2,643.23

District of Bolsover Calculation of Council Tax Base

COUNCIL TAX

Notional Tax Base 2011/12

SOUTH NORMANTON

Tax Band	A-	A	B	C	D	E	F	G	H	Totals
No. of Properties	0	2,261	771	565	499	119	22	4	0	4,241
Disabled Relief	3	0	2	(3)	(2)	0	1	(1)	0	0
Exempt Properties	0	(84)	(13)	(10)	(4)	(2)	(1)	0	0	(114)
New Properties	0	0	0	0	0	0	0	0	0	0
Demolished Properties	0	0	0	0	0	0	0	0	0	0
Total Properties	3	2,177	760	552	493	117	22	3	0	4,127
Single Occ 25%	1	882	219	125	76	16	2	0	0	1,321
25% Discount	0	11	3	2	1	0	0	0	0	17
50% Discount	0	81	13	14	13	5	1	1	0	128
Discount Changes	0	0	0	0	0	0	0	0	0	0
Band D Equiv.	1.53	1,275.50	542.89	456.22	467.25	135.06	30.33	4.17	0.00	2,912.95
Factor	0.996	0.996	0.996	0.996	0.996	0.996	0.996	0.996	0.996	
Band D Equiv	1.52	1,270.40	540.72	454.40	465.38	134.52	30.21	4.15	0.00	2,901.30

District of Bolsover Calculation of Council Tax Base

COUNCIL TAX

Notional Tax Base 2011/12

TIBSHELF

Tax Band	A-	A	B	C	D	E	F	G	H	Totals
No. of Properties	0	993	192	239	145	50	29	9	2	1,659
Disabled Relief	1	0	0	0	(1)	1	0	0	(1)	0
Exempt Properties	0	(28)	(1)	(2)	(2)	(1)	0	0	0	(34)
New Properties	0	0	0	0	0	0	0	0	0	0
Demolished Properties	0	0	0	0	0	0	0	0	0	0
Total Properties	1	965	191	237	142	50	29	9	1	1,625
Single Occ 25%	0	381	58	64	24	8	1	0	0	536
25% Discount	0	8	1	2	0	0	0	0	0	11
50% Discount	0	41	7	5	5	3	0	1	0	62
Discount Changes	0	0	0	0	0	0	0	0	0	0
Band D Equiv.	0.56	564.83	134.36	193.78	133.50	56.83	41.53	14.17	2.00	1,141.56
Factor	0.996	0.996	0.996	0.996	0.996	0.996	0.996	0.996	0.996	
Band D Equiv	0.56	562.57	133.82	193.00	132.97	56.60	41.36	14.11	1.99	1,136.98

District of Bolsover Calculation of Council Tax Base

COUNCIL TAX

Notional Tax Base 2011/12

WHITWELL

Tax Band	A-	A	B	C	D	E	F	G	H	Totals
No. of Properties	0	1,390	296	230	108	75	36	9	1	2,145
Disabled Relief	2	(2)	2	0	(1)	(1)	0	1	(1)	0
Exempt Properties	0	(50)	(3)	(3)	(1)	0	0	0	0	(57)
New Properties	0	0	0	0	0	0	0	0	0	0
Demolished Properties	0	0	0	0	0	0	0	0	0	0
Total Properties	2	1,338	295	227	106	74	36	10	0	2,088
Single Occ 25%	0	574	69	53	20	5	7	0	0	728
25% Discount	0	10	0	4	2	0	0	0	0	16
50% Discount	0	50	5	7	9	2	1	2	0	76
Discount Changes	0	0	0	0	0	0	0	0	0	0
Band D Equiv.	1.11	778.00	214.08	186.00	96.00	87.69	48.75	15.00	0.00	1,426.63
Factor	0.996	0.996	0.996	0.996	0.996	0.996	0.996	0.996	0.996	
Band D Equiv	1.11	774.89	213.22	185.26	95.62	87.34	48.56	14.94	0.00	1,420.94

Council		Agenda Item No.:	13 Option 2
Date:	19th January 2011	Category	
Subject:	Local Government Finance Act 1992 – Calculation of Council Tax Base	Status	Open
Report by:	Head of Finance and Revenues		
Other Officers involved:	Billing and Recovery Manager Director of Resources		
Director	Director of Resources		
Relevant Portfolio Holder	Leader of the Council		

RELEVANT CORPORATE AIMS

STRATEGIC ORGANISATIONAL DEVELOPMENT – Maximising the use of the Council's resources.

TARGETS

N/A

VALUE FOR MONEY

N/A

THE REPORT

The Local Government Finance Act 1992 Calculation of Council Tax Base Regulations 1992 require each billing authority such as the Bolsover District Council to calculate a Council Tax Base for its area or if there are any Special Expenses for a part of its area. These figures have to be calculated and notified to major precepting authorities and levying bodies prior to the 31st January in the year preceding that to which they apply. In Bolsover District Council's case this means we must notify Derbyshire County Council, the Police Authority, Fire Authority and Severn Trent and Yorkshire Water areas of the Environment Agency. Additionally, if Parish Councils or other levying bodies request them they have to be notified of them within 10 days of their request.

As Bolsover District Council has Special Expenses relating to expenditure incurred as a result of Parish Precepts it is necessary to calculate the Council Tax Base for each Parish within the District.

In order to calculate the Council Tax for each Parish it is necessary to estimate the following factors for each of the Council Tax Bandings:-

- Number of Properties
- Number of Properties Receiving Disabled Relief
- Number of Exempt Properties
- Estimated Number of New Properties to be built during the year
- Estimated Number of Demolished Properties during the year
- Estimated Number Receiving Single Occupier Discount of 25%
- Other 25% Discounts
- Other 50% Discounts
- Estimated Number of Discount Changes during the year

Once the factors have been estimated as stated above, calculations have been made for each of the bands in each Parish to convert to a band D equivalent. It is then necessary to estimate the likely collection rate for the year.

The calculation and estimates of the Council Tax Base for each band within each Parish are shown in the following pages:-

<u>Parish</u>	<u>Page No.</u>
Ault Hucknall	208
Barlborough	209
Blackwell	210
Clowne	211
Elmton-with-Creswell	212
Glapwell	213
Hodthorpe and Belp	214
Old Bolsover	215
Pinxton	216
Pleasley	217
Scarcliffe	218
Shirebrook	219
South Normanton	220
Tibshelf	221
Whitwell	222

In the figures it has been assumed that Bolsover District Council will achieve a 99.6% collection rate.

ISSUES FOR CONSIDERATION

Members approve the Council Tax Base for the financial year 2011/2012 as follows:

	2011/12	2010/11	Change
Ault Hucknall	332.39	308.65	23.74
Barlborough	1,133.38	1,133.23	0.15
Blackwell	1,304.38	1,301.12	3.26
Clowne	2,352.23	2,338.43	13.80
Elmton-with-Creswell	1,624.63	1,597.56	27.07
Glapwell	500.99	506.19	-5.20
Hodthorpe with Belp	195.63	-	195.63
Old Bolsover	3,471.43	3,453.06	18.37
Pinxton	1,708.59	1,711.08	-2.49
Pleasley	758.70	720.74	37.96
Scarcliffe	1,505.14	1,504.47	0.67
Shirebrook	2,643.23	2,634.17	9.06
South Normanton	2,901.30	2,883.42	17.88
Tibshelf	1,136.98	1,134.43	2.55
Whitwell	1,225.31	1,411.96	-186.65
Total	22,794.31	22,638.51	155.80

There is an overall increase in the notional tax base for the district in 2011/12 of 155.80. Hodthorpe and Belp is a new Parish. In 2010/11 it was part of Whitwell Parish Council and the figures show the new tax base figures for Hodthorpe and Belp and the consequent loss in tax base for Whitwell Parish Council. Excluding this the changes range from a decrease in tax base of 5.20 in Glapwell to an increase of 37.96 in Pleasley.

The table below shows the relative weightings for each band of Council Tax and the number of properties in each band. Band A- represents those properties that fall into Band A, but also qualify for Disabled Relief. This reduces the property by one band. The charge is at 5/9 of the Band D rate.

Band	Ratio	Estimated Number of properties
A-	5/9	19.41
A	6/9	12,153.39
B	7/9	3,724.42
C	8/9	3,132.09
D	9/9	2,010.94
E	11/9	1,159.53
F	13/9	406.45
G	15/9	180.11
H	18/9	7.97
		22,794.31

IMPLICATIONS

Financial : The Tax Base is used to calculate the Council Tax for 2011/2012.

Legal : None

Human Resources : None

RECOMMENDATIONS that;

1) the report of the Head of Finance and Revenue Services for the calculation of the Council's Tax Base for the year 2011/2012 be approved,

2) pursuant to the report of the Head of Finance and Revenues and in accordance with the Local Authority's (Calculation of Tax Base) Regulations 1992 the amount calculated by Bolsover District Council as its Council Tax Base for the year 2011/12 (2010/2011 shown for comparison) for the respective parish parts of its area is as shown above.

ATTACHMENT: Parish Schedules

FILE REFERENCE:

SOURCE DOCUMENT:

District of Bolsover Calculation of Council Tax Base

COUNCIL TAX

Notional Tax Base 2011/12

AULT HUCKNALL

Tax Band	A	A	B	C	D	E	F	G	H	Totals
No. of Properties	0	258	51	35	28	40	25	14	0	451
Disabled Relief	0	0	1	(1)	1	(1)	0	0	0	0
Exempt Properties	0	(13)	(3)	(1)	0	(2)	0	0	0	(19)
New Properties	0	0	0	0	0	0	0	0	0	0
Demolished Properties	0	0	0	0	0	0	0	0	0	0
Total Properties	0	245	49	33	29	37	25	14	0	432
Single Occ 25%	0	82	11	6	3	6	2	3	0	113
25% Discount	0	5	0	0	0	0	1	0	0	6
50% Discount	0	9	2	3	4	0	1	0	0	19
Discount Changes	0	0	0	0	0	0	0	0	0	0
Band D Equiv.	0.00	145.83	35.19	26.67	26.25	43.39	34.31	22.08	0.00	333.72
Factor	0.996	0.996	0.996	0.996	0.996	0.996	0.996	0.996	0.996	
Band D Equiv	0.00	145.25	35.05	26.56	26.15	43.22	34.17	21.99	0.00	332.39

District of Bolsover Calculation of Council Tax Base

COUNCIL TAX

Notional Tax Base 2011/12

BARLBOROUGH

Tax Band	A-	A	B	C	D	E	F	G	H	Totals
No. of Properties	0	402	232	217	199	266	35	14	1	1,366
Disabled Relief	0	3	(2)	0	1	(2)	0	0	0	0
Exempt Properties	0	(11)	(4)	(2)	(2)	(2)	(2)	0	0	(23)
New Properties	0	0	0	0	0	0	0	0	0	0
Demolished Properties	0	0	0	0	0	0	0	0	0	0
Total Properties	0	394	226	215	198	262	33	14	1	1,343
Single Occ 25%	0	156	60	52	31	27	4	1	0	331
25% Discount	0	7	2	0	0	0	0	0	0	9
50% Discount	0	7	7	4	7	4	2	0	0	31
Discount Changes	0	0	0	0	0	0	0	0	0	0
Band D Equiv.	0.00	233.17	161.00	177.78	186.75	309.53	44.78	22.92	2.00	1,137.93
Factor	0.996	0.996	0.996	0.996	0.996	0.996	0.996	0.996	0.996	
Band D Equiv	0.00	232.24	160.36	177.07	186.00	308.29	44.60	22.83	1.99	1,133.38

District of Bolsover Calculation of Council Tax Base

COUNCIL TAX

Notional Tax Base 2011/12

BLACKWELL

Tax Band	A-	A	B	C	D	E	F	G	H	Totals
No. of Properties	0	1,182	341	224	115	56	13	4	1	1,936
Disabled Relief	2	1	1	(2)	(2)	1	0	0	(1)	0
Exempt Properties	0	(17)	(9)	(2)	(1)	(1)	0	0	0	(30)
New Properties	0	0	0	0	0	0	0	0	0	0
Demolished Properties	0	0	0	0	0	0	0	0	0	0
Total Properties	2	1,166	333	220	112	56	13	4	0	1,906
Single Occ 25%	0	465	82	49	13	6	0	0	0	615
25% Discount	0	7	4	4	2	0	1	0	0	18
50% Discount	0	30	9	0	1	1	1	1	0	43
Discount Changes	0	0	0	0	0	0	0	0	0	0
Band D Equiv.	1.11	688.67	238.78	183.78	107.75	66.00	17.69	5.83	0.00	1,309.61
Factor	0.996	0.996	0.996	0.996	0.996	0.996	0.996	0.996	0.996	
Band D Equiv	1.11	685.92	237.82	183.04	107.32	65.74	17.62	5.81	0.00	1,304.38

District of Bolsover Calculation of Council Tax Base

COUNCIL TAX

Notional Tax Base 2011/12

CLOWNE

Tax Band	A-	A	B	C	D	E	F	G	H	Totals
No. of Properties	0	1,751	817	525	252	94	16	6	1	3,462
Disabled Relief	5	(4)	2	(1)	(1)	1	(1)	0	(1)	0
Exempt Properties	0	(67)	(18)	(9)	(4)	0	(1)	0	0	(99)
New Properties	0	0	0	0	0	0	0	0	0	0
Demolished Properties	0	0	0	0	0	0	0	0	0	0
Total Properties	5	1,680	801	515	247	95	14	6	0	3,363
Single Occ 25%	2	724	228	105	41	13	0	1	0	1,114
25% Discount	0	14	1	3	1	1	0	0	0	20
50% Discount	0	45	14	9	2	2	1	1	0	74
Discount Changes	0	0	0	0	0	0	0	0	0	0
Band D Equiv.	2.50	982.00	573.03	429.78	235.50	110.61	19.50	8.75	0.00	2,361.67
Factor	0.996	0.996	0.996	0.996	0.996	0.996	0.996	0.996	0.996	
Band D Equiv	2.49	978.07	570.74	428.06	234.56	110.17	19.42	8.72	0.00	2,352.23

District of Bolsover Calculation of Council Tax Base

COUNCIL TAX

Notional Tax Base 2011/12

ELMTON-WITH-CRESWELL

Tax Band	A-	A	B	C	D	E	F	G	H	Totals
No. of Properties	0	1,849	381	194	89	26	20	15	2	2,576
Disabled Relief	3	(1)	0	(1)	(1)	1	0	0	(1)	0
Exempt Properties	0	(84)	(8)	(5)	(1)	(1)	0	0	0	(99)
New Properties	0	0	0	0	0	0	0	0	0	0
Demolished Properties	0	0	0	0	0	0	0	0	0	0
Total Properties	3	1,764	373	188	87	26	20	15	1	2,477
Single Occ 25%	1	649	107	36	15	3	1	2	0	814
25% Discount	0	6	3	0	1	0	0	0	0	10
50% Discount	1	67	14	9	0	0	1	1	0	93
Discount Changes	0	0	0	0	0	0	0	0	0	0
Band D Equiv.	1.25	1,044.50	263.28	155.11	83.00	30.86	27.81	23.33	2.00	1,631.14
Factor	0.996	0.996	0.996	0.996	0.996	0.996	0.996	0.996	0.996	
Band D Equiv	1.25	1,040.32	262.23	154.49	82.67	30.74	27.70	23.24	1.99	1,624.63

District of Bolsover Calculation of Council Tax Base

COUNCIL TAX

Notional Tax Base 2011/12

GLAPWELL

Tax Band	A-	A	B	C	D	E	F	G	H	Totals
No. of Properties	0	353	160	114	42	24	20	8	0	721
Disabled Relief	1	(1)	0	1	(1)	0	0	0	0	0
Exempt Properties	0	(12)	0	(4)	0	0	0	0	0	(16)
New Properties	0	0	0	0	0	0	0	0	0	0
Demolished Properties	0	0	0	0	0	0	0	0	0	0
Total Properties	1	340	160	111	41	24	20	8	0	705
Single Occ 25%	0	147	49	37	13	5	2	0	0	253
25% Discount	1	2	1	0	0	0	0	0	0	4
50% Discount	0	8	3	6	0	0	0	6	0	23
Discount Changes	0	0	0	0	0	0	0	0	0	0
Band D Equiv.	0.42	199.17	113.56	87.78	37.75	27.81	28.17	8.33	0.00	502.99
Factor	0.996	0.996	0.996	0.996	0.996	0.996	0.996	0.996	0.996	
Band D Equiv	0.42	198.37	113.11	87.43	37.60	27.70	28.06	8.30	0.00	500.99

