

EXECUTIVE

**4TH AUGUST 2008
AT 1000 HOURS**

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Minicom: 01246 242450 Fax: 01246 242423

Sherwood Lodge
Bolsover
Derbyshire
S44 6NF

Date: 25th July 2008

Dear Sir or Madam,

You are hereby summoned to attend a meeting of the Executive of the Bolsover District Council to be held in the Council Chamber, Sherwood Lodge, Bolsover, on Monday 4th August 2008 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 page 50.

Yours faithfully,



Chief Executive Officer

To: Chairman and Members of the Executive

Tel 01246 242424 **Fax** 01246 242423 **Minicom** 01246 242450 **Text** 07729 421737

Email enquiries@bolsover.gov.uk **Web** www.bolsover.gov.uk

Chief Executive Officer: Wes Lumley, B.Sc., F.C.C.A.

DECLARATION OF INTERESTS

COMMITTEE - EXECUTIVE _____ DATE – 4th August 2008 _____

NAME OF MEMBER - _____

- Levels of Interest
1. Personal
 2. Personal and prejudicial

AGENDA ITEM	SUBJECT	LEVEL OF INTEREST
Signed		
Dated		

Note

- * Completion of this form is to aid the accurate recording of your interest in the minutes only. This form, duly signed, should be provided to the Clerk at the commencement of the meeting
- * A nil return is not required.
- * It is still your responsibility to disclose any interests which you may have at the commencement of the meeting.

EXECUTIVE

Minutes of a meeting of the Executive of the Bolsover District Council held in the Council Chamber, Sherwood Lodge, Bolsover, on Monday, 14th July 2008 at 1000 hours.

PRESENT:-

Members:-

Councillor E. Watts – Chair

Councillors J.E. Bennett, K. Bowman, A.J. Hodkin, D. Kelly, D. McGregor, B.R. Murray-Carr, A.M. Syrett and A.F. Tomlinson.

Officers:-

W. Lumley (Chief Executive Officer), J. Brooks (Director of Resources), S. Tomlinson (Director of Strategy), J. Fieldsend (Senior Principal Solicitor), P. Campbell (Head of Housing), J. Ritchie (Head of Community Services) and A. Bluff (Democratic Services Officer).

182. APOLOGIES

There were no apologies for absence.

183. URGENT ITEMS OF BUSINESS

There were no urgent items of business to consider.

184. DECLARATIONS OF INTEREST

There were no declarations of interest made.

185. MINUTES – 16TH JUNE 2008

Moved by Councillor A.F. Tomlinson, seconded by Councillor J.E. Bennett
RESOLVED that the minutes of a meeting of the Executive held on 16th June 2008, be approved as a true and correct record.

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186. CHANGE IN ORDER OF BUSINESS

The Chair consented to a change in the order of business. Agenda Item 5 – Untidy Land and Building Policy, agenda item 6 – Succession Policy and agenda item 7 would be heard after agenda item 9 – Working Neighbourhoods Fund – Family Employment Initiative.

187. BUDGET STRATEGY 2009/10 TO 2011/12

The Director of Resources presented the draft Budget Strategy which covered the period 2009/10 to 2011/12. The strategy detailed the process to be adopted for compiling the Council's budgets during 2009/10 to 2011/12 and highlighted key issues for consideration when adopting the budget and determining future Council Tax levels.

Moved by Councillor E. Watts, seconded by Councillor A. F. Tomlinson.

RESOLVED that the Council's Budget Strategy for 2009/10 to 2011/12 be considered and forwarded through the Budget and Policy Framework for consideration by Scrutiny and approval by Council.

Reason for Decision: To inform Members of the proposed three year budget strategy.

(Director of Resources)

188. WORKING NEIGHBOURHOODS FUND (WNF) – FAMILY EMPLOYMENT INITIATIVE (FEI)

The Director of Resources presented the report which advised Members that at its meeting on the 23rd June 2008, the Core Worklessness Group had agreed that an allocation of the WNF be set aside for the Family Employment Initiative (FEI).

The agreed WNF Commissioning Framework utilised to allocate funds included a tendering / procurement process and therefore would require suspension of the Authority's Contracts Standing Orders to allow the initiative to continue.

To adhere to the WNF tendering / procurement requirements would be time consuming and would seriously delay and jeopardise the best practice that has been developed and partner commitment to date.