District of Bolsover Calculation of Council Tax Base

COUNCIL TAX

Notional Tax Base 2011/12

HODTHORPE AND BELPH

Tax Band	A-	A	B	C	D	E	F	G	H	Totals
No. of Properties	0	262	17	25	13	6	0	2	0	325
Disabled Relief	0	0	0	1	(1)	0	0	0	0	0
Exempt Properties	0	(5)	0	(1)	(1)	0	0	0	0	(7)
New Properties	0	0	0	0	0	0	0	0	0	0
Demolished Properties	0	0	0	0	0	0	0	0	0	0
Total Properties	0	257	17	25	11	6	0	2	0	318
Single Occ 25%	0	140	10	7	0	0	0	0	0	157
25% Discount	0	5	0	0	0	0	0	1	0	6
50% Discount	0	9	0	1	1	0	0	0	0	11
Discount Changes	0	0	0	0	0	0	0	0	0	0
Band D Equiv.	0.00	144.17	11.28	20.22	10.50	7.33	0.00	2.92	0.00	196.42
Factor	0.996	0.996	0.996	0.996	0.996	0.996	0.996	0.996	0.996	
Band D Equiv	0.00	143.59	11.23	20.14	10.46	7.30	0.00	2.91	0.00	195.63

District of Bolsover Calculation of Council Tax Base

COUNCIL TAX

Notional Tax Base 2011/12

OLD BOLSOVER

Tax Band	A-	A	B	C	D	E	F	G	H	Totals
No. of Properties	0	3,527	782	599	296	103	21	16	4	5,348
Disabled Relief	8	(5)	0	(2)	0	(1)	0	4	(4)	0
Exempt Properties	0	(107)	(17)	(8)	(3)	(1)	0	(1)	0	(137)
New Properties	0	0	0	0	0	0	0	0	0	0
Demolished Properties	0	0	0	0	0	0	0	0	0	0
Total Properties	8	3,415	765	589	293	101	21	19	0	5,211
Single Occ 25%	2	1,381	184	135	51	15	1	4	0	1,773
25% Discount	0	24	8	5	4	0	0	0	0	41
50% Discount	2	123	32	9	4	5	2	6	0	183
Discount Changes	0	0	0	0	0	0	0	0	0	0
Band D Equiv.	3.61	2,001.50	545.22	488.44	277.25	115.81	28.53	25.00	0.00	3,485.36
Factor	0.996	0.996	0.996	0.996	0.996	0.996	0.996	0.996	0.996	
Band D Equiv	3.60	1,993.49	543.04	486.49	276.14	115.35	28.42	24.90	0.00	3,471.43

District of Bolsover Calculation of Council Tax Base

COUNCIL TAX

Notional Tax Base 2011/12

PINXTON

Tax Band	A-	A	B	C	D	E	F	G	H	Totals
No. of Properties	0	1,540	362	355	189	68	11	4	2	2,531
Disabled Relief	1	2	(2)	0	(1)	0	1	0	(1)	0
Exempt Properties	0	(48)	(5)	(7)	(2)	0	0	0	0	(62)
New Properties	0	0	0	0	0	0	0	0	0	0
Demolished Properties	0	0	0	0	0	0	0	0	0	0
Total Properties	1	1,494	355	348	186	68	12	4	1	2,469
Single Occ 25%	1	569	96	57	28	15	2	0	0	768
25% Discount	0	4	3	2	0	0	0	0	0	9
50% Discount	0	43	4	3	2	1	1	1	1	56
Discount Changes	0	0	0	0	0	0	0	0	0	0
Band D Equiv.	0.42	886.17	255.31	294.89	178.00	77.92	15.89	5.83	1.00	1,715.43
Factor	0.996	0.996	0.996	0.996	0.996	0.996	0.996	0.996	0.996	
Band D Equiv	0.42	882.63	254.29	293.71	177.29	77.61	15.83	5.81	1.00	1,708.59

District of Bolsover Calculation of Council Tax Base

COUNCIL TAX

Notional Tax Base 2011/12

PLEASLEY

Tax Band	A-	A	B	C	D	E	F	G	H	Totals
No. of Properties	0	562	299	120	83	23	16	6	0	1,109
Disabled Relief	1	2	(3)	1	0	(1)	0	0	0	0
Exempt Properties	0	(14)	(7)	0	(1)	0	0	(1)	0	(23)
New Properties	0	0	0	0	0	0	0	0	0	0
Demolished Properties	0	0	0	0	0	0	0	0	0	0
Total Properties	1	550	289	121	82	22	16	5	0	1,086
Single Occ 25%	0	209	76	22	17	1	4	0	0	329
25% Discount	1	5	0	3	0	0	0	0	0	9
50% Discount	0	24	6	6	6	0	0	0	0	42
Discount Changes	0	0	0	0	0	0	0	0	0	0
Band D Equiv.	0.42	323.00	207.67	99.33	74.75	26.58	21.67	8.33	0.00	761.75
Factor	0.996	0.996	0.996	0.996	0.996	0.996	0.996	0.996	0.996	
Band D Equiv	0.42	321.71	206.84	98.93	74.45	26.47	21.58	8.30	0.00	758.70

District of Bolsover Calculation of Council Tax Base

COUNCIL TAX

Notional Tax Base 2011/12

SCARCLIFFE

Tax Band	A-	A	B	C	D	E	F	G	H	Totals
No. of Properties	0	1,861	216	121	69	54	33	9	2	2,365
Disabled Relief	7	(5)	(1)	0	(1)	0	0	2	(2)	0
Exempt Properties	0	(55)	(4)	(4)	0	0	0	0	0	(63)
New Properties	0	0	0	0	0	0	0	0	0	0
Demolished Properties	0	0	0	0	0	0	0	0	0	0
Total Properties	7	1,801	211	117	68	54	33	11	0	2,302
Single Occ 25%	1	635	64	29	11	6	4	1	0	751
25% Discount	0	4	2	2	2	1	0	0	0	11
50% Discount	0	54	9	1	4	1	0	4	0	73
Discount Changes	0	0	0	0	0	0	0	0	0	0
Band D Equiv.	3.75	1,076.17	147.78	96.67	62.75	63.25	46.22	14.58	0.00	1,511.17
Factor	0.996	0.996	0.996	0.996	0.996	0.996	0.996	0.996	0.996	
Band D Equiv	3.74	1,071.87	147.19	96.28	62.50	63.00	46.04	14.52	0.00	1,505.14

District of Bolsover Calculation of Council Tax Base

COUNCIL TAX

Notional Tax Base 2011/12

SHIREBROOK

Tax Band	A-	A	B	C	D	E	F	G	H	Totals
No. of Properties	0	3,503	452	324	56	11	1	3	2	4,352
Disabled Relief	5	(2)	(1)	(2)	0	0	2	(1)	(1)	0
Exempt Properties	0	(105)	(12)	(2)	0	0	0	0	0	(119)
New Properties	0	0	0	0	0	0	0	0	0	0
Demolished Properties	0	0	0	0	0	0	0	0	0	0
Total Properties	5	3,396	439	320	56	11	3	2	1	4,233
Single Occ 25%	0	1,338	130	65	10	2	0	0	0	1,545
25% Discount	0	18	4	1	0	0	0	0	0	23
50% Discount	0	103	21	3	2	0	2	1	1	133
Discount Changes	0	0	0	0	0	0	0	0	0	0
Band D Equiv.	2.78	2,003.67	307.22	268.44	52.50	12.83	2.89	2.50	1.00	2,653.83
Factor	0.996	0.996	0.996	0.996	0.996	0.996	0.996	0.996	0.996	
Band D Equiv	2.77	1,995.66	305.99	267.37	52.29	12.78	2.88	2.49	1.00	2,643.23

District of Bolsover Calculation of Council Tax Base

COUNCIL TAX

Notional Tax Base 2011/12

SOUTH NORMANTON

Tax Band	A-	A	B	C	D	E	F	G	H	Totals
No. of Properties	0	2,261	771	565	499	119	22	4	0	4,241
Disabled Relief	3	0	2	(3)	(2)	0	1	(1)	0	0
Exempt Properties	0	(84)	(13)	(10)	(4)	(2)	(1)	0	0	(114)
New Properties	0	0	0	0	0	0	0	0	0	0
Demolished Properties	0	0	0	0	0	0	0	0	0	0
Total Properties	3	2,177	760	552	493	117	22	3	0	4,127
Single Occ 25%	1	882	219	125	76	16	2	0	0	1,321
25% Discount	0	11	3	2	1	0	0	0	0	17
50% Discount	0	81	13	14	13	5	1	1	0	128
Discount Changes	0	0	0	0	0	0	0	0	0	0
Band D Equiv.	1.53	1,275.50	542.89	456.22	467.25	135.06	30.33	4.17	0.00	2,912.95
Factor	0.996	0.996	0.996	0.996	0.996	0.996	0.996	0.996	0.996	
Band D Equiv	1.52	1,270.40	540.72	454.40	465.38	134.52	30.21	4.15	0.00	2,901.30

District of Bolsover Calculation of Council Tax Base

COUNCIL TAX

Notional Tax Base 2011/12

TIBSHELF

Tax Band	A	A	B	C	D	E	F	G	H	Totals
No. of Properties	0	993	192	239	145	50	29	9	2	1,659
Disabled Relief	1	0	0	0	(1)	1	0	0	(1)	0
Exempt Properties	0	(28)	(1)	(2)	(2)	(1)	0	0	0	(34)
New Properties	0	0	0	0	0	0	0	0	0	0
Demolished Properties	0	0	0	0	0	0	0	0	0	0
Total Properties	1	965	191	237	142	50	29	9	1	1,625
Single Occ 25%	0	381	58	64	24	8	1	0	0	536
25% Discount	0	8	1	2	0	0	0	0	0	11
50% Discount	0	41	7	5	5	3	0	1	0	62
Discount Changes	0	0	0	0	0	0	0	0	0	0
Band D Equiv.	0.56	564.83	134.36	193.78	133.50	56.83	41.53	14.17	2.00	1,141.56
Factor	0.996	0.996	0.996	0.996	0.996	0.996	0.996	0.996	0.996	
Band D Equiv	0.56	562.57	133.82	193.00	132.97	56.60	41.36	14.11	1.99	1,136.98

District of Bolsover Calculation of Council Tax Base

COUNCIL TAX

Notional Tax Base 2011/12

WHITWELL

Tax Band	A-	A	B	C	D	E	F	G	H	Totals
No. of Properties	0	1,128	279	205	95	69	36	7	1	1,820
Disabled Relief	2	(2)	2	(1)	0	(1)	0	1	(1)	0
Exempt Properties	0	(45)	(3)	(2)	0	0	0	0	0	(50)
New Properties	0	0	0	0	0	0	0	0	0	0
Demolished Properties	0	0	0	0	0	0	0	0	0	0
Total Properties	2	1,081	278	202	95	68	36	8	0	1,770
Single Occ 25%	0	434	59	46	20	5	7	0	0	571
25% Discount	0	5	0	4	2	0	0	(1)	0	10
50% Discount	0	41	5	6	8	2	1	2	0	65
Discount Changes	0	0	0	0	0	0	0	0	0	0
Band D Equiv.	1.11	633.83	202.81	165.78	85.50	80.36	48.75	12.08	0.00	1,230.22
Factor	0.996	0.996	0.996	0.996	0.996	0.996	0.996	0.996	0.996	
Band D Equiv	1.11	631.29	202.00	165.12	85.16	80.04	48.56	12.03	0.00	1,225.31

Council/ Committee:	Council	Agenda Item No.:	14
Date:	19th January 2010	Category	*
Subject:	Bolsover Local Development Scheme	Status	Open
Report by:	Head of Planning and Environmental Health (written by Planning Policy Manager)		
Other Officers involved:			
Director	Development		
Relevant Portfolio Holder	Councillor D. Kelly, Portfolio Holder for Environment		

RELEVANT CORPORATE AIMS

COMMUNITY SAFETY – Ensuring that communities are safe and secure
CUSTOMER FOCUSED SERVICES – Providing excellent customer focused services

ENVIRONMENT – Promoting and enhancing a clean and sustainable environment

REGENERATION – Developing healthy, prosperous and sustainable communities

SOCIAL INCLUSION – Promoting fairness, equality and lifelong learning.

STRATEGIC ORGANISATIONAL DEVELOPMENT – Continually improving our organisation.

The Local Development Scheme sets out the programme for the preparation of local development documents over a three-year period. Local development documents are some of the Council's most important policy statements about the environment, society and economy. They also have a significant impact on the regeneration of the district, allocations of land for development and local communities - showing how resources and land allocations will shape the development of places provision over time. In addition, The LDS must set out the internal resources that the Council will deploy to achieve the programme. As such, the Local Development Scheme will work towards all of the council's corporate objectives.

TARGETS

The adoption of a Local Development Scheme is the subject of Corporate Plan Target Ea2.

VALUE FOR MONEY

The Local Development Scheme provides a timetable for the production of local development documents and provides for the efficient planning of resources over time.

1. Background

- 1.1 The Planning and Compulsory Purchase Act 2004 requires each local planning authority to produce a Local Development Scheme (LDS) for the approval of the Secretary of State. The Local Development Scheme sets out a three year timetable for production of development plan documents which will form part of the Local Development Framework. The LDS, therefore, is a key document, giving all concerned in the planning process a clear picture of the priorities and programmes of the planning authority. It establishes the various milestones that the Council intend to meet and against which performance will be measured. It is therefore important that the Local Development Scheme is kept up to date
- 1.2 This Council submitted its first Local Development Scheme in March 2005 and resolved to bring it into effect on 4th May 2005 (minute 1178 04/05 refers). Since then the Secretary of State has considered and approved two reviews of the Local Development Scheme. The last Scheme covered the period March 2007 to March 2010, so a new Scheme is urgently required.
- 1.3 The purpose of this report is to recommend that a revised Local Development Scheme, as attached at Appendix A to this report, be submitted for the approval of the Secretary of State.

2. Issues for Consideration

- 2.1 On 27 May 2010, the Secretary of State for Communities and Local Government wrote to all councils to highlight the Coalition Government's intention to rapidly abolish regional strategies. On 6th July, the Secretary of State for Communities and Local Government (CLG), formally announced the revocation of Regional Strategies with immediate effect under s79(6) of the Local Democracy Economic Development and Construction Act 2009. A letter from the CLG's Chief Planner was sent to all local planning authorities enclosing guidance about the consequences of revocation. Accordingly, I advised the Council that the RSS will therefore no longer form part of the statutory development plan, making Local Development Frameworks (LDFs) the basis for local planning decisions. The Council resolved, at its meeting on 6 October, to review the RSS housing target. However, a recent decision in the High Court on a case brought by Cala Homes, has had the effect of re-establishing regional strategies as part of the development plan. The Government now intend to use the Localism Bill to revoke regional strategies.
- 2.2 Regional Plans were designed to form a basic building block upon which Core Strategies and local development frameworks could be developed. The removal of this building block will create significant additional work for the planning policy team of which the review of the housing target is only one element. The confusion caused by recent events has made it very difficult to make the desired progress on the Core Strategy. In addition, there are major questionmarks about the Government's intentions on other aspects of the planning system, which could also impact upon Core Strategy

progress. Consequently, the LDS has been prepared against a very uncertain background. The main changes to the previously approved LDS are as follows:

- A more realistic programme for delivery of development plan documents – previous timetables have quickly become outdated as they have underestimated the amount of work to be undertaken and the time needed for producing sound evidence base documents;
- No detail is provided about possible supplementary planning documents, as following changes to regulations, these details are no longer necessary in a Local Development Scheme;
- The identification of risks to the programme arising out of uncertainties over the status of the Regional Plan.

2.3 Once approved by the Council, the proposed Scheme will be submitted to the Secretary of State, via the Government Office for the East Midlands. The Secretary of State has 28 days from the date of submission to decide whether or not to direct the Council to change the Local Development Scheme.