Moved by Councillor E. Watts, seconded by Councillor A. F. Tomlinson.

RESOLVED that 1) the report be received,

2) the Executive suspends Contract Standing Orders 4.8.3 for the reasons given in the report,

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3) it be noted that the Chairman of the Council had agreed that the call-in procedure as set out in 4.5.16 of the Council's Constitution shall not apply,

4) It be noted that the Executive consider that the above decision is an urgent one.

Reason for Decision: To agree the suspension of Contracts Standing Orders in accordance with the Council's Constitution and to take account of the Working Neighbourhoods Fund Commissioning Framework process.

(Director of Resources / Chief Executive's & Partnership Manager)

189. RECOMMENDED ITEM FROM SCRUTINY COMMITTEE - 29TH APRIL 2008 MINUTE NO. 129 - UNTIDY LAND AND BUILDING POLICY

The Head of Community Services presented the Untidy Land and Building Policy which had been developed via the Patch Management process.

Lengthy discussion took place regarding issues around timescales to resolve individual cases and procedures.

Moved by Councillor B. R. Murray-Carr, seconded by Councillor D. McGregor
RESOLVED that the Untidy Land and Building Policy be approved.

Reason for Decision: In order to approve the Untidy Land and Building Policy.

(Head of Community Services/Head of Democratic Services)

The Creswell THI Project Officer, the Principal Building Surveyor and the Head of Shared Procurement entered the meeting at this point.

190. RECOMMENDED ITEM FROM SCRUTINY COMMITTEE - 24TH JUNE 2008 MINUTE NO. 131 - SUCCESSION POLICY

The Head of Housing presented the draft Succession Policy which had been developed via the Patch Management process.

Members agreed that the wording "at time of death" be added to the end of paragraph b in Part B – Other Circumstances.

Lengthy discussion took place regarding issues around the HARP Panel.

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Moved by Councillor A. F. Tomlinson, seconded by Councillor K. Bowman
RESOLVED that the Succession Policy be approved.

Reason for Decision: In order to approve the Succession Policy.

(Head of Housing/Head of Democratic Services)

191. VERBAL UPDATE ON RENT ARREARS

The Head of Housing circulated information to the meeting on area based targets in respect of housing rent arrears. It was noted that the housing rent arrears figures were decreasing.

Moved by Councillor D. McGregor, seconded by Councillor K. Bowman.
RESOLVED that the report be noted.

Reason for Decision: To keep Members updated on the present position of housing rent arrears.

(Head of Housing)

192. THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Moved by Councillor A.F. Tomlinson, seconded by Councillor E. Watts
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.

193. CONTINUATION OF PROCUREMENT OF SPECIALIST CONSULTANTS TO SUPPORT THE LOCAL AUTHORITY AND THE LSP FOR BOLSOVER EXEMPT – PARAGRAPH 3

The Director of Strategy presented the report.

Members' approval was sought for the continuation of specialist consultants, Phoenix Regeneration, to support the Authority and the Local Strategic Partnership and also for the suspension of the Authority's Contract Standing Orders 4.8.3 for the reasons given in the report.

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

2) the Executive suspends Contract Standing Orders 4.8.3 for the reasons given in the report,

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3) Phoenix Regeneration continue to support the Local Authority and the Local Strategic Partnership in the management of external funding,

4) the Chief Executive's and Partnership Manager be authorised to negotiate a new contract for the period 2008-2011.

Reason for Decision: Executive decision required to ensure continuation of current specialist consultancy support to the Local Authority and Local Strategic Partnership.

(Chief Executive's & Partnership Manager)

194. TENDER OPENING – uPVC DOORS EXEMPT – PARAGRAPH 3

Seven tenders for the above contract had been received before the deadline.

Moved by Councillor D. McGregor, seconded by Councillor A.F. Tomlinson

RESOLVED that 1) the Executive witness the opening of the tenders,

2) the tenders be passed to the Evaluation Team for final evaluation,

3) a report for Members' information providing details of the tenders and evaluation process be submitted.

Reason for Decision: In order to secure the lowest tender and best value for money in accordance with Standing Order Contracts.

The date of final evaluation of the tenders would be 18th July 2008 at 1000 hours.

(Head of Shared Procurement)

195. TENDER OPENING – REPAIR AND RESTORATION OF CRESWELL MODEL VILLAGE VILLAS EXEMPT – PARAGRAPH 3

Three tenders for the above contract had been received before the deadline.