IMPLICATIONS

Financial	The process of plan making is funded by the Local Development Scheme Reserve. The Council contributes £50,000 each year into this reserve from the general fund thereby providing a resource to cover the peaks and troughs of plan preparation cost. Anticipated costs of the programme are reviewed each year by the Head of Planning and the Director of Resources to ensure that sufficient funds are available.
Legal	The Council, as local planning authority, has a statutory duty not only to prepare a local development framework for the whole of its area, but also to keep it up to date. The Council must submit the Local Development Scheme to the Secretary of State and seek his approval before it can resolve to bring it into effect.
Human Resources	The LDS sets out a timetable based on the existing staff structure in the Planning Policy team. If the milestones in the LDS are to be met, it is essential that any vacancies in the structure are filled with minimal delay.

RECOMMENDATION

That the Council:

- 1. Approves the Local Development Scheme 1 Jan 2011 to 31 Dec 2013 as attached at Appendix A to this report for submission to the Secretary of State**
- 2. Provides delegated authority to the Head of Planning and Environmental Health to make minor amendments to the text of the Local Development Scheme Review prior to its submission to the Secretary of State.**

ATTACHMENT: Yes : Appendix A

FILE REFERENCE: 101

SOURCE DOCUMENTS:

Planning and Compulsory Purchase Act (2004)

The Town and Country Planning (Local Development) (England) Regulations 2004 (as amended)

Planning Policy Statement 12 'Local Development Frameworks' (2008)

Bolsover District Council, Local Development Scheme March 2007 to March 2010, approved June 2007

LOCAL DEVELOPMENT SCHEME

1 Jan 2011 – 31 Dec 2013

*A timetable for production of development plan documents in
Bolsover District*

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URDU

ہمارے کسی بھی ڈاکیومنٹ کے سمجھنے میں اگر آپ کو مدد درکار ہو، یا آپ کو اس کا بڑا پرنٹ، آڈیو ٹیپ کی شکل میں اس کی کاپی، یا ترجمے میں مدد کے لیے آپ کو کسی مترجم کی ضرورت ہو تو ہم اس سلسلے میں آپ کی مدد کر سکتے ہیں۔ براہ کرم اس صفحے کے نیچے دیئے گئے فون نمبر پر رابطہ کریں۔



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Bolsover District Council
LOCAL DEVELOPMENT SCHEME
1 Jan 2011 – 31 Dec 2013

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1. INTRODUCTION

Background

- 1.1 The Planning & Compulsory Purchase Act 2004 (the 2004 Act) requires the Council to prepare a local development scheme¹. The scheme sets out a three year timetable for the preparation of a set of local development documents that together will form the Council's local development framework.
- 1.2 The Planning Act of 2008 amended Section 15 (2) of the 2004 Act in such a way that the only documents which need to be referred to in the LDS are Development Plan Documents. Consequently the only documents referred to in Appendices 1 and 2 are development plan documents. Under the Acts, development plan documents taken together, comprise the 'Development Plan' along with 'saved' documents.
- 1.3 Proposed development plan documents will include a core strategy for the district, development management policies, site allocations policies and a proposals map. Work is already well underway on the Core Strategy and Revised Preferred Options were published in April 2010. Supplementary planning documents will add further detail or interpretation to the development plan documents. They can include site specific development briefs, guidance on the implementation of policy and advice on topics such as design. Although this LDS indicates the types of supplementary planning documents (SPDs) that the Council might prepare, the LDS is not required by legislation to include such information and the Council therefore reserves the right to change the content and timing of SPD work without the need to review the LDS.
- 1.4 This is the third Local Development Scheme for Bolsover District, taking the place of the second local development scheme that was brought into effect by the Council on 13 June 2007 following its submission to the Secretary of State on 25 April 2007.
- 1.5 Once approved by the Council, the LDS will be submitted to the Secretary of State via the Government Office for the East Midlands. The Secretary of State has 28 days from the date of submission to decide whether or not to direct the Council to change the local development scheme.
- 1.6 The Council approved this scheme for submission to the Secretary of State on (date to be inserted) and it was submitted to the Secretary of State on (date to be inserted). The Bolsover District Council resolved that this scheme shall take effect on (date to be inserted).

Monitoring and Review

- 1.7 All of the milestones set out in the first Local Development Scheme were achieved, however, there has been major slippage from the timetable set out in the most recent LDS which covered the period March 2007 to March 2010. This slippage has occurred due to staff shortages, the learning process associated with the new development plan system, and delays in progressing the regional spatial strategy.

1. _____

¹ Section 15, Planning and Compulsory Purchase Act 2004

- 1.8 This local development scheme review sets out a three-year programme for plan preparation from January 2011 to December 2013. Each year the Annual Monitoring Report will describe the progress made on the programme. The LDS itself will be reviewed and revised if this becomes necessary at a future date, however, every reasonable effort will be made to produce documents in accordance with the timetable set out in this LDS. If there are significant changes in the programme, then information will be posted on the Council's website.

Overview of the Local Development Scheme

- 1.9 The local development scheme consists of three main sections with supporting appendices. Following the Introduction, section 2 gives a brief written description of the main proposed local development documents as well as identifying plans prepared under the previous legislation and regulations, which have been 'saved' under the transitional arrangements of the 2004 Act. Section 3 sets out supporting information on the management of the local development framework programme, such as the requirement to prepare an annual monitoring report, sustainability appraisals (including strategic environmental assessment) for each document, the Council's programme for gathering relevant information and evidence, resources, and the main areas of risk in meeting the timetable. Finally the appendices contain the programme chart, profiles of development plan documents and a glossary.

Main challenges for the Local Development Framework

- 1.10 The main challenges for the LDF are:
- how to accommodate growth without damaging the character of the area or of particular settlements, and how to distribute growth between the different towns and villages;
 - to consider the most appropriate way of providing services across the District and identify the respective roles of the District's settlements;
 - addressing the imbalance between the number of residents in the district and the relatively low number of jobs;
 - the danger of rapid residential growth turning some towns and main villages into 'dormitories' rather than settlements where people can live and work;
 - maintaining and if possible improving accessibility to services, particularly in the more rural parts of the district;
 - to assist in identifying the most appropriate solutions for economic, environmental and social regeneration;
 - to address the backlog of unmet affordable housing needs and identify mechanisms for ensuring effective future provision;
 - to increase the diversity of employment provision and the range of higher skilled jobs available locally.

2. LOCAL DEVELOPMENT SCHEME

Introduction

- 2.1 This Section describes the documents that form the existing development plan. It goes on to set out the main local development documents proposed in the scheme and identifies those plans prepared under the previous legislation and regulations which were 'saved' under the transitional arrangements of the 2004 Act. Finally it explains the key milestones in the plan preparation process that are used to assess the Council's progress towards adopting local development documents.

Statement of Community Involvement

- 2.2 The 2004 Act requires each local planning authority to prepare a Statement of Community Involvement as one of its first local development documents. This must detail how the Council will engage the community and other stakeholders in preparing other local development documents and in dealing with planning applications.
- 2.3 The Statement of Community Involvement underwent public consultation during the summer of 2005 and was submitted to the Secretary of State in October 2005. An independent examination took place during February 2006 and the Council resolved to adopt the Statement of Community Involvement on 24th May 2006.

The Existing Development Plan

- 2.4 The development plan for the district is currently made up of the following documents read together:
- The Regional Spatial Strategy published under the title of the *East Midlands Regional Plan* and approved in March 2009;
 - Saved policies of the *Derby and Derbyshire Minerals Local Plan* (April 2000) and the *First Alteration* to the plan (November 2002);
 - Saved policies of the *Derby and Derbyshire Waste Local Plan* (March 2005); and
 - Saved policies of the *Bolsover District Local Plan* (February 2000)
- 2.5 Where there is any conflict between the wording of policies in these documents, the wording in the last published adopted or approved document prevails.

Existing Development Plan Documents

Regional Spatial Strategy

- 2.6 The current Regional Spatial Strategy is the East Midlands Regional Plan issued in March 2009. It was prepared by the Regional Planning Board of the East Midlands Regional Assembly, a task which was taken over jointly by the East Midlands Regional Development Agency and the Leaders' Board of East Midlands Councils at the beginning of April 2010. The current RSS differs from its predecessor in that it

contains several sub-area strategies. Bolsover District is one of nine planning authorities covered by the Northern Sub-Regional Strategy.

- 2.7 Development plan documents will need to be in general conformity with the approved Regional Spatial Strategy at the time of their submission to the Secretary of State

Derby and Derbyshire Minerals Local Plan

- 2.8 The Derby and Derbyshire Minerals Local Plan (April 2000) (as altered in November 2002) sets out planning policies for minerals development. Most of its policies have been saved until they are replaced by new development plan documents. Proposals for the replacement of these policies are contained within a separate Minerals and Waste Development Scheme prepared jointly by Derbyshire County Council and Derby City Council.

Derby and Derbyshire Waste Local Plan

- 2.9 The Derby and Derbyshire Waste Local Plan (March 2005) sets out planning policies for waste development. All but one policy (policy W1A) of the Derby and Derbyshire Waste Local Plan, adopted in March 2005, have been saved beyond March 2008. Proposals for the replacement of these policies are contained within the Minerals and Waste Development Scheme prepared jointly by Derbyshire County Council and Derby City Council.

Bolsover District Local Plan

- 2.10 The Bolsover District Local Plan (February 2000) contains local and site specific policies on general development issues, housing, employment, shopping and town centres, community facilities, recreation, leisure and tourism, transport, conservation of the historic and built environment. It also allocates sites for specific development.
- 2.11 The Council requested the Secretary of State to consider making a direction to save many of the policies of the Bolsover District Local Plan beyond 28th September 2007 under provisions in the 2004 Act. The Secretary of State agreed to the Council's request and policies that have been saved are shown in appendix three. These will remain saved until they are replaced by new policies in development plan documents as these are adopted.

Proposed Development Plan Documents

- 2.12 The local development scheme provides for the preparation of four development plan documents, which will gradually replace the saved policies referred to in the previous paragraph. These documents are the:
- Core Strategy
 - Development Management Policies
 - Site Specific and Area Based Allocations
 - Proposals Map

- 2.13 The initial Local Development Schemes described how the Core Strategy, site allocations and proposals map were being progressed at the same time with complementary milestones. However, lessons learned from other Councils have shown that this can be a potentially high-risk strategy. Following advice from a critical friend review and the Government Office for the East Midlands, the Council decided to separate the documents and to progress the core strategy in advance of the site allocations document and development management policies. This will enable matters of principle to be resolved and examined before considering the detail of site allocations and development management policies.
- 2.14 The new approach will reduce the risk of any judgement by the Planning Inspector that the core strategy is unsound thereby leading automatically to the failure of other documents prepared in conformity with it. It will also provide greater clarity to the community and stakeholders whose focus has tended to centre on site allocation issues at the expense of the bigger strategic picture.

Core Strategy Development Plan Document

- 2.15 The 2004 Act requires local planning authorities to prepare a core strategy as one of their first development plan documents. The Core Strategy will set out the vision, objectives and spatial strategy for the district up to 2026, replacing relevant policies in the adopted Bolsover District Local Plan.
- 2.16 The Core Strategy will also be integrated with the Community Strategies for Derbyshire and Bolsover and will provide a spatial dimension and delivery vehicle for their themes and priorities. The Sustainable Community Strategy for Bolsover 2006-2020 was launched by the Bolsover Local Strategic Partnership in April 2006 and the new community strategy for Derbyshire 2006-2009 was published in March 2007. All subsequent development plan documents and supplementary planning documents will have to be in conformity with the Core Strategy.

Development Management Policies Development Plan Document

- 2.17 This document will contain the detailed policies to assist in the control and management of development through the determination of planning and related applications for the period up to 2026. The range of policies may include district wide policies to control all types of development, policies for specific types of development, and policies covering defined areas.

Site Specific and Area Based Allocations Development Plan Document

- 2.18 This document will identify site specific allocations for particular land uses or forms of development, as well as detailed boundaries for policy areas. Together with the Core Strategy it will ensure that sufficient land is identified to ensure the District's housing and employment needs can be met over the plan period up to 2026.

Proposals Map Development Plan Document

- 2.19 The Proposals Map will show the locations which relate to area or site specific policies contained in other development plan documents. The proposals map will initially constitute the saved adopted local plan proposals map. Emerging development plan documents will add to this information and, once they are

adopted, they will supersede the saved allocations.

Supplementary Planning Guidance

- 2.20 Several planning briefs and other supplementary planning guidance documents were approved before the 2004 Act came into force. These will not constitute formal supplementary planning documents under the new system. However, the Council will continue to give weight to them in development control decisions as they support saved policies in the Bolsover District Local Plan. They are listed in Table 1 below together with their approval date and the local plan policies they take forward:

Table 1: Existing Supplementary Planning Guidance		
Document Title	Linked to adopted Local Plan Policy	Approved
<i>Affordable Housing</i>	<i>HOU 6</i>	<i>February 2002</i>
<i>Housing Layout and Design*</i>	<i>GEN 1, 2, 3,4, 5, 6, 7 & 13; HOU 5, 13 & 14; TRA 7 &15 ; ENV 8</i>	<i>December 1998</i>
<i>Mobility Standards for Housing*</i>	<i>GEN 1 & 2; HOU 16</i>	<i>December 1998</i>
<i>New Bolsover Model Village Planning Guidelines</i>	<i>CON 1</i>	<i>November 2002</i>

- 2.21 The documents marked with a star (*) are proposed for review during this local development scheme period and will be combined under a new supplementary planning document dealing with sustainable residential design. The remaining supplementary planning guidance may be revised in future supplementary planning documents.

Supplementary Planning Documents (SPDs)

- 2.22 Two supplementary planning documents were approved by the Council in 2006. These constitute the first local development documents to be approved under the Bolsover Local Development Framework and the 2004 Act. The Council will give weight to them in development control decisions as they support saved policies in the adopted Bolsover District Local Plan and are material considerations. They are listed in Table 2 below together with their approval date and the local plan policies they take forward:

Table 2: Approved Supplementary Planning Documents		
Document Title	Linked to adopted Local Plan Policies	Approved
The Historic Environment	CLT 1; CON 1; CON 2; CON 3; CON 4; CON 7; CON 8; CON 10; CON 11; CON 12; CON 13; CON 14; ENV 4; ENV12; and ENV 17	1 st March 2006
Clowne Conservation Area Appraisal & Management Plan	CON 1; CON 2; CON 4; ENV12; and ENV 17	1 st March 2006

- 2.23 The first local development scheme, published in May 2005, anticipated a long term programme for preparation of further conservation area appraisals as supplementary planning documents. Whilst the Council remains committed to the appraisal programme, they will not now be prepared as supplementary planning documents. This approach reflects government guidance on this matter. Instead, the Council will produce them as guidance documents approved by the Council to assist in the interpretation of policy, in accordance with the Council's Historic Environment Enhancement Programme.

Proposed Supplementary Planning Document(s) (SPDs)

- 2.24 At the time of writing this LDS, a Supplementary Planning Document on Sustainable Residential Design is being prepared through a joint initiative between Bolsover District Council, Chesterfield Borough Council and North East Derbyshire District Council. There is no definite commitment at present to prepare any further SPDs although it is likely that consideration will be given to SPDs on:

- Affordable Housing
- Developer Contributions
- Open Space

- 2.25 It is possible, therefore, that other supplementary planning documents may be produced over the next three years, on particular issues, or to give more detailed guidance on particular areas.

Explanation of the Key Milestones for Local Development Documents

- 2.26 The LDS programme is shown on a chart at Appendix one to this report. Appendix two is a series of profiles for each proposed development plan document which includes more information on the purpose of the document, its conformity with other plans and the arrangements for preparing it as well as the timetable. The milestones used in these appendices are described below:

- **Preparation** This is the initial stage of document preparation during which the relevant evidence base is reviewed and developed, and issues and options identified if appropriate. Work at this stage will be accompanied by the commencement of sustainability appraisal and a strategic environmental assessment as set out in the European Union Directive 2001/42/EC. Sustainability appraisal is an iterative process, which will embody the requirements for strategic environmental assessment. It appraises the social, environmental and economic effects of plan strategies and policies from the outset of the preparation process, so that decisions can be made that accord with the objective of sustainable development.

The preparation stage for the Core Strategy has already included significant levels of consultation. This included the publication in October 2006 of Preferred Options, which generated a considerable amount of public comment. On 27 June 2008, new amendments to the Local Development Regulations came into force. The amendments included the deletion of the former Regulation 26 meaning that there is no longer a requirement for a preferred options stage and for a formal six week consultation. Despite the opportunity afforded by the amended Regulations to miss out the preferred options stage, the Council considered that a Preferred Options stage on the Core Strategy was still desirable. Accordingly Revised Preferred Options were published in April 2010 to allow people to express their views on the revised options, to see the alternatives that have been discounted and the reasons why. The Council will take the views expressed into account in preparing the submission version of the Strategy.

Specific consultation bodies are identified in the regulations and, in addition, consultation with other bodies, such as voluntary, religious and disabled groups and business organisations, is required as appropriate. The statement of community involvement identifies how such bodies will be selected and consulted.

- **Publication of Proposed Submission Document and Consultation** – in accordance with Regulation 27 the local planning authority must publish copies of proposed submission documents, make them available for inspection and facilitate representations on them for a period of at least six weeks.
- **Consideration of Representations** This pre-submission period enables the Council to consider the representations made and to determine whether any final changes need to be made to the development plan document before it is formally submitted to the Secretary of State.
- **Submission to Secretary of State** – The Council will submit the development plan document to Secretary of State together with a summary of the representations made.
- **Preparation for Hearing** – The Council will need to use this period to produce all the material which the Planning Inspector may need at the Hearing and those individuals and organisations who have made representations may be asked by the Inspector to provide further information.

- **Hearing** - The Planning Inspectorate will arrange for an Examination of the development plan document including a Public Hearing. An independent Inspector will test the document against various criteria of soundness and have regard to any representations that have been made. The main tests of soundness are set out fully in Planning Policy Statement 12 but must be :
 - Justified i.e. founded on a robust and credible evidence base, and the most appropriate strategy when considered against reasonable alternatives;
 - Effective i.e. deliverable, flexible and able to be monitored;
 - Consistent with national policy.
- **Inspector's Report Writing** – after the hearing the Inspector will write a report with recommendations to the Council. The report will focus on the tests of soundness and how the development plan document should be changed. The report will be issued to the Council for a fact check prior to being formally issued.
- **Receipt of Inspectors Report** - A few months after the Hearing, the Inspector will report to the Council on whether the document is 'sound'. The Inspector may uphold the document as submitted or may direct changes to it. These changes may be of a minor nature, but if the Inspector believes that there is a more sound approach, a more fundamental change may be directed. The Inspector's decision will be binding, although the Council will have a short time to challenge it on errors or misunderstandings.
- **Adoption** –The Council must adopt the development plan document as soon as practicable following receipt of the Inspector's report, and make the necessary changes to the adopted proposals map.

2.27 The revised local development scheme programme at Appendix 1 begins with the three-year LDS period, from 1 January 2011 to 31 December 2013, however, to improve understanding of the overall programme the envisaged programme for 2014 has also been set out.

3. SUPPORTING INFORMATION

Introduction

- 3.1 This Section sets out the supporting information relevant to the management of the local development framework programme, such as the requirement to prepare an Annual Monitoring Report, Sustainability Appraisal (comprising Strategic Environmental Assessment) for each document, our programme for gathering relevant information and evidence, resources, and the main areas of risk in meeting the timetable.

Evidence Base

- 3.2 Government guidance emphasises the need for a robust 'evidence base' to underpin the preparation of local development documents. Accordingly, the Council will need to pursue a programme of specific studies and research to develop and maintain an up-to-date evidence base. Existing key elements of the evidence base are set out below in table three. The Council's evidence base will be recorded in an Evidence Base Report, a document which will be made available on the website

Table 3: Evidence Base Existing Key Documents		
Study/Research	Completion Date	Lead author
Affordable Housing Viability Study	Dec 2008	Consultants
Assessment of gypsy and traveller site need	March 2008	Derbyshire County Council in partnership with district council's.
Biodiversity Greenprint	May 2006	District Council and Derbyshire Wildlife Trust
Employment Land Study	Aug 2006	Consultants
Land availability monitoring	Dec 2010	In house - Planning
Renewable Energy Study	April 2009	Consultants
Retail and Leisure Needs Assessment	Aug 2006	Consultants
Settlement Hierarchy Study	July 2009	In house – Planning
Strategic Flood Risk Assessment	Feb 2009	Consultants
Strategic Green Infrastructure Study	June 2008	Consultants
Strategic Housing Land Availability Assessment	June 2010	In house – Planning
Water Cycle Study	Nov 2010	Consultants

Other studies which should be completed during the local development scheme period are set out in Table 4 below:

Table 4: Proposed future studies		
Study/Research	Estimated Completion Date	Lead author
Core Heritage Assets Setting Study or Studies	2011	Consultants
Employment Land Study	2011	Consultants or in-house
Gypsy and Traveller Accommodation Assessment	2012	Derbyshire County Council in partnership with district councils.
Green Space Strategy	2011	Consultants
Infrastructure Delivery Study	2011	Consultants or in-house
Land Availability Monitoring	Annual	In house - planning
North Derbyshire Transport Study	2011	Derbyshire County Council/consultants
Retail and Leisure Needs Assessment Update	2011	Consultants
Review of District Housing Target	2011	Consultants
Settlement Hierarchy Study Update	2011	In house - planning
Strategic Housing Land Availability Assessment Update	Annual	In house – Planning

Annual Monitoring Report

3.3 The 2004 Act requires the Council to monitor progress on its local development scheme programme and the effectiveness of its policies. The Council must submit an annual monitoring report (AMR) to the Secretary of State by 31st December each year based upon the period 1st April to 31st March. The report considers:

- How the Council is performing against the milestones set out within the previous year's local development scheme;
- Monitor the extent to which policies in the local development documents and the 'saved policies' from the adopted local plan are being achieved;
- Include a 'trajectory' forecast of future housing supply against strategic housing requirements;
- Provide an up-to-date list of relevant background papers;

- Indicate the up-to-date status of 'saved' policies in the local plan;
 - Conclude as to whether any local development documents need reviewing in advance of their scheduled main review date; and
 - Indicate what additional local development documents need to be prepared;
- 3.4 In the light of this monitoring, the Council will consider each year whether any changes need to be made in the local development scheme.
- 3.5 Annual Monitoring Reports are available on the Council's website.

Strategic Environmental Assessment and Sustainability Appraisal

- 3.6 European Directive 2001/42/EC requires a formal strategic environmental assessment of plans and programmes which are likely to have significant effects on the environment. Government guidance indicates that sustainability appraisal, which embodies the European Union Directive, will be required for each key stage of local development document preparation.
- 3.7 Sustainability appraisal is a continuous process which is closely integrated with the overall process of producing and refining a development plan document. Sustainability appraisals will be published alongside each local development document, and will also play an important part in demonstrating the soundness of each document.

Staff Resources

- 3.8 Management of the local development framework including the supporting aspects, such as the maintenance and development of the evidence base and monitoring, will be the responsibility of the Planning Policy Manager. The manager is assisted by three staff on the permanent establishment :- two professional planners and a senior planning technician. These four permanent full time equivalents will be maintained throughout the period of this local development scheme. In addition to the permanent staff, the Planning Policy Team includes a Planning Information Officer, a post with agreed funding for a three year period until November 2012. In producing this LDS it has been assumed that all of these identified posts will be occupied for at least 90% of the LDS period. Input, through secondment is necessary, will also be made by staff in the Development Control Section and Conservation Section, and these inputs may be supplemented from other professional staff in the Council, for example on housing, regeneration and tourism and leisure issues as required.
- 3.9 Staff from the Council's Customer Service and Performance Department will provide advice on community engagement for local development documents and may assist with participation events.

- 3.10 As an additional measure, a staff contingency fund will be added to Planning Policy budget heads. This will be used for the appointment of planning consultants, agency based planning professionals, and temporary support workers where necessary (using powers delegated to the Chief Executive by Council) to assist in the progression of documents at pinch points in the programme or to bridge periods when there are staff vacancies. This extra provision will be helpful if it can be used in a timely fashion as experience indicates that it is not always easy to fill any vacancies that may arise in the core team.

Financial Resources

- 3.11 Funding for development plan document work will come from the Local Development Scheme Reserve, supplemented by Housing and Planning Delivery Grant. Costs for key aspects such as publication, printing and examination will be identified in a number of budget heads and reviewed on an annual basis following approval of the Scheme by the Secretary of State.
- 3.12 To achieve the programme more resources may be needed to ensure a full staff complement or to commission work by consultants. The requirements for a comprehensive up to date evidence base, preparation of the annual monitoring report and the need to undertake sustainability appraisals seem likely to create particular financial pressures. The Planning Delivery Grant may assist in meeting some future needs, depending on the level of grant secured.

Joint Working

- 3.13 It is not expected that the Council will prepare any documents under the joint working arrangements laid down under Section 28 of the 2004 Act. However, wherever possible, evidence base work will be commissioned on a joint basis where there are common issues of concern and where joint funding would result in more economical and timely study. Close liaison already exists between the teams responsible for planning policy in Bolsover District, Chesterfield Borough, and North East Derbyshire District and with relevant officers at the Derbyshire County Council. Joint working has been undertaken or is underway on the strategic flood risk assessment, strategic housing land availability assessment, transport study and water cycle issues.

Local Development Orders

- 3.14 It is not envisaged that the council will want to declare a local development order in the district during the local development scheme period. The provisions for this are contained in Part 4 Section 61A of the 2004 Act, which came into effect on 10th May 2006. However, should the council change its position on local development orders it will review the local development scheme at the appropriate time.

Risk Assessment

- 3.15 It is difficult to foresee all potential risks that may affect the programme. However, the main risks that will be encountered are detailed below with an indication of the likely level of risk (low, medium and high). Where it is possible, mitigation measures are indicated.

- *Uncertainties and policy changes resulting from the proposed abolition of the Regional Spatial Strategy.* The Government have indicated that it intends to abolish regional strategies through the Localism Bill. If this proposed legislation proceeds as intended, then the East Midlands Regional Plan will no longer form part of the development plan. The abolition may mean that the Core Strategy needs to cover a wider range of policy matters to ensure that no significant gaps are left as a result of the demise of the Regional Plan. In addition, the Council has indicated that it intends to undertake a review of its strategic housing requirement, rather than progress with the requirements set out in a Regional Plan, which is expected to be abolished. The housing target review should begin before December 2011, but its outcome and therefore its impact is unknown. There is a **high risk** that a new housing target could prove contentious and cause delay to the programme, and/or require significant changes to approach currently being progressed in work on the Core Strategy. In addition, there could be delays or amendments to the Localism Bill which would also add to delays.
- *Insufficient financial resources.* There are significant additional requirements on local planning authorities in terms of consultation, monitoring, strategic environmental assessment/sustainability appraisals and evidence gathering. The need to undertake work such as an infrastructure delivery plan, a water cycle study and a green space strategy has required and will require additional expenditure that has not previously been factored into requirements for the LDF.

The availability of financial resources will ultimately determine how many local development documents can be prepared in the future. With continued pressure on local authority resources there is a **high risk** that there will be insufficient financial resources to progress the local development scheme and a review of the revenue payments to the Local Development Scheme Reserve will need to be considered to ensure sufficient funds are available in the future to deliver the proposed documents.

- *Staff recruitment and retention.* Staff shortages has been a long term problem for Bolsover's planning policy team. Since March 2005, a Principal Planner's post has been vacant for periods amounting to well over four years, and vacancies for other posts have also remained unfilled for lengthy periods. However, the cuts to local authority funding may mean that the number of planners looking for work increases over the next year or two, consequently improving the chances of filling empty posts.

There is a **medium risk** that lack of staff capacity will continue to be a problem over the Scheme period. It may be possible to mitigate this risk by the transfer/secondment of staff from other work areas, appointment of consultants, agency staff or temporary staff but the effectiveness of this action will depend on which post becomes vacant and the point reached in the plan making process. It is important to bear in mind that staff turnover will result in the loss of local knowledge which will continue to impact on the team even when posts are filled.

- *Staff illness.* The risk that staff become ill to the point this causes an impact on the programme is **low**. The Department has an excellent sickness absence record and incidences of sickness rarely last more than a week or two at most. Occasionally members of staff may be off longer term and if this occurs consideration will be given to appointing consultants or agency staff depending on the likely length of staff absence.
- *The scale and nature of public responses.* Past consultation undertaken under previous local development schemes has produced a high number of responses. For example, the decision to write to all people affected by sites with potential for development during the preferred options consultation in 2006, and the posting of site notices, led to over 1,300 responses. Whilst this exercise proved effective in engaging people in the plan making process, it created a high workload that delayed movement to the next stage in the process. The current approach of decoupling the Core Strategy from the Site Specific and Area Based development plan documents will spread consultation responses over different time periods. However, there still remains a **medium risk** that a high number of responses will be received to the Core Strategy if it seeks to identify strategic sites, as well as to the Site Allocations document when it is consulted upon again. It is worth noting that complex or controversial objections will also have potential to extend overall timescales.

This risk will be minimised by improvements to consultation material, and ensuring there is longer period of time programmed for the resolution of representations in the Scheme. The arrangements for employing temporary staff mentioned above may also help to speed up processing.

- *Capacity of other agencies to engage with the process.* The capacity of other organisations is largely outside of the Council's control, but preparation of the local development scheme and consultation with key stakeholders will help to inform key players of the impact of the Scheme on their own strategies and programmes. Despite this, there remains a **medium risk** that some stakeholders will simply not be able to commit the resources needed to supply necessary information needed to support the development of proposals or policies. In these circumstances, progress may need to be delayed or certain policies or proposals left to later reviews of development plan documents.
- *Changes to legislation and to government policy or guidance* – There is a **high risk** that legislation and government policy will change during the course of this local development scheme. It is to be hoped that following changes in June 2008 to the Local Development Regulations and the issuing of a new Planning Policy Statement 12 on Local Spatial Planning that the new system will be given time to bed down before further changes are made. Nevertheless it appears likely that changes will continue to be made to national legislation and planning guidance which will have significant impacts on work covered by the LDS. The Council will seek to keep abreast of all emerging draft legislation and guidance, to be aware of any forthcoming changes. However, it is difficult to see how change can be mitigated any further and the risk to the programme remains significant.

- *DPD fails test of soundness.* Development Plan Documents need to be founded on a robust evidence base, supported by Sustainability Appraisal, with well audited community and stakeholder engagement. The risk of being found unsound can be reduced to '**low**' by adhering closely to government guidance and working closely with the Council's Legal Department, the CLG and stakeholders. However, the fear of being found unsound produces a **high** risk to achievement of the LDS timetable because of a tendency to err on the side of caution e.g. carrying out extensive consultation exercises on particular studies, gathering more detail than is strictly necessary, waiting for the results of another study, etc. This is an area where managers will need to balance the need to produce a sound document against the need to produce it in a timely manner. If the LDS is to progress then risks on this issue cannot be totally eliminated, only reduced.
- *Legal challenge.* There is a **medium risk** that there will be a legal challenge of development plan documents. This is unavoidable in a process where there are winners and losers. Whilst the risk will be difficult to minimise, the council can improve the chances of successfully defending legal challenge by ensuring that development plan documents are soundly prepared, with well-audited stakeholder and community engagement processes, and by complying with relevant legislation and regulations;
- *Unforeseen additional work.* There is a **high risk** that the Planning Policy Section will be diverted by unplanned work pressures, including consultation exercises on non-LDS matters, involvement in regeneration projects, sub regional and corporate initiatives, responses to new government policies, demands for planning related information from national, regional, sub-regional, county and corporate levels. There is a need for careful management of other work demands to ensure adherence to the local development scheme programme. Wherever possible, work on the LDF needs to be prioritised to take precedence over these other competing demands, otherwise progress on the LDF will be extremely slow.