Moved by Councillor E. Watts, seconded by Councillor A.F. Tomlinson

RESOLVED that 1) the Executive witness the opening of the tenders,

2) the tenders be passed to the Evaluation Team for final evaluation,

3) a report for Members' information providing details of the tenders

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and evaluation process be submitted.

Reason for Decision: In order to secure the lowest tender and best value for money in accordance with Standing Order Contracts.

The date of final evaluation of the tenders would be 21st July 2008 at 1000 hours.

(Head of Planning)

The meeting concluded at 1145 hours.

Committee:	Executive	Agenda Item No.:	5
Date:	4 th August 2008	Status	Open
Category	3. Part of the Budget and Policy Framework		
Subject:	Compliments, Comments, Complaints and Freedom of Information Requests		
Report by:	Customer Service and Access Officer		
Other Officers Involved			
Director	Chief Executive Officer		
Relevant Portfolio Holder	Customer Focused Services		

RELEVANT CORPORATE AIMS

CUSTOMER FOCUSED SERVICES – Providing excellent customer focused services

STRATEGIC ORGANISATIONAL DEVELOPMENT – Continually improving our organisation.

The effective management of complaints and customer requests is central to good customer service. It also provides a good source of information which the Council can use to improve services.

TARGETS

Local performance indicators for handling written complaints and Ombudsman complaints.

VALUE FOR MONEY

A centralised complaints and freedom of information requests service maximises the use of staffing resources as well as the provision of management information.

THE REPORT

To provide information on the number of compliments, comments, complaints and freedom of information requests for the period 1st April 2008 to 30th June 2008.

Compliments

Table A shows the number of written compliments received for the period 01/04/08 to 30/06/08. In total 27 written compliments were received with the majority appreciating services and the assistance provided by council

employees. The speed of service or response is also very much appreciated by customers.

Comments

Table B shows the number of written comments received for the period. Of the 12 comments received, 6 remained open and within timescale as of 2nd July 2008 when the report was being compiled. The remaining 6 comments had been responded to within our customer service standard of 20 working days.

Table C shows the above information by department.

Regarding trends, there were 4 comments received regarding recycling.

Complaints

Stage one

Stage one complaints refer to expressions of dissatisfaction made verbally by customers. The table below provides a breakdown of stage one complaints handled by the Contact Centres by service area and volume for the period 01/04/08 to 30/06/08:

Stage One Complaints	
Service Area	01/04/08 to 30/06/08
Complaints regarding housing repairs e.g. out of time, quality	35
Complaints regarding refuse, grounds maintenance, cleansing services e.g. not returning bin to collection point, missed green bin collection	111
Missed clinical waste collection	54
Missed domestic bin collection	478
Missed blue box collection	177
Bin not fully emptied	5
Total	860

For the same period Contact Centres handled 11,119 requests for service in total.

Stage two

Table D shows the number of stage two or written complaints received for the period by date order. Of the 38 complaints received, 6 remained open and within timescale as of 2nd July 2008. Of the remaining 32 complaints, 26 complaints or 81% had been responded to within our customer service standard of 20 working days and 6 complaints took longer.

Table E shows the above information by department.

Regarding trends, there were 5 complaints regarding delays in receiving the new gold card.

Stage three

Table F shows the number of stage three complaints received for the period by date order. These are complainants who have already made a stage two complaint and still feel dissatisfied. During this period 4 stage three complaints were received, of which 1 remained open and within timescale as of 2nd July 2008. Of the remaining 3 complaints, 2 or 67% had been responded to within standard and 1 complaint took longer.

Ombudsman

Table G shows the status of Ombudsman complaints for 2008/09 as of 2nd July 2008. During this period two complaints requiring investigation have been received and responded to. One decision from the Ombudsman has been received as well recording a 'local settlement'.

Freedom of Information (FOI)

Table H shows the number of requests for 'freedom of information' for the period 01/04/08 to 30/06/08 by date order. Of the 38 requests received, 7 remained open and within timescale as of 10th July 2008. Of the remaining 31 requests, 30 or 97% were responded to within the government standard of 20 working days, 1 (3%) took longer than the standard.

Table I shows the above information by department.

Regarding trends, there were 4 requests seeking information on waste.