Appendices

Appendix One: LDF Programme Chart

Appendix Two: Profiles for each Local Development Document

Appendix Three : Saved Local Plan Policies

Glossary Key Terms and Abbreviations

APPENDIX ONE : BOLSOVER LOCAL DEVELOPMENT FRAMEWORK PROGRAMME CHART : TIMETABLE AND KEY STAGES																																																
	2011												2012												2013												2014											
	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D	J	F	M	A	M	J	J	A	S	O	N	D
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Core Strategy																																																
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Appendix 2 : Profiles of Development Plan Documents

Core Strategy Development Plan Document	
Role & Content	The Core Strategy sets out the vision, strategic objectives and the spatial strategy for the district to meet the known and anticipated requirements to 2026, including the number of dwellings required. The Strategy may allocate sites of strategic importance for development where these are central to the achievement of the Strategy. Sites which are not strategic will not be identified. The Strategy will not show settlement framework boundaries or town centre boundaries but will set out spatial principles and define the role and function of different settlements. Spatial policies will be set out for different topics or themes, and the main strategic planning principles will be established for each town and main village, and for rural areas. It will include a monitoring and implementation framework with clear links to the Annual Monitoring Report.
Chain of Conformity	Must be consistent with national planning policy and with the Regional Spatial Strategy (whilst this remains a part of the development plan)
Geographic Coverage	District wide
Status	Development plan document

Timetable

Stage	Milestone Dates
Commencement	March 2005
Consideration of Options	July 2005 :Issues and Options October 2006 : Preferred Options April 2010 : Revised Preferred Options
Pre-submission consultation (Regulation 27)	Sept 2011
Publication of Submission Document	Nov 2011
Submission To Secretary of State	Feb 2012
Pre Hearing Meeting	April 2012
Hearing	June 2012
Receipt of Inspector's Report	Oct 2012
Adoption	Dec 2012

Arrangements for Production

Organisational Lead	Head of Planning and Environmental Health
Lead Officer	Planning Policy Manager
Political Management	Planning Committee and Council
Resources	To be prepared by the Planning Policy Section involving other sections and services as appropriate. To be funded from existing planning policy budgets, local development framework reserve and housing and planning delivery grant.
Community & Stakeholder Involvement	In accordance with the Town and Country Planning (Local Development) (England) Regulations 2004 and the strategy set out in the adopted Statement of Community Involvement (May 2006).
Monitoring and Review	Document production and implementation (once adopted) to be review annually and reported in the Annual Monitoring Report

Development Management Policies Development Plan Document	
Role & Content	This document will include policies used to control and manage development through the determination of planning and related applications for the period to 2026. The focus will be on a limited suite of policies which do not duplicate or repeat Government guidance. Instead the policies will address a limited range of issues not previously addressed by the Core Strategy. If necessary, at the same time as this DPD is adopted, the adopted proposals map will be revised in order to illustrate geographically the application of the policies in this DPD
Geographic Coverage	District wide. Some policies will be restricted to specific areas, or specific types of development.
Status	Development plan document
Chain of Conformity	Core Strategy and with the Regional Spatial Strategy (whilst this remains a part of the development plan)

Timetable

Stage	Milestone Dates
Commencement of Preparation	July 2012
Publication of Submission Document	April 2013
Submission To SoS	Sept 2013
Pre Hearing Meeting	Nov 2013
Hearing	Jan 2014
Receipt of Inspector's Report	May 2014
Adoption	July 2014

Arrangements for Production

Organisational Lead	Head of Planning and Environmental Health
Lead Officer	Planning Policy Manager
Political Management	Planning Committee and Council
Resources	To be prepared by the Planning Policy Section involving other sections and services as appropriate. To be funded from existing planning policy budgets, local development framework reserve and housing and planning delivery grant.
Community & Stakeholder Involvement	In accordance with the Town and Country Planning (Local Development) (England) Regulations 2004 and the strategy set out in the adopted Statement of Community Involvement (May 2006).
Monitoring and Review	Document production and implementation (once adopted) to be review annually and reported in the Annual Monitoring Report

Site Specific and Area Based Allocations Development Plan Document	
Role & Content	To allocate all non strategic site specific designations relating to retail, housing, employment, community, leisure, transport and other uses. Housing and employment sites will meet the district's needs for the period up to 2026. Housing sites may be subject to a phased release. Any policies that require to be shown on an Ordnance Survey map will be shown on a submission proposals map which will update the Proposals Map development plan document when the Site Specific and Area Based Allocations Development Plan Document is adopted.
Geographic Coverage	District wide.
Status	Development plan document.
Chain of Conformity	Core Strategy and with the Regional Spatial Strategy (whilst this remains a part of the development plan)

Timetable

Stage	Milestone Dates
Commencement of Preparation	July 2012
Publication of Submission Document	April 2013
Submission To SoS	Sept 2013
Pre Hearing Meeting	Nov 2013
Hearing	Jan 2014
Receipt of Inspector's Report	May 2014
Adoption	July 2014

Arrangements for Production

Organisational Lead	Head of Planning and Environmental Health
Lead Officer	Planning Policy Manager
Political Management	Planning Committee and Council
Resources	To be prepared by the Planning Policy Section involving other sections and services as appropriate. To be funded from existing planning policy budgets, local development framework reserve and housing and planning delivery grant.
Community & Stakeholder Involvement	In accordance with the Town and Country Planning (Local Development) (England) Regulations 2004 and the strategy set out in the adopted Statement of Community Involvement (May 2006).
Monitoring and Review	Document production and implementation (once adopted) to be review annually and reported in the Annual Monitoring Report

Proposals Map Development Plan Document	
Role & Content	To map development plan policies and proposals. It will include saved policies from the adopted Bolsover District Local Plan and the relevant policies from the adopted minerals local plan and waste local plan. The proposals map will be formally amended by 'submissions proposals maps' or insets as development plan documents are adopted.
Geographic Coverage	District wide.
Status	Development plan document.
Chain of Conformity	With related Development Plan Documents.

Timetable

Stage (adoption of DPDs)	Milestone Dates
Core Strategy	Dec 2012
Development Management Policies	July 2014
Site Specific and Area Based Allocations	July 2014

Arrangements for Production

Organisational Lead	Head of Planning and Environmental Health
Lead Officer	Planning Policy Manager
Political Management	Planning Committee and Council
Resources	To be prepared by the Planning Policy Section involving other sections and services as appropriate. To be funded from existing planning policy budgets, local development framework reserve and housing and planning delivery grant.
Community & Stakeholder Involvement	In accordance with the Town and Country Planning (Local Development) (England) Regulations 2004 and the strategy set out in the adopted Statement of Community Involvement (May 2006).
Monitoring and Review	Document production and implementation (once adopted) to be review annually and reported in the Annual Monitoring Report

Appendix 3: Saved Local Plan Policies

The following list shows the policies submitted to, and approved by, the Secretary of State under the request for extended saving. Page numbers refer to those in the adopted Local Plan.

<u>Themes and General Principles</u>	<u>Page no</u>
GEN 1 Minimum Requirements for Development	6
GEN 2 Impact of Development on the Environment	7
GEN 3 Development Affected by Adverse Environmental Impacts from Existing or Permitted Uses	10
GEN 4 Development on Contaminated Land	11
GEN 5 Land Drainage	13
GEN 6 Sewerage and Sewage Disposal	14
GEN 7 Land Stability	15
GEN 8 Settlement Frameworks	15
GEN 9 Development in the Green Belt	16
GEN 10 Important Open Areas	17
GEN 11 Development Adjoining the Settlement Framework Boundary	18
GEN 13 Provision for People with a Disability	20
GEN 15 Telecommunications Development	23
GEN 17 Public Art	25

Housing

HOU 2 Location of Housing Sites	30
HOU 3 Housing Allocations	34
HOU 5 Outdoor Recreation and Play Space Provision for New Housing Developments	38
HOU 6 Affordable Housing	43
HOU 7 Low Cost Housing to Meet Local Needs in Small Settlements in the Countryside	45
HOU 8 Replacement or Extension of Existing Dwellings in the Countryside	46
HOU 9 Essential New Dwellings in the Countryside	47
HOU 10 Removal of Conditions Limiting Occupancy of Essential Dwellings in the Countryside	49
HOU 11 Houses in Multiple Occupation and Hostels	50
HOU 12 Conversion of Buildings to Flats	51
HOU 13 Residential Care Homes and Nursing Homes	52
HOU 14 Residential Caravans and Mobile Homes	53
HOU 15 Sites for Gypsies and Travellers	55
HOU 16 Mobility Housing	57

Employment

EMP 1 Key Employment Site on Land Adjoining Pinxton Castle	62
EMP 2 South Shirebrook Mixed Development Package Providing a Key Employment Site.	64
EMP 3 Local Employment Sites	68
EMP 5 Protection of Sites and Buildings for Employment Uses	69
EMP 6 Non-Industrial Employment Sites	71
EMP 10 Sites for Large Firms	74

EMP 11	Rough Close Works, South Normanton; Core Area	76
EMP 12	Rough Close Works, South Normanton; Area of Wider Operations	76
EMP 13	Rough Close Works Inner Development Control Zone	77
EMP 14	Rough Close Works Outer Development Control Zone	78
EMP 15	Coalite Chemicals, Bolsover; Area of Existing Operations	79
EMP 16	Coalite Chemicals Inner Development Control Zone	80
EMP 17	Coalite Chemicals Middle and Outer Development Control Zones	80
EMP 18	New Hazardous and Pollutant Industries	81

Shopping and Town Centres

SAC 1	Shopping Development in South Normanton, Shirebrook, Bolsover and Clowne Town Centres	87
SAC 2	Expansion of South Normanton Town Centre	88
SAC 3	Non-Retail Uses in Town Centres	89
SAC 4	Upper Floor Development in Town Centres	90
SAC 5	Rear Servicing in Town Centres	91
SAC 6	Car Parking in Town Centres	92
SAC 7	Local Centres and Shopping Frontages	93
SAC 8	Individual Local Shops	93
SAC 9	Hot Food Shops, Cafes, Restaurants, Public Houses and Social Clubs	94
SAC 10	Retail Development at Industrial or Warehousing Sites	95
SAC 11	Retail Uses at Horticultural Nurseries, Farms and Factories	96
SAC 12	Retail Development on the Edge of Defined Town and Local Centres	96
SAC 13	Retail Development Outside Defined Town and Local Centres	97
SAC 14	Retention of Existing Shop Fronts	99
SAC 15	Design of New Shop Fronts and Alterations to Existing Shop Fronts	100
SAC 16	Amusement Centres	101

Community Facilities, Recreation, Leisure and Tourism

CLT 1	Protection of Existing Buildings which Serve the Community	105
CLT 2	New Community Facilities	105
CLT 3	Reservation of Land for Social and Community Projects	106
CLT 4	Indoor Sport and Recreation Facilities	107
CLT 5	Large Scale Indoor Sport and Recreation Facilities	107
CLT 6	Existing Outdoor Playing Space and Amenity Open Space	109
CLT 7	New Outdoor Playing Space and Amenity Open Space	112
CLT 8	New Golf Courses	113
CLT 9	Protection of Existing Allotments	114
CLT 10	Countryside Recreation Facilities	115
CLT 11	New Countryside Recreation Facilities	116
CLT 12	Water-based Recreation and Natural History Interests	117
CLT 13	Location of Major New Leisure and Entertainment Developments	121
CLT 14	Hotel Development	123

Transport

TRA 1	Location of New Development	126
TRA 2	Protection of Rail Routes	127

TRA 3	Protection of Sites for Railway Stations	128
TRA 4	Protection of Existing Railway Sidings	129
TRA 5	Safeguarding Potential Railway Sidings	129
TRA 7	Design for Accessibility by Bus	130
TRA 9	Mill Street Relief Road, Clowne	133
TRA 10	Traffic Management	138
TRA 12	Protection of Existing Footpaths and Bridleways	140
TRA 13	Provision for Cyclists	141
TRA 15	Design of Roads and Paths to Serve New Development	143

Conservation of the Historic and Built Environment

CON 1	Development in Conservation Areas	147
CON 2	Demolition of Unlisted Buildings or Structures in Conservation Areas	148
CON 3	Important Open Areas within Conservation Areas	149
CON 4	Development Adjoining Conservation Areas	150
CON 7	Extension and Alteration of Listed Buildings	153
CON 8	Demolition of Listed Buildings	154
CON 9	Change of Use of Listed Buildings	155
CON 10	Development Affecting the Setting of Listed Buildings	156
CON 11	Documentary Archives relating to all Listed Buildings and to Unlisted Buildings of Merit in Conservation Areas	156
CON 12	Historic Parks, Gardens, Graveyards and Cemeteries	157
CON 13	Archaeological Sites and Ancient Monuments	160
CON 14	Bolsover Area of Archaeological Interest	161

Countryside and the Natural Environment

ENV 1	Agricultural Development	165
ENV 2	Protection of the Best and Most Versatile Agricultural Land and the Viability of Farm Holdings	166
ENV 3	Development in the Countryside	167
ENV 4	Re-Use and Adaptation of Rural Buildings	169
ENV 5	Nature Conservation Interests Throughout the District	171
ENV 6	Designated and Registered Nature Conservation Sites	173
ENV 8	Development Affecting Trees and Hedgerows	176

Policies not saved

The following policies do not form part of the submission to the Secretary of State requesting to save policies from the adopted Bolsover District Local Plan. If the Secretary of State is minded to approve the request, they will not continue to form part of the development plan:

GEN 12	Development Adjoining Farmland	19
GEN 14	Control of Advertisements and Advanced Warning Signs	21
GEN 16	Renewable Energy Projects	24
HOU 1	New Housing Provision	29
HOU 4	Housing Site at Alferton Road/Cragg Lane, Newton	35
HOU 17	Shirebrook and Whaley Thorns Neighbourhood Renewal Areas	58
EMP 4	Local Employment Sites (Buildings)	69
EMP 7	Small Scale Employment-Creating Development Within Defined Settlement Frameworks	72

EMP 8	Working from Home	72
EMP 9	Employment Site for Large Firms on Land at Wincobank Farm	73
EMP 19	Applications for Hazardous Substances Consent	82
TRA 6	Potential Rail Freight Facilities	129
TRA 8	Staveley-Brimington Bypass	132
TRA 11	Traffic Calming	139
TRA 14	Parking Provision	142
CON 5	Advertisements within Conservation Areas	151
CON 6	Development in Old Blackwell Conservation Area	152
ENV 7	Development Affecting Protected Species	174
ENV 9	New Trees on Development Sites	177
ENV 10	Countryside Management	179
ENV 11	Reclamation of Derelict Land	180

Glossary - Key terms and abbreviations

Annual monitoring report	A report produced at the end of each year. It monitors how well the Council has done in meeting the planning targets in the Local Development Scheme. It also says how the authority is performing in terms of meeting the targets set out in the development plan documents and indicates any remedial action to be taken if required.
Bolsover District Local Plan	Adopted in February 2000, this is the local plan for Bolsover District Council area. It is one of the set of documents which make up the current development plan.
Core strategy	This document sets out the vision, spatial strategy and core policies for the development of the district. It is one of the new development plan documents being prepared by the council
Community Strategy	This is the strategy of the Bolsover local strategic partnership, prepared in consultation with the district council. The partnership involves public, private, community and voluntary bodies and groups. A similar document, the Derbyshire Community Strategy, is prepared by a partnership of public, private, community and voluntary bodies and groups, and Derbyshire County Council, to cover the county council's area.
Development Plan	The development plan for the area is contained in a set of separate documents. These currently include the previously adopted local plan (See paragraph 2.2). It will also include the new development plan documents being prepared, when they are adopted.
Development plan document	This is a new style spatial planning document covering a limited range of planning policies. A number of such development plan documents will eventually replace the local plan for the district.
Government Office/ Government Office for the East Midlands	This is the regional office which acts for the government and the Secretary of State in the East Midlands.
Key Diagram	The core strategy may include a diagrammatic map which shows the broad locations for future developments.
Local development documents	These are the new style documents which form the local development framework. They include development plan documents, supplementary planning documents, and the statement of community involvement.
Local development framework	This is the name given to the whole set of documents produced locally which influence planning decisions. As well as local development documents (see above definition), they include the local development scheme, annual monitoring reports, and policies in the old style local plan which have been specifically saved for a time until they are replaced by new style documents.
Local development scheme	This sets out the programme and time table for the production of new style local development documents. It covers a three year period.

Local Strategic Partnership	This is a partnership of public, private, community and voluntary bodies and groups, who work together to try to resolve the problems within the district
Planning Policy Statement	These are documents produced by the government to provide advice on planning issues. Each policy statement deals with a separate planning subject. Over a period of years new planning policy statements will replace all the existing planning policy guidance notes, which currently provide this guidance.
Proposals Map	This map shows, on a base map with a scale, all those policies contained within development plan documents which apply to a specific area of land or parts of the district. The proposals map is produced along with the first development plan document. The first proposals map will show the policies of the new development plan document, as well as policies saved from old style saved plans. As each new development plan document is adopted the proposals map will be brought up to date. Each new development plan document will include a submission proposals map which shows the changes to the proposals map which are proposed by the document.
Regional Spatial Strategy	The Regional Spatial Strategy (RSS) covers the whole of the East Midlands and provides general policies for the development and use of land within the region. The East Midlands Regional Plan was published in its finally approved form on 12 March 2009. However, the Government are committed to abolishing all regional strategies. When this occurs, the Regional Plan will no longer form part of the Development Plan.
Strategic Environmental Assessment	This is the assessment of plans, policies and programmes to ensure that they comply with national and European environmental standards
Sustainability Appraisal	This is the assessment of plans, policies and programmes to ensure that in environmental, economic and social terms, they are sustainable. Sustainable development is a development which meets the needs of the present without compromising the ability of future generations to meet their own needs.
Statement of community involvement	This document says how the council will consult the community and other stake holders when preparing local development documents. The statement also says what pre consultation should take place by applicants on significant planning applications
Supplementary planning documents	These documents provide more detailed guidance on planning policies contained with development plan documents or saved plans. These documents are not part of the development plan.
Sustainable Development	Development which meets the needs of the present without compromising the ability of future generations to meet their own needs.
The 2004 Act	The Planning and Compulsory Purchase Act 2004
The Regulations	Town and Country Planning (Local Development) (England) Regulations 2004 as amended by the Town and Country Planning (Local Development) (England)

COUNCIL

AGENDA

19th January, 2010 at 1000 hours

Item No.		Page No.(s)
	PART 1 – OPEN ITEMS	
1.	To receive apologies for absence, if any.	
2.	To note any urgent items of business which the Chairman has consented to being considered under the provisions of Section 100(B) 4 (b) of the Local Government Act 1972.	
3.	Members should declare the existence and nature of any personal or prejudicial interests in respect of:- a) any business on the agenda b) any urgent additional items to be considered c) any matters arising out of those items and, if appropriate, withdraw from the meeting at the relevant time.	
4.	Quarterly reports on special urgency decision. In any event the Leader will submit quarterly reports to the Council on the Executive decisions taken in the circumstances set out in Rule 16 (special urgency) in the preceding three months. The report will include the number of decisions so taken and a summary of the matters in respect of which those decisions were taken.	
5.	COUNCIL MINUTES To approve the minutes of a meeting held on Council – 3rd November, 2010 (contained in the Minute Book dated – 1st December)	306 - 318
6.	MINUTES Members may put questions for clarification in respect of Executive or Committee minutes contained within the last minute book dated 1st December, 2010 (retained from the cancelled meeting) and the latest minute book dated 19th January, 2011	

7.	Annual Audit Letter – Audit Commission - Sue Sunderland, District Auditor	1 to 19
8.	Annual Audit Letter – Appendix 3 Action Plan Various recommendations on pages 20 and 21	20 to 22
9.	‘Save Bolsover School Sports Partnership – Petition’ by John Barker	
10.	RECOMMENDED ITEMS FROM OTHER STANDING COMMITTEES	
	(1) Standards Committee – 4 th November, 2010 – Min. No. 528 recommended from Executive – 6 th September, 2010 - Community Bridging Loan Recommendation on page 23	23 to 27
	(2) UECC – 15 th November, 2010 Min. No. 563 – Draft Work Experience Placements Policy Recommendation on page 28	28 to 48
	(3) UECC – 15 th November, 2010 Min. No. 564 – Draft Volunteer Policy Recommendation on page 49	49 to 75
	(4) UECC – 15 th November, 2010 Min. No. 565 – Draft Managing Sickness Absence Policy/Procedure Recommendation on page 77	76 to 130
	(5) UECC – 15 th November, 2010 Min. No. 566 – Draft Harassment & Bullying Procedure & Transgender Guidance Recommendation on page 131	131 to 162
	(6) UECC – 15 th November, 2010 Min. No. 567 – Mobile Wardens Stand-by Allowances – Pensionable Pay Status – Update Recommendation on page 163	163 to 165
11.	Fees & Charges 2011/12 Recommendation on page 170	166 to 185
12.	Hodthorpe Community Governance Review	To follow

- | | | |
|-----|---|--------------------------|
| 13. | Local Government Finance Act 1992 – Calculation of Council Tax Base Reports
Option 1 <i>Recommendation on page 189</i>
Option 2 <i>Recommendation on page 207</i> | 186 to 203
204 to 222 |
| 14. | Bolsover Local Development Scheme
(includes Appendix A – pages 1 to 34)
<i>Recommendation on page 226</i> | 223 to 226 |
| 15. | Presentation by Graham Dolan on the Bolsover Intermediate Labour Market | |

CHAIRMAN'S COMMUNICATION

To receive such communications as the Chairman may desire to lay before the Council.

Questions submitted by Members pursuant to Rule 14.1 of the Council Procedures Plan

Presentation by the Chair to the Health Champions

Presentation by the Chair to staff having achieved 25 years service with the Council.

PART 2 – EXEMPT ITEMS

The Local Government (Access to Information) Act 1985, Local Government Act 1972, Part 1, Schedule 12a

Council/ Committee:	Council	Agenda Item No.:	12
Date:	19th January 2011	Category	
Subject:	Hodthorpe and Belph Community Governance Review	Status	Open
Report by:	Head of Democratic Services		
Other Officers involved:	Democratic Services Officer Legal and Land Charges Officer		
Director	Solicitor to the Council		
Relevant Portfolio Holder	Councillor A. Syrett, Portfolio Holder for Arts and Leisure and Equalities Champion		

RELEVANT CORPORATE AIMS

SOCIAL INCLUSION – Developing healthy, prosperous and sustainable communities

Considering whether the community of Hodthorpe and Belph would have better self governance by the creation of a separate Parish Council.

The Council has a duty to review Community Governance arrangements for Parishes in accordance with the Local Government and Public Involvement in Health Act 2007.

TARGETS

Not applicable.

VALUE FOR MONEY

Not Applicable as Parish Council raise their funds via Council Tax precepts.

THE REPORT

As Members will be aware, a petition was received from 314 residents of the 528 electorate of Hodthorpe and Belph, in accordance with the Local Government and Public Involvement in Health Act 2007, requesting that a

separate parish be established for the Hodthorpe Ward of Whitwell Parish Council.

The Terms of Reference and timetable for the Review were agreed at the Council meeting held on 3rd November 2011.

Consultation letters have been sent to all residences and businesses within Hodthorpe and Belph and notices for display were sent to the Parish Council. A questionnaire to gauge support was also included on the Council's website.

All of the responses received have been in favour of the creation of a separate Parish Council, as itemised below:

- Four responses in support of via the questionnaire on the website,
- Email from a resident in support has also been received.
- Three letters in support have been received from local businesses
- A letter in support from the Head Teacher of Hodthorpe Primary School.
- Email in support from County Councillor K. Stevenson.

A meeting of the Hodthorpe Community Governance Review Working Party took place on 5th January 2011 when the lead petitioner and the two Parish Councillors for the Hodthorpe Ward presented the submission and answered questions for the Working Party. Councillor McGregor, one of the District Councillors who represents the community of Hodthorpe and Belph, spoke in support of the proposal and also answered questions of the Working Party. The notes of these presentations to the Working Group are attached to the report.

The Working Party considered the submissions, the answers to questions and support for the proposals and is prepared to recommend to Council the creation of a separate Parish Council for the community of Hodthorpe and Belph having concluded that the submission:-

- reflects the identities and interests of the community in that area, and
- is effective and convenient.

If the Council is minded to create a new parish, an Order must be made, known as a Reorganisation of Community Governance Order. The Order will include a map outlining the area affected and the reasons for it must be published. If established, a new parish (and the remaining Whitwell Parish Council) would be effective from 1st April 2011 with elections to be held on 5th May 2011.

ISSUES FOR CONSIDERATION

If the Council agrees to make the Reorganisation of Community Governance Order, it must publish the reasons for its decision. Possible reasons include:

- To allow local people a say in the way their neighbourhoods are managed - one of the characteristics of a sustainable community is the desire for a community to be well run with effective and inclusive participation, representation and leadership.
- The proposed new parish reflects a distinctive and recognisable community with its own sense of identity.
- Local community of interest and social focus lies within the part of the parish with its own separate identity.
- The proposed new parish will be reflective of the identities and interests of the community in that area and is effective and convenient.
- Establishing the new parish will give the local community the opportunity to influence decisions affecting their lives.
- There are clear boundaries defining the area
- The proposal does not require changes to the District and County boundaries.

If the Council agrees to make the Reorganisation of Community Governance Order the following factors need to be determined:

- **The date the Order shall come into force.** For financial and administrative purposes the Order should be from 1 April in any given year. It is recommended that the Order come into effect from 1 April 2011.
- **The numbers of parish councillors to serve on the newly created Parish.** The electorate for the last 5 years has varied between 525 to 540 and 17% of the electorate is over 70 and the number of young people is .04%.

Section 16 of the Local Government Act 1972 specifies that the minimum number of councillors for a Parish Council should not be less than 5, there is no maximum number.

There is no stipulation on the numbers of Parish Councillors in The Local Government and Public Involvement in Health Act 2007.

Guidance on Community Governance Reviews produced by The Local Government Boundary Commission for England's recommendation is that if the electorate is less than 500 there are between 5 and 8 councillors; for electorates of 501 and 2500 there are between 6 and 12 Councillors.

The guidance from the National Association of Local Councils is that the minimum number of councillors should be 7 and the maximum 25.

Given there may be a slight drop in the electorate it is recommended that 5 councillors would be appropriate.

- **The name of the Parish.** It is recommended that the new Parish be named Hodthorpe and Belph Parish Council.
- **Electoral Arrangements.** The date of elections to the newly formed Parish needs to be fixed. As the current arrangements for the District and Parishes within the District are on an all out basis every year, it is recommended that elections take place on 5th May 2011, to coincide with the District and Parish elections and to meet the wishes of interested parties and every four years thereafter.
- **Warding arrangements.** Whether the newly formed Parish Council should be warded – in view of the size it is recommended that the Parish is unwarded.

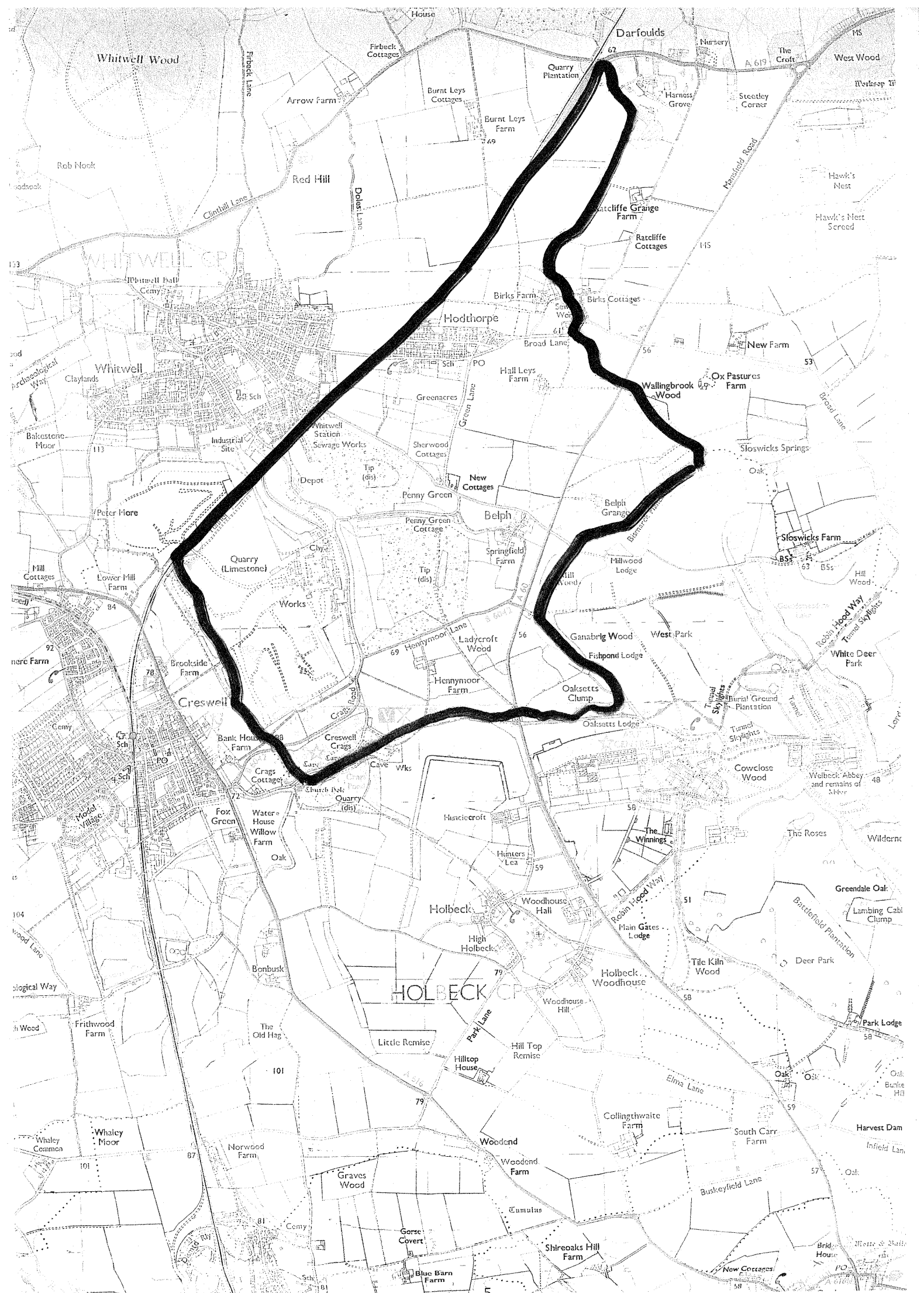
IMPLICATIONS

Financial : None
 Legal : As in the report
 Human Resources : None

RECOMMENDATIONS that

1. **a new parish of Hodthorpe and Belph should be constituted,**
2. **the existing Whitwell Parish Council area be altered accordingly,**
3. **the electoral arrangements for the proposed new parish of Hodthorpe and Belph be that elections be held on 5th May 2011 and every four years thereafter.**
4. **the boundaries for the proposed new parish, be as set out on the map attached,**
5. **the name for the new parish be Hodthorpe and Belph Parish Council, the remaining parish council be named as Whitwell Parish Council.**
6. **the Chief Executive Officer be authorised to make changes to the proposals in consultation with the Community Governance Review Working Party.**

ATTACHMENT: **Yes**
 FILE REFERENCE:
 SOURCE DOCUMENT: Submission from petitioner, copies of responses



Community Governance Review

Notes of a Public meeting of the Community Governance Review Working Party of Bolsover District Council held on Wednesday 5th January 2011 at 1000 hours.

PRESENT:-

Members:-

Councillor D. Kelly in the Chair

Councillors R. Brooks and S. Wallis.

Officers:-

K. Whittingham (Head of Democratic Services), P. Redfearn (Legal and Land Charges Officer) and A. Brownsword (Democratic Services Officer).

Speakers:-

Mr. D. Kerr (Chair of Hodthorpe Allotment Association, Member of Hodthorpe Community Association), Mrs. D. Potts (Whitwell Parish Councillor - Hodthorpe Ward, Hodthorpe Primary School Governor, Treasurer of Hodthorpe Community Association, Treasurer of Hodthorpe Allotment Association), Mr. I. Whyles (Whitwell Parish Councillor - Hodthorpe Ward, Chair of Hodthorpe Community Association) and Councillor D. McGregor (Bolsover District Councillor - Elmtun with Creswell Ward)

03/10 APOLOGIES

Apologies for absence were received from Councillors M. Dooley, R. Heffer and D. Watson.