Performance

A target of 90% has been set for responding to stage two complaints within 20 working days for 2008/09. For this period 81% was achieved.

Customer Satisfaction

A new methodology for measuring customer satisfaction with complaints handling has been brought in for 2008/09, which will be reported upon at the half yearly report.

ISSUES/OPTIONS FOR CONSIDERATION

The details outlined in the report and any trends identified.

IMPLICATIONS

Financial: - None

Legal: - None

Human Resources: - None

RECOMMENDATION(S)

That the report be received.

REASON FOR DECISION TO BE GIVEN IN ACCORDANCE WITH THE CONSTITUTION

To keep Members informed of volumes and trends regarding compliments, comments, complaints and freedom of information requests.

ATTACHMENTS: **Y**

Table A: Compliments summary for the period 01/04/08– 30/06/08

Table B: Comments summary for the period 01/04/08 – 30/06/08

Table C: Comments summary by department 2008/09

Table D: Stage two complaints summary for the period 01/04/08 – 30/06/08

Table E: Stage two complaints summary by department 2008/09

Table F: Stage three complaints summary for the period 01/04/08 – 30/06/08

Table G: Ombudsman complaints summary for 2008/09

Table H: Freedom of information summary for the period 01/04/08 – 30/06/08

Table I: Freedom of information summary by department 2008/09

FILE REFERENCE: - N/A

SOURCE DOCUMENT: - N/A

TABLE A - COMPLIMENTS SUMMARY 01/04/08 – 30/06/08

Date Received	Area	Summary of Compliment	Departments Involved
01/04/08	Creswell	Contact Centre staff friendly and helpful	Contact Centres
03/04/08	Shirebrook	Pleasley Vale Activity Centre professional and rewarding day out	Leisure
05/04/08	Shirebrook	Chain and alarms fitted and pleasant workers	Community Services
14/04/08	South Normanton	Time & effort put into their enquiry	CSPD
22/04/08	Carr Vale	Happy with grant towards new central heating	Environmental Health
22/04/08	Shirebrook	Happy with the support she is receiving and is still receiving	Environmental Health
28/04/08	Anon	Appreciation of Grant Scheme	Leisure
02/05/08	Chesterfield	Information on jobs helpful	HR
02/05/08	Bolsover	Noise problem rectified	Environmental Health
08/05/08	Langwith	Happy with rubbish removed	Street Services
12/05/08	Tibshelf	Happy with resolved noise pollution complaint	Environmental Health
13/05/08	Tibshelf	Appreciation of gymnastics / events programme	Leisure
16/05/08	Planning	Appreciation for commemoration event	Planning
19/05/08	Newton	Happy with coaching at school	Leisure
20/05/08	Manchester	Appreciation of stray dog service	Environmental Health
28/05/08	Glapwell	Helpful Contact Centre Staff	Contact Centres
28/05/08	Bolsover	Happy with polite and speedy email/enquiry response	CSPD

TABLE A - COMPLIMENTS SUMMARY 01/04/08 – 30/06/08

Date Received	Area	Summary of Compliment	Departments Involved
28/05/08	Unknown	Happy with speedy email/enquiry response	CSPD Contact Centres
28/05/08	Bolsover	Happy with prompt response	Environmental Health
28/05/08	Clay Cross	Happy with coaching facilities	Leisure
02/06/08	Clowne	Moving and would like to say thanks for BDC being so helpful all the time	ALL
03/06/08	Dronfield	Thought Food Fayre was superb	Regeneration
17/06/08	Chesterfield	Appreciation of support and work for EV Visit	Leisure
17/06/08	Glapwell	Appreciation of compensation for work carried out	Housing
17/06/08	Sutton-In-Ashfield	Success at Open Farm Sunday	Environmental Health
18/06/08	Bolsover	Happy with how service request for bulky removal dealt with	Contact Centres Street Services
24/06/08	Clowne	Happy that BDC have kept Council Tax at a low level rate	All

TABLE B - SUMMARY OF COMMENTS 01/04/08 – 30/06/08

Date Received	Area	Summary of Comment	Departments Involved	Date Response Sent	No of work days	Summary of Response
03/04/08	Glapwell	Can we reduce the amount of paper sent out with rent cards	Housing	16/04/08	9	Explained that we are legally required to provide the information
10/04/08	Creswell	More litter bins in Creswell	Street Services	28/04/08	12	Explanation that a review is being undertaken and all residents comments are being taken into consideration
15/04/08	Unknown	Green bins - would like more than one and when able to recycle plastics/cardboard	Street Services	14/05/08	20	Still rolling out green bin scheme so not right time to consider a second bin. Also trying to reduce waste volumes. Upgrading 'bring' sites to incorporate plastic within next 12 months
30/04/08	Bolsover	Paths around the offices are not wheelchair friendly	Regeneration	19/05/08	12	Explained that most paths are suitable for wheelchairs, some exceptions to the rear, which will be looked at with a view to upgrade if budgets allow
28/05/08	Creswell	Not to send Council Tax reminders before a bank holiday	Revenues	23/06/08	16	Explained that court dates are allocated by the court and that we have to give customers at least 14 days notice beforehand

TABLE B - SUMMARY OF COMMENTS 01/04/08 – 30/06/08

Date Received	Area	Summary of Comment	Departments Involved	Date Response Sent	No of work days	Summary of Response
06/06/08	South Normanton	Would like to be able to recycle plastic and cardboard	Street Services	26/06/08	14	Explanation that there is not a suitable facility to dispose of plastic and that expecting card to be added to the green bin collection scheme in 2009/10
11/06/2008	Chesterfield	To open two reception points when busy	Contact Centres	Open and within timescale as of 02/07/08		
12/06/08	Glapwell	Unable to recycle cardboard	Street Services	Open and within timescale as of 02/07/08		
17/06/08	Alfreton	Concerned with carbon footprint due to lack of recycling	Street Services	Open and within timescale as of 02/07/08		
18/06/08	Alfreton	Issue polite reminders for council tax	Revenues	Open and within timescale as of 02/07/08		
24/06/008	Pinxton	Problems with 'unauthorised' stables next door	Planning Environmental Health	Open and within timescale as of 02/07/08		
30/06/08	Alfreton	Feels the way we charge for the Lifeline Gold full Warden Service is unfair (charging periods)	Housing Revenues	Open and within timescale as of 02/07/08		

Table C: Comments Summary by Department 2008/09

Department/Section	01/04/08 – 30/06/08		
	No. of Comments	No. Responded to in time	No. responded to out of time
Contact Centres	1	1	
Customer Service & Performance Community Services			
Environmental Health	1	1	
Street Services	5	5	
Housing	2	2	
Legal			
Leisure			
Planning	1	1	
Regeneration	1	1	
Revenues	3	3	
Totals	14	14	

Table D - Summary of Stage Two Complaints 01/04/08 – 30/06/08

Date Received	Area	Summary of Complaint	Departments Involved	Date Response Sent	No of work days	Remedy
01/04/08	Shuttlewood	Unhappy that direct debit payers receive a reduction in their garage rent	Housing	21/04/08	14	Explanation that payment by direct debit is less costly to the Council and the saving has been passed to the customer
01/04/08	Pinxton	Travel pass arrived with an incorrect photograph	Finance	09/04/08	6	Apology for inconvenience and new travel pass issued
02/04/08	Clowne	The way a Council Tax benefit appeal was handled	Revenues	22/04/08	14	Explanation of legislation covering such matters
02/04/08	New Houghton	Unhappy with action taken by Council over flytipping in New Houghton	Environmental Health	30/04/08	20	Explanation of past and future (possible enforcement) action
03/04/08	Bolsover	Unhappy about service received at cash desk	Contact Centres	16/04/08	9	Apology, explanation of amendment to procedure
04/04/08	Clowne	Lack of response regarding removal of an out building	Housing	13/05/08	26	Explanation of process and apology for delay
08/04/08	New Houghton	Wanting adaptations to property and unhappy with length of time it is taking to sort	Housing	13/05/08	24	Explanation of DCC welfare adaptation assessment
08/04/08	Tibshelf	Several missed green bin collections	Street Services	06/05/08	19	Apology and explanation that address missed off schedule
08/04/08	Glapwell	Time to do adaptation and poor communication regarding it	Housing	01/05/08	17	Explained work done Uncle's requirements
09/04/08	Newton	Several missed green bin collections	Street Services	02/05/08	17	Apology and explanation that address missed off schedule