04/10 SPEAKERS IN SUPPORT OF A SEPARATE PARISH COUNCIL FOR HODTHORPE

(1) Submission from Petitioners

Mr. Whyles, the Chairman of Hodthorpe Community Association, gave some history of the village. Hodthorpe had been in existence since 1896 and the creation of Welbeck Colliery, Belph had been in existence for many years more.

A Census of the time shows that families in Hodthorpe had come from 16 different counties, plus America, Canada and Ireland. Even at that time, there were no links to Whitwell and eventually, amenities were added such as shops, pubs and Post Office to make Hodthorpe a village in its own right.

Community Governance Review

The Community Association had raised over £100,000 in grants for Hodthorpe and would continue to be active, but the next logical step was for Hodthorpe to have its own Parish Council.

The Boundary Commission had set the ball rolling by adding Hodthorpe and Belp to the Elmtun with Creswell Ward for the District Council. However, Hodthorpe did not wish to become part of Elmtun with Creswell Parish!

Currently, on Whitwell Parish Council there were 8 Whitwell Members and 2 Hodthorpe Members. This meant that Hodthorpe had to rely on Whitwell for any progress.

There had been no problem in getting signatures for the petition and the requisite number had been gained in 2 - 3 weeks. The village was ready for a change and had come alive at the prospect of having its own parish, Hodthorpe was anticipating the changes and was just asking for the chance to fulfil its dreams.

A copy of the submission was circulated to Members of the Working Party with copies of additional letters in support.

Mrs. Potts informed the meeting that she had moved to Hodthorpe nine years ago and the Community Association had been formed six years ago. The Community Association had achieved a lot for Hodthorpe without the assistance of Whitwell Parish Council. During the gathering of signatures for the petition, the public were saying about time and that so much more could be done if the village had its own finance. Hodthorpe and Belp want to be independent. There was so much interest in the creation of a new Parish.

Mr. Kerr informed the meeting that he had come to live in the village about 18 months ago and was amazed that it was parished with Whitwell. The Village was very welcoming and had its own identity.

The prospect of putting the petition together had seemed daunting, but all the signatures had been gathered in three weeks, the public seemed to care and be ready for a change and to embrace their own local identity.

There was already a clear boundary in place, with the railway line on one side and the other borders being county borders. The proposed parish would be large enough to deliver and would not be the smallest in the region.

The Localism Bill provided for Neighbourhood Plans and there was an appetite in Hodthorpe to become involved. The largest employer in the village supported the need for a separate parish. Hodthorpe was a self-reliant community that looked after the needs of the elderly and had a good community spirit.

Community Governance Review

Councillor Brooks noted that the presentation and submission were excellent and asked if there had been a specific event that had made Hodthorpe want to break away from Whitwell.

Mr. Kerr noted that Hodthorpe was not anti-Whitwell, but wanted to be seen as a separate village rather than having to rely on Whitwell. It was a matter of local identity and local pride.

Councillor Wallis asked whether the situation with Whitwell Parish Council could be remedied as diversity was an important aspect of local government and queried why the Parish Council was not meeting the needs of the area as a whole.

Mr. Whyles noted that there had not been a falling out, but the other 8 Parish Councillors lived in and represented the interests of Whitwell. Examples included:

- Christmas lights in Whitwell, but not Hodthorpe
- Gardening and hanging baskets in Whitwell, hanging baskets in Hodthorpe paid for by Community Association.
- £40,000 raised for new play equipment in Hodthorpe, but resistance to a £3,000 contribution from the Parish Council

Mrs. Potts added that the Community Association had also organised Youth Clubs for children and were in the process of starting a club for older children. Whitwell Parish Council spent a lot of money maintaining Jubilee Gardens, but Hodthorpe had had to fund their own gardening work and rely on volunteers.

Councillor Wallis asked why the two parts of the Parish Council did not collaborate. Whitwell Parish Council was not operating as it should and meeting the needs of Hodthorpe and Belph.

Mr. Kerr noted that local identity was important and a strong argument. It was felt that of the £28,000 raised in Hodthorpe and Belph through Council Tax, only about £7,000 was actually spent in Hodthorpe and Belph. Much money was spent on the Whitwell Centre which was not regularly used by the residents of Hodthorpe. There was no natural affinity between Hodthorpe and Belph and Whitwell.

There were no shops or pubs in Hodthorpe, only the Social Club and school and it was felt that a Parish Council could work towards securing new development for that area to ensure the future of the school.

Mr Whyles stated that since the Boundary Commission had moved the boundary to put Hodthorpe and Belph in the Elmton with Creswell ward for the District Council, there had been more contact with District Councillors than ever before. The District Councillors come to see the problems for themselves and could also see the benefits of having a separate parish.

Community Governance Review

Councillor D. McGregor, District Councillor for the Elmtun with Creswell Ward, informed the meeting that it was a pleasure to support the application. Hodthorpe and Belph should be able to make their own decisions. He had a long association with Hodthorpe having lived there previously and it was a pleasure to represent the village.

He was delighted that Bolsover District Council was giving the community a chance to put forward its views and possibly the opportunity to help in a constructive way. He respected Whitwell Parish Council for allowing the community to take the idea forward and having spoken to many people about the prospect at Member Surgeries, everyone felt it was a good idea.

The Parish Council did not spend much money in Hodthorpe and there was a natural geographical break from Whitwell.

There had been a decline in Hodthorpe, there were no longer any shops, post office or pub and the school had only 87 pupils, some of which were not from Hodthorpe, but from Whitwell or Worksop.

A new Parish Council would have a new way of thinking, a new way of influencing and would encourage growth into the area. He had raised the availability of land available for growth in the Local Plan and was confident that Hodthorpe would be able to expand.

The Village was a lovely community and he urged the Working Party to support the application. If the community wanted its own Parish, then democratically, they should be allowed.

The Chair raised concerns regarding sustainability of the school and whether people would leave the village if the school closed due to lack of pupils.

Councillor McGregor noted that closure was not imminent. The village would have to live within its means and the government did not put a cap on the amount of precept a Parish Council could set. Most of the properties within Hodthorpe and Belph were banded A or B. The Parish Council would build up as it went along and the Parish Council would be made up of responsible people who knew what they were doing and there would be no problem with sustainability.

Councillor Kelly asked whether all properties within the suggested boundary knew of the proposals.

Mr. Kerr confirmed that all properties knew, the only change to the boundary was at the railway line, as the other boundaries were county boundaries.

Councillor Wallis asked how big the Parish council would be and queried the proposed costs.

Mr. Kerr noted that there were many in the village who had expressed an interest in standing on a Hodthorpe Parish Council who would not stand for

Community Governance Review

Whitwell. DALC had been involved in the setting of the draft budget and similar sized parish council accounts had been investigated. It was difficult to be accurate as there was no mandate to set a budget. It seemed that there would be enough to operate on a 'stand still basis' and set up a programme of events or reduce the precept. The loss to Whitwell was not an issue for the group to consider.

Councillor Brooks queried how many allotments were available in the village and it was explained that there were around 50 plots, with 30 currently let. There was also a field that was currently let to a farmer. The allotments were leased by the Parish Council from Welbeck Estates, but were in the Hodthorpe area.

Mrs. Potts noted that whilst the allotments were the responsibility of the Parish Council, they had been allowed to get into a dreadful state and only 9 were let. The Community Association had raised £4,000 to get the land cleared and rotavated, take up had increased and the plots were now thriving and an Allotment Association had been established.

Councillor Kelly asked why no land around Hodthorpe and Belph had been put forward as potential for development when the Local Plan had been made.

Mr Kerr noted that it would have been a response from Whitwell Parish Council.

The Chair thanked Mr. Whyles, Mr. Kerr and Mrs. Potts for their attendance.

05/10 SUBMISSIONS

Written and emailed submissions in support were received from Councillor K. Stevenson (County Councillor for Bolsover North West, Elmtown and Whitwell), Mrs. W.F. Clark (53 King Street, Hodthorpe), Hodthorpe Primary School, Gary Wheatley Wrought Iron Works, Johnson Bros. Tours Ltd. and HOPE Services (Managers of St. Martins Flats). There were no written or emailed submissions against the proposals.

Four submissions in support of the proposal were received via the Ask Derbyshire website. None were received against the proposal.

06/10 DECISION

After a short discussion, the Working Party decided to support the proposal for a separate Parish Council for Hodthorpe and Belph on the grounds of the evidence given and would recommend this to Council.

**Written Submissions in Support of a Parish Council
for Hodthorpe and Belp**

Name / Organisation	Address	For/Against	Comments
Councillor K. Stevenson, County Councillor for Bolsover North West, Elmtun and Whitwell.	5 Claylands Place, Bakestone Moor, Whitwell, S80 4QQ.	For	'Both Hodthorpe and Belp are separate communities from the parish of Whitwell which they are now attached at parish level.' 'representatives from Hodthorpe and Belp sitting on Whitwell Parish Council ... have become more marginalised.'
Michelle Chaplain, Headteacher, Hodthorpe Primary School	Queen's Road, Hodthorpe, Worksop, Notts, S80 4UT	For	'Hodthorpe needs an influx of families from across the socio economic range in order to boost the economic well-being of the local area. I believe this is at the heart of the aims of the proposed new Parish Council for Hodthorpe and Belp. It is primarily for this reason that I wish to offer my support as I believe it is imperative that the school sustains the numbers sufficient to continue to thrive. It is imperative that the school sustains the numbers sufficient to continue to thrive'
Gary Wheatley, Manufacturers and Suppliers of Wrought Iron Works	Chapel Works, King Street, Hodthorpe, Worksop Notts	For	

C.A. Johnson, Johnson Bros. Tours Ltd.	Green Acres, Green Lane, Hodthorpe, Worksop, Notts, S80 4XR	For	'Local control by local councillors has been needed for many years.' 'A council listening to the needs and ideas of residents will result in a united community which will benefit all, not just the fit and healthy, but the old, the needy and the lonely.'
Sandy Smith, HOPE Services.	17 Queen Street, Worksop, Notts, S80 2AN	For	Managers of St Martins House Flats. 'After consultation with our residents we would like to support voice our support for Hodthorpe to have its own parish council' 'Hodthorpe's parish councillors are highly regarded and as Hodthorpe is currently just a hang on to Whitwell, Hodthorpe residents see little benefit in the relationship.'
A. Jones	21 King Street, Hodthorpe, Worksop, Notts, S80 4XA	For	
G. Jones	Ivy Cottage, Kingsway, Hodthorpe, Worksop, Notts, S80 4UZ	For	

Mr. & Mrs. Hewitt	19 King Street, Hodthorpe, Worksop, Notts	For	'... wish more direct say in what happens in our community.'
Anon		For	'... we are a separate community in our own right to Whitwell and feel we deserve a say in the running of our own community.'
Mrs. W.F. Clark	53 King Street, Hodthorpe, Worksop, Notts, S80 4XA	For	'I am in favour of a separate parish council for Hodthorpe and Belp, it might help people take a pride in the area and a local council hopefully run by local people is a good idea.'

BOLSOVER DISTRICT COUNCIL

Minutes of a meeting of Bolsover District Council held in the Council Chamber, Sherwood Lodge, Bolsover, on Wednesday, 3rd November 2010 at 1000 hours.

PRESENT:-

Members:-

Councillor R. Turner - Chair

Councillor J. Bennett, K. Bowman, P. M. Bowmer, D. S. Brindley, R. Brooks, J.A. Clifton, T.J. Connerton, M.G. Crane (until Min No. 513), M.J. Dooley, H.J. Gilmour, R.A. Heffer (until Min No. 517), B. W. Hendry, P. R. Hendry, A.J. Hodkin, R. Holmes, B. Huddless, D. Kelly, D. McGregor, V.P. Mills, B.R. Murray-Carr (until Min No. 510(1) and from Min No.511) S. Peake (until Min No. 510(1) and from Min No. 511) T. Rodda, J.E. Smith, A.M. Syrett, A.F. Tomlinson, K.F. Walker, A. Waring, H. Ward (until Min No.510 (1) and from Min No. 511), E. Watts and G.O. Webster

Officers:-

W. Lumley (Chief Executive Officer), S.E.A. Sternberg (Solicitor to the Council), S. Tomlinson (Director of Neighbourhoods), J. Brooks (Director of Resources), K. Hopkinson (Director of Development), J. Arnold (Head of Planning and Environmental Health) (until Min No.511), P. Sawdon, (Principal Planning Officer) (to Min No. 511), J. Fieldsend (Senior Principal Solicitor), J. Ritchie (Head of Community and Street Services) (until Min No. 515), M. Ellis (Senior Parenting Practitioner (to Min No. 515), J. Selby (Community Safety Officer) (to Min No. 514), S. Ryan (Domestic Violence Officer/IDVA) (from Min No. 514), D. Eccles (Head of Regeneration) (from Min No. 520) and K. Rodda (Democratic Services Officer)

504. APOLOGIES

Apologies for absence were submitted on behalf of Councillors R. J. Bowler, T. Cook, S. A. Gray, J. Morley, J.J. P. Phelan and S. Wallis.

505. URGENT ITEMS OF BUSINESS

There were no urgent items of business to consider.

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506. DECLARATIONS OF INTEREST

Minute No	Member	Declaration of Interest
516	J. A. Clifton	Personal
516	D. McGregor	Personal
516	V.P. Mills	Personal
510(1)	B. R. Murray-Carr	Personal and Prejudicial
510(1)	S. Peake	Personal and Prejudicial
516	R. Turner	Personal
510(1)	H. Ward	Personal and Prejudicial
510(1)	K. F. Walker	Personal and Prejudicial
516	G. O. Webster	Personal

507. QUARTERLY REPORTS

There were no quarterly reports to consider.

508. COUNCIL MINUTES – 6TH OCTOBER 2010

Moved by Councillor R. Turner, seconded by Councillor M.J. Dooley

RESOLVED that the minutes of a meeting held on 6th October 2010 be approved as a correct record.

509. EXECUTIVE/COMMITTEE MINUTES CONTAINED IN THE MINUTE BOOK DATED 3RD NOVEMBER, 2010

- (1) High Hedges – 15th September 2010
- (2) Planning Committee – 15th September 2010
- (3) Audit Committee – 22nd September 2010
- (4) Scrutiny Management Board – 24th September 2010
- (5) Improvement Scrutiny Committee – 27th September 2010
- (6) Safe and Inclusive Scrutiny Committee – 28th September 2010
- (7) Sustainable Communities Scrutiny Committee – 29th September 2010

BOLSOVER DISTRICT COUNCIL

Moved by Councillor E. Watts, seconded by Councillor A. F. Tomlinson
RESOLVED that the Committee minutes as reproduced in the Council Minute Book dated 3rd November 2010 be received.

(8) Executive – 4th October 2010

Moved by Councillor A. F. Tomlinson, seconded by Councillor K. Bowman
RESOLVED that the Executive minutes as reproduced in the Council Minute book dated 3rd November 2010 be received.

Councillors B.R Murray–Carr, S. Peake, K.F. Walker and H. Ward had all previously declared a personal and prejudicial interest in the following item and left the meeting at this point.

510. RECOMMENDED ITEM FROM OTHER STANDING COMMITTEES

(1) Planning Committee – 22nd October 2010 – Application No.
10/243/OUTMAJ – Land at Portland Road (inc. recreation Ground, White Swan PH, Car Parks and Housing Areas), Portland Road, Shirebrook, Notts.

The Principal Planning Officer presented the recommended item from Planning Committee which was for an A1 retail food store and additional non-food retail units with associated car parking, highway works and landscaping. The report considered the potential availability of two alternative sites (either individual or jointly) for a food supermarket and concluded that for the purposes of the consideration of the proposal, these sites could be considered as potentially available.

Mr T. Fletcher spoke on behalf of the application.

Members welcomed the development and asked questions regarding the length of time cars could park in the car park and the Principal Planning Officer stated that this issue could be dealt with as part of the Section 106 agreement.