Table D - Summary of Stage Two Complaints 01/04/08 – 30/06/08

Date Received	Area	Summary of Complaint	Departments Involved	Date Response Sent	No of work days	Remedy
22/04/08	Clowne	Feels request to repair central heating is being ignored and very concerned about fuel bills	Housing	13/05/08	14	An explanation of numerous visits and inspections undertaken - heating system working satisfactorily
23/04/08	Whitwell	Garden suffered damage from floods in 2007 and the Council has not rectified the structural damage	Housing	15/05/08	15	Explained action taken to date and access problems caused by tenant
24/04/08	Barlborough	Incorrect appointment time made	Contact Centres	25/04/08	1	Apology and explanation of error made
28/04/08	Shuttlewood	Complaint regarding work done by contractors approximately 7 years ago to neighbour's property	Housing	29/05/08	22	Letter sent explaining more time needed to make enquiries and check records due to age of complaint
28/04/08	Shuttlewood	Unhappy with his treatment by Council. Feels his flat is not suitable for his disability and would like a place where he can store his scooter	Housing	02/06/08	23	Explanation of shortage of suitable housing in central locations. Will nominate for suitable Housing Association properties
29/04/08	Alfreton	Trampoline positioned too close to tenant's flat - feels Council could do more to assist	Housing	29/05/08	20	Offer of independent mediation for two parties to seek an agreement

Table D - Summary of Stage Two Complaints 01/04/08 – 30/06/08

Date Received	Area	Summary of Complaint	Departments Involved	Date Response Sent	No of work days	Remedy
02/05/08	Creswell	Unhappy with the Council's efforts in resolving a noise nuisance	Housing	29/05/08	16	A joint visit by the Housing Enforcement Officer and Tenancy Management Officer
06/05/08	Barlborough	Unhappy that dual carriageway not swept at Barlborough	Street Services	11/06/08	24	Explained that restrictions placed on when able to sweep - currently twice a year when road closed due to other maintenance
07/05/08	Creswell	Not happy with efforts in tackling a neighbour dispute	Housing	02/06/08	18	Explanation of action taken so far and the need for evidence, i.e., diary sheets
13/05/08	Creswell	Still receiving letters with deceased husband's name on	Housing Revenues	10/06/08	19	Explanation that Council Tax, Rents and Benefits are up to date. Apology for any distress
16/05/08	Not known	Unhappy with lack of contact regarding a reported nuisance - outside lights on neighbour's property	Environmental Health	13/06/08	18	Explanation of departmental procedures, apology for not keeping as informed as desirable
16/05/08	Pinxton	Unhappy about the way housing transfer request being handled	Housing	19/06/08	23	Explanation of lack of suitable properties and referral to HARP in accordance with procedures

Table D - Summary of Stage Two Complaints 01/04/08 – 30/06/08

Date Received	Area	Summary of Complaint	Departments Involved	Date Response Sent	No of work days	Remedy
19/05/08	Creswell	Unhappy about not receiving new Gold Card and excess waste not being collected	Finance Street Services	17/06/08	20	Explanation that database had an incorrect address, details amended and new card issued. Explained that side refuse is not collected and advised about the new recycling centre
19/05/2008	Barlborough	Unhappy with lack of response concerning early deliveries to neighbouring property	Environmental Health	17/06/08	20	Explanation of activity by Environmental Health and contact with complainant
20/05/08	Worksop	Adaptations to property and lack of communication	Housing	02/06/08	7	Acknowledged that the ramp undertaken but that there is a delay with wet rooms
20/05/08	Clowne	Still unhappy with the central heating system	Housing	18/06/08	20	Explanation that a gas engineer has checked the heating system to reassure the tenant. Room and cylinder thermostats replaced
22/05/08	Creswell	Out of order lift at disabled Mother's flat	Housing	19/06/08	19	Explanation of engineer report's and apology for the inconvenience
02/06/08	Shirebrook	Delay in receiving new gold card	Finance	23/06/08	15	Explanation of why and an apology

Table D - Summary of Stage Two Complaints 01/04/08 – 30/06/08

Date Received	Area	Summary of Complaint	Departments Involved	Date Response Sent	No of work days	Remedy
06/06/08	Bolsover	Request for compensation due to delay in receiving new gold card	Finance	26/06/08	14	Due to exceptional circumstances and provision of proof, small reimbursement made (less than £10.00)
06/06/08	Glapwell	Request for compensation due to delay in receiving new gold card	Finance	02/07/08	18	Due to exceptional circumstances and provision of proof, small reimbursement made (less than £10.00)
06/06/09	Bolsover	Delays in right to buy process	Housing	Still open as of 02/07/08 and within timescale		
06/06/08	Bolsover	Delay in replacing bath	Housing	01/07/08	19	Explanation of events to date and when the bath will be replaced
09/06/08	Pinxton	Earnings order received causing stress	Revenues	Still open as of 02/07/08 and within timescale		
19/06/08	Langwith	Green bin not being collected	Street Services	01/07/08	8	Explanation that green bin is being presented on a different street, which has a different collection date
23/06/08	Shuttlewood	Unhappy about length of time had to wait for a repair	Housing	Still open as of 02/07/08 and within timescale		
24/06/2008	Shirebrook	Feels her requests for a bungalow are being ignored	Housing	Still open as of 02/07/08 and within timescale		

Table D - Summary of Stage Two Complaints 01/04/08 – 30/06/08

Date Received	Area	Summary of Complaint	Departments Involved	Date Response Sent	No of work days	Remedy
24/06/08	Glapwell	Bin not fully emptied, rubbish wedged, customer contesting this. Unhappy that Council did not return on same day to empty	Street Services	Still open as of 02/07/08 and within timescale		
26/06/08	Unknown	Unhappy about a council vehicle parking in a pedestrianised zone in Bolsover	Leisure	Still open as of 02/07/08 and within timescale		

Table E: Stage Two Complaints Summary by Department 2008/09

Department/Section	01/04/08 – 30/06/08		
	No. of Complaints	No. Responded to in time	No. responded to out of time
Contact Centres	2	2	
Customer Service & Performance Community Services			
Environmental Health	3	3	
Street Services	6	5	1
Finance	5	5	
Housing	20	15	5
Leisure	1	1	
Planning			
Regeneration			
Revenues	3	3	
Totals	40	34	6

Table F - Summary of Stage Three Complaints 01/04/08 – 30/06/08

Date Received	Area	Summary of Complaint	Departments Involved	Date Response Sent	No of work days	Remedy
17/04/08	Shirebrook	Still unhappy with the solution put in place for making the door into the communal area easier to open	Housing	15/05/08	20	Explanation that an electronic closer will be fitted
20/05/08	Tibshelf	Green Bin still not collected when assured it would be at stage two	Street Services	19/06/08	21	Explanation that an agency driver had to be used at short notice on the day in question and not being familiar with the rounds missed the lane. Apology
06/06/08	Bolsover	Complainant not happy with the suggestion of mediation to resolve the dispute with neighbour over use and positioning of trampoline	Housing	01/07/08	17	Visit by Housing Enforcement Manager to discuss directly. A resolution to be brokered with neighbour
24/06/08	Creswell	Daughter not happy with the way her father has been treated and believes that the boiler is still faulty	Housing	Still open as of 02/07/08 and within timescale		

Table G - Summary of Ombudsman Complaints 2008-2009

Date Received	Area	Ombudsman's Summary of Complaint	Departments Involved	Date Response Sent	No. of Calendar Days	Date Decision Letter Received	Ombudsman's Decision
08/04/08	Glapwell	Still unhappy about having to pay for a replacement bin	Street Services	28/04/08	20	09/06/08	Local Settlement Council to provide a replacement bin, pay £75.00 for time and trouble and produce a new policy on bins
17/06/08	Shirebrook	Despite assuring complainant that his application for a grant to replace the roof of his business had been successful, failed to honour that assurance or, as promised, integrate decision to award a grant into successor scheme. The Council since refused grant to him under either scheme.	Regeneration	01/07/08	14		