Moved by Councillor D. Kelly, seconded by Councillor E. Watts
RESOLVED that (1) the Council is minded to approve application no.
10/243/OUTMAJ and the proposal be advertised as a departure
from the Development Plan,

BOLSOVER DISTRICT COUNCIL

(2) the final decision be delegated to the Head of Planning and Environmental Health, in consultation with the Chairman and Vice Chairman of Planning Committee, subject to a Section 106 planning obligation and conditions, reasons and notes summarised in précis form in the original report, with the exception of condition 5, to be amended to relate to limited delivery numbers between 1900 and 2300 hours, to be identified as part of the required delivery management plan,

1. Standard outline conditions
2. Location of supermarket, non food units and car parking areas to be generally in accordance with indicative layout plans.
3. Any reserved matters application(s) shall include details of how biodiversity enhancement will be achieved by the proposed development.
4. Archaeology –
5. Noise – any reserved matters application(s) to include a noise management and mitigation scheme to take account of the advice of the Environmental Health Officer and to include control over noise levels of fixed plant and machinery, control over the type and frequency of delivery vehicles attending the site per day with a restriction to the delivery times of 0700 to 1900 each day, restriction on the operation of refrigeration units on vehicles, control over the design of noise attenuation fencing, and control over the use of vehicle reversing alarms on site.
6. Lighting – submission and approval of details
7. Contamination – identification and suitable treatment if necessary
8. Highways conditions (as summarised in the above assessment)
9. Drainage – submission and approval of surface and foul water drainage plans.
10. Works to be carried out in accordance with Flood Risk Assessment.
11. No buildings/landscaping within 5m of public sewers that cross the site.
12. Approval of a scheme of measures to deal with climate change issues

Summary of Reason for Granting Permission

Consideration has been given to the principle of retail development in this location, including the loss of the existing recreation ground, impacts on archaeology and wider regeneration objectives for Shirebrook. Consideration has been had to representations received in respect of this proposal. The proposal is considered to relate well to the town centre, generally in the location suggested in Shirebrook Sustainable Development Masterplan (2007) and it is considered that suitable final designs could be achieved, generally within the areas identified for development, that will contribute to the objective of achieving economic benefits that are considered likely to significantly contribute to the aims of providing a sustainable local economy. The possible availability of an alternative site to the north of the town centre for a supermarket within the town

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centre, as defined in the Bolsover District Local Plan, has been noted and considered. That site has not been subject to any formal application for development and as such it has not been clearly demonstrated that it is truly available as a viable alternative supermarket site. However, it is also considered that the weight should be attached to the Shirebrook Sustainable Development Masterplan (2007); whilst not an adopted planning policy document, this document has been adopted by the Council to guide development proposals in Shirebrook and that document has been produced with community involvement and consultation and it is not considered that the alternative site provides the potential to deliver the wider regeneration objectives identified in that Masterplan. Subject to the use of appropriate conditions and a Section 106 Planning Obligation, it is considered any impacts can be minimised to an acceptable degree and it is considered that the balance between the need to enhance the local economy and other material planning considerations is satisfactory.

Summary of the main development plan policy applicable:

Bolsover District Local Plan (BDLP) GEN1 (Minimum Requirements for Development), GEN2 (Impact of Development on the Environment), GEN5 (Land Drainage), GEN6 (Sewerage and Sewage Disposal), GEN8 (Settlement Frameworks), GEN13 (Provision For People With Disability), GEN17 (Public Art), SAC12 (Retail Development On The Edge Of Defined Town and Local Centres), SAC15 (Design Of New Shop Fronts and Alteration To Existing Shop Fronts), CLT2 (New Community Facilities), CLT6 (Existing Outdoor Playing Space and Amenity Open Space), TRA1 (Location of New Development), TRA10 (Traffic Management), TRA12 (Protection Of Existing Footpaths and Bridleways), TRA13 (Provision For Cyclists), ENV5 (Nature Conservation Interests throughout the District) and ENV8 (Development Affecting Trees and Hedgerows).

Other

Shirebrook Sustainable Development Masterplan (2007).

Bolsover District Council Retail and Leisure Needs Assessment (2006).

(Head of Planning and Environmental Health)

Councillors B.R. Murray-Carr, S. Peake, K.F. Walker and H. Ward returned to the meeting.

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511. PRESENTATION – POLICING IN THE 21ST CENTURY: RECONNECTING POLICE AND THE PEOPLE.

Councillor Murray-Carr, Portfolio Holder for Community Safety, gave a detailed presentation on the Home Office Consultation, Policing in the 21st Century and Reconnecting Police and the People.

The presentation included details of:

1. The Challenge
2. Increasing Democratic accountability
3. Removing Bureaucratic accountability
4. A National Framework for efficient local policing
5. Tackling crime together

Councillor Murray-Carr explained how he had met with police officers who were involved directly with front line duties and how part of the new Government's approach to dealing with crime would affect how the 43 forces operated in England.

The proposed Government cuts would also have an effect on the forces resources in particular staffing; they would be looking at better value for money and greater collaboration between forces.

Increasing accountability would also be achieved by the abolition of Police Authorities, their replacement by Police and Crime Commissioners and an election of a Police Commissioner which could take place in 2012.

Concerns were raised from Members about the possible reduction in street lighting throughout the area and how this might increase the work of the police.

Councillor Bennett thanked Councillor Murray-Carr for his presentation.

512. THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Moved by Councillor T. Bennett, seconded by Councillor J.A. Clifton

RESOLVED that under Section 100(A) (4) of the Local Government Act 1972 (as amended), the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in the stated Paragraph of Part 1 of Schedule 12A of the Act and it is not in the public interest for that to be revealed.

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The Head of Community and Street Services introduced the following two items and the officers who were going to give the presentations to the meeting.

513. PRESENTATION – DOMESTIC VIOLENCE EXEMPT – PARAGRAPH 2

The Domestic Violence Officer gave a detailed presentation on Domestic Violence which included an overview of the services that were provided; how many referrals had been dealt with between April 2009 and March 2010; how the service was available to both male and female and what support was available.

A case study was looked at and the Domestic Violence Officer explained about the Specialist Domestic Violence Court and how she represented victims from Bolsover District at the Multi Agency Risk Assessment Conference and how she liaised with partner agencies to ensure a multi agency safety plan was in place.

Members thanked the Domestic Violence Officer and the Community Safety Officer for their presentation.

Moved by Councillor J. A. Smith, seconded by Councillor M. J. Dooley
RESOLVED that the meeting move back into open for the presentation on Parenting.

514. PRESENTATION – PARENTING

The Senior Parenting Practitioner gave a detailed presentation on Parenting. She gave an overview of her services; explained how cases were referred from different agencies and went through a case load in detail. She also explained what interventions were necessary and how ASBO's and Parenting Orders impacted on individuals.

Parenting Courses were now in place and 269 parents out of 271 had successfully completed their courses and received certificates.

Members asked questions.

Councillor Peake thanked the Senior Parenting Practitioner for her presentation.

BOLSOVER DISTRICT COUNCIL

515. LUNCHTIME ADJOURNMENT

The time being 1225 hours, consideration was given to whether the day's business could be concluded by 1400 hours.

Moved by Councillor M. J. Dooley, seconded by Councillor J. A. Clifton
RESOLVED that the meeting continue.

516. COMMUNITY GOVERNANCE PETITION – HODTHORPE AND BELPH

The Solicitor to the Council presented the report which informed the meeting that a petition had been received from over 300 residents of Hodthorpe and Belp requesting that the Authority consider the creation of a new Parish and Parish Council for Hodthorpe and Belp.

Under the Local Government and Public Involvement in Health Act 2007, a Community Governance Review must now be held and full details were included in the report.

A draft set of Terms of Reference and a draft timetable for the proposed Community Governance Working Group were attached to the report.

It was also agreed that six members would be on the working group not five as stated in the report and that the Members would be from the southern parishes as follows:; Councillors D. Kelly, M.J. Dooley, R. Brooks. S. Wallis, D.S. Brindley and R.A. Heffer.

Moved by Councillor E. Watts, seconded by Councillor D. McGregor
RESOLVED that (1) the receipt of a valid petition requesting a Community Governance Review under the Local Government and Public Involvement in Health Act 2007 into whether Hodthorpe and Belp should have a separate Parish and Parish Council from Whitwell be noted,

(2) the arrangements for carrying out the Community Governance Review including the setting up of a Community Governance Working Party be approved,

(3) the timetable included in the report be approved,

(4) the terms of reference included in the report be approved and publicised,

(5) six members be appointed to serve on the Community Governance Working party, Councillors D. Kelly, M.J. Dooley, R. Brooks, S. Wallis, D.S. Brindley and R.A. Heffer.

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(6) the Community Governance Review commence as soon as possible, in accordance with the approved timetable,

(7) delegated powers be given to the Chief Executive Officer, to do anything which was necessary for the purpose of carrying out the Community Governance Review.

(Solicitor to the Council/Head of Democratic Services)

517. MEDIUM TERM FINANCIAL PLAN

The Chief Executive Officer gave a presentation on the impact of the Government's Spending Review on 20th October 2010 and how this linked to the Medium Term Financial Plan.

The presentation included information on the General Fund; how cuts in Government Funding would now affect all local authorities; increased costs; how much would have to be saved; savings that had been made to date; and how further expenditure would have to be re evaluated.

The Chief Executive reminded the meeting that there had been some success with collaborative working, but more ideas and projects would be needed.

Members raised their concerns about projects that may not take place as a result of Government cuts.

The Leader of the Council suggested that a dedicated team be set up, with the help of a Finance Officer and Members to address all possibilities and that special Council meetings may need to be called.

The Director of Resources reported further that the Medium Term Financial Plan had been to all three Scrutiny Committees and Executive. The Council's External Auditors had provided an unqualified opinion on the Statement of Accounts and the updated budget timetable was attached to the report for Members information.

Moved by Councillor E. Watts, seconded by Councillor A.F. Tomlinson

RESOLVED that (1) the Budget timetable contained within the Medium Term Financial Plan be approved,

(2) a dedicated post be established to progress delivery of saving from new and existing initiatives and an officer from Finance be seconded to this post and backfilled.

(Director of Resources/Head of Democratic Services)

BOLSOVER DISTRICT COUNCIL

518. CHAIRMAN'S COMMUNICATION

The Chair advised Members that she had received a communication from Dennis Skinner (MP) about the Nationwide Agency in Clowne which had been withdrawn as it had been deemed not economically sustainable.

Councillor Smith reported that the Yorkshire Bank was moving into Clowne, and thanked everyone for their support.

519. THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Moved by Councillor E. Watts, seconded by Councillor D. McGregor

RESOLVED that under Section 100(A) (4) of the Local Government Act 1972 (as amended), the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in the stated Paragraph of Part 1 of Schedule 12A of the Act and it is not in the public interest for that to be revealed.

520. LOCAL LAND CHARGES FEES FINANCIAL IMPLICATIONS RELATING TO ENVIRONMENTAL INFORMATION REGULATIONS (EIR) EXEMPT – PARAGRAPH 3 & 5

The Solicitor to the Council presented the report which informed Members of changes within the Land Charges section relating to the withdrawal of the statutory fee and its financial effects.

The report detailed the potential loss of income from personal searches as a result of Government Changes. Full details were contained in the report.

The Solicitor to the Council reported how the Chief Executive Officer had used his delegated powers to adjust the current fee structure from 17th August 2010.

Councillor Tomlinson raised his concerns about the potential loss of income.

Moved by Councillor A.J. Hodkin, seconded by Councillor E. Watts

RESOLVED that (1) the Officers continue to investigate whether there are alternative charging options available under other legislation for private search companies,

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(2) in conjunction with the LGA and Land Charges Institute, continue to investigate whether Re-Use of Public Sector Information Regulations (RSPI) could allow a charge to be made for the services if details are requested on a commercial basis,

(3) retrospective approval be given for the Chief Executive Officer's decision to adjust the current fee structure from 17th August 2010 which was made under delegated powers contained in the Constitution at Para 4.10.1 2(b) (2) – urgent need for a commercial decision.

RECOMMENDED that (4) delegated power be given to the Solicitor to the Council in consultation with the Portfolio Holder for Resources to make any changes to the fee structure as required by the evolving situation, such changes to include any other administrative changes needed to the Land Charges Service,

(5) the delegation in recommendation four be referred to Standards Committee for inclusion in the Council's Delegation Scheme in the Constitution.

(Director of Resources/Standards Committee/Constitution)

521. CONSTITUTIONAL REPORT – TARRAN BUNGALOW REDEVELOPMENT REPORTS OF 2ND AND 31ST AUGUST 2010. EXEMPT – PARAGRAPH 3

The Senior Principal Solicitor presented the report which reminded Members that on 2nd and 31st August 2010 Executive had considered reports presented by the Head of Regeneration on the Bolsover Oxcroft Tarran Bungalow development.

At both meetings it was agreed that the decisions taken were urgent ones and therefore in accordance with part 4.5.16 of the Constitution, any decision taken as a matter of urgency must be reported to Council together with the reasons for urgency.

The report submitted to Executive on 2nd August explained that the Local Authority New Build and Kickstart funding had been lost, but that a scheme had been put forward by the Homes and Communities Agency (HCA) for funding.

The recommendations from Executive were detailed in the report.

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The report submitted to Executive on 31st August informed the meeting that the tenants were generally in agreement to the scheme and apart from one tenant, had accepted that they would need to move off site for 10 months.

The recommendations from Executive were detailed in the report.

The reason for urgency for both reports to Executive were that the Council were competing with 11 other local authorities for the available NAHP fund and that it was important that the Council acted positively and quickly in order to secure the grant funding.

The Senior Principal Solicitor reported that the Council had been successful in obtaining the grant funding from the HCA and were now progressing with the scheme and would be able to complete the agreements and should start the scheme early next year

The Head of Regeneration provided further background on the three areas that we were looking to redevelop at Bolsover, Langwith Junction and New Houghton and would provide Members with a summary of how the development in Langwith Junction and New Houghton.

Councillor Tomlinson requested that information to tenants was only provided once the developments were definite, and that tenants in these areas need to be assured that the Tarran bungalow developments were our top priority!

The Director of Resources reminded the meeting that tenants could still report repairs and details of this were included in the last newsletter distributed to tenants.

In response to Members concerns about all the issues surrounding the Tarran bungalows, Councillor Watts, suggested that the Cabinet Members for Housing and the Head of Regeneration meet with local Members for the areas of the three developments to discuss the publicity to be given to the tenants.

Moved by Councillor A.F. Tomlinson, seconded by Councillor K. Bowman
RESOLVED that the report be noted.

522. MANAGEMENT AND LETTING STRATEGY FOR PLEASLEY MILLS EXEMPT – PARAGRAPH 3

The Head of Regeneration presented the report which gave an update on the management of Pleasley Mills.

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The management of the mills was taken over by the Head of Regeneration in May 2005, and a number of issues had now been resolved. The commercial management was currently undertaken by Innes England and it was felt that there was a need to test the market and properly secure the services of a commercial management company. Preparations had been made to put the contract out through the OJEU process and invite expressions of interest.

The report detailed a possible disposal of the site. However, after discussions with the Director of Development, it was suggested that this was not the best time to dispose of the Councils' interest. It was suggested further savings could be made by bringing the management in house. This would provide a dedicated resource to manage and market the mills with a view to increasing revenue receipts and reducing costs; identify other uses in and around the mills to create both revenue and capital income and to work up a disposals strategy for when economic conditions improve.

The new manager's post would be a permanent post and not a three year fixed post as stated in the report. Other savings would include the retirement of post REG020.

The Head of Regeneration also reported that there were no residual costs associated with the existing letting agent and additional savings that may accrue were identified in the report.

Members welcomed the proposals.

Moved by Councillor A.F. Tomlinson, seconded by Councillor E. Watts

RESOLVED that (1) the implementation of a new management structure for Pleasley Vale Mills, subject to achieving financial savings be approved,

(2) the job descriptions and salary levels through the job evaluation process and the establishment and disestablishment of posts as outlined in the report be delegated to the Chief Executive Officer.

(Director of Development/Chief Executive Officer/Head of Human Resources & Payroll)

The meeting concluded at 1338 hours.