Table H - Summary of FOI Requests 01/04/08 – 30/06/08

Date Received	Summary of FOI	Departments Involved	Date Response Sent	No of work days	Information released
31/03/08	Information on hospital food hygiene reports	Environmental Health	17/04/08	13	Yes
01/04/08	Details passed to the Treasury Solicitor on persons dying without a next of kin	Environmental Health	17/04/08	12	Not Held
01/04/08	Contact information for specified officers	CSPD	02/04/08	1	Yes
02/04/08	Request for environmental data/records for a site In South Normanton (EIR ¹)	Environmental Health	21/04/08	12	EIR
04/04/08	Information relating to gaming machine licenses	Legal	08/04/08	2	Yes
04/04/08	Outstanding NNDR as of 31/03/07	Revenues	17/04/08	9	Yes
07/04/08	Money spent on alcohol and fireworks for 2006 and 2007	Finance Leisure	07/05/08	21	Yes
14/04/08	Information on reported security breaches	CSPD	30/04/08	12	Not Held
15/04/08	Information relating to complaints re: building work at owners property	Unknown	Clarification sought 16/04/08 but not received		Withdrawn
21/04/08	Request for the latest Asset Management Plan	Finance	15/05/08	17	Not Held
21/04/08	Request for Housing Strategy, Housing Revenue Account and Housing Capital Account	Housing Finance	16/05/08	18	Part released, part exempt
21/04/08	Request for environmental data/records for a site In Bolsover (EIR)	Environmental Health	02/05/08	9	EIR
28/04/08	Questions on debt collection	Revenues	23/05/08	18	Not Held

¹ EIR – Environmental Information Request

Table H - Summary of FOI Requests 01/04/08 – 30/06/08

Date Received	Summary of FOI	Departments Involved	Date Response Sent	No of work days	Information released
07/05/08	Requested information on dog control orders	Environmental Health	14/05/08	5	Not Held
12/05/08	Requested information about Asset Register	CSPD	02/06/08	14	Exempt
12/05/08	Information about who owns a business (Requested under Data Protection legislation)	Revenues	23/05/08	9	Not Held
13/05/08	Request for environmental data/records for a site In Palterton (EIR)	Environmental Health	04/06/08	15	EIR
14/05/08	Requested information about phone contracts	ICT	10/06/08	18	Yes
16/05/08	Information on grass cutting and land ownership in Barlborough	Street Services	12/06/08	18	Yes
16/05/08	Information on highways	DCC	04/06/08	12	Not held - transferred to DCC
17/05/08	Information about deceased relatives	CSPD	22/05/08	3	Not held
22/05/08	Wants to know how Council Tax is spent	All	09/06/08	11	Exempt
22/05/08	Wants information about waste and population	Street Services	18/06/08	17	Yes
22/05/08	Information about tourism figures	Regeneration	18/06/08	17	Yes
28/05/08	Council's Independent Remuneration Panel	Legal HR & Payroll	24/06/08	19	Yes

Table H - Summary of FOI Requests 01/04/08 – 30/06/08

Date Received	Summary of FOI	Departments Involved	Date Response Sent	No of work days	Information released
30/05/08	Information on waste	Street Services	24/06/08	17	Yes
09/06/08	Approved contractors responsible for repair and maintenance	Housing	03/07/08	18	Not held
09/06/08	Information about single women on housing lists	Housing	03/07/08	18	Yes
11/06/08	Local Land Charge Register information	Legal Planning Regeneration	07/07/08	18	Yes
11/06/08	Requesting information in connection with CCTV evidence	Police	18/06/08	5	Not held - transferred to Police
16/06/08	Attendance records at committees	Democratic Services	Still open as of 01/07/08 and within timescale		
17/06/08	ICT Strategy	ICT	Still open as of 01/07/08 and within timescale		
19/06/08	Bus journey price details	DCC	26/06/08	5	Not held - transferred to DCC
22/06/08	Requesting information about enforcement action on grafitti not cleaned up	Environmental Health	Still open as of 01/07/08 and within timescale		

Table H - Summary of FOI Requests 01/04/08 – 30/06/08

Date Received	Summary of FOI	Departments Involved	Date Response Sent	No of work days	Information released
23/06/08	Requesting information about printers and photocopiers	ICT CSPD	Still open as of 01/07/08 and within timescale		
23/06/08	Requesting info about statutory advertising	Finance Democratic Services Planning	Still open as of 01/07/08 and within timescale		
25/06/08	Information relating to waste and charges	Environmental Health and Street Services	Still open as of 01/07/08 and within timescale		
26/06/08	Information relating to waste and service providers	Street Services	Still open as of 01/07/08 and within timescale		

Table I: Freedom of Information Summary by Department 2008-09

Department/Section	01/04/08 – 30/06/08			
	No. of Requests	FOI	DP	EIR
All	1	1		
Customer Service and Performance	5	5		
Democratic Services	2	2		
Environmental Health	8	5		3
Street Services	5	5		
Finance	4	4		
Housing	3	3		
HR	1	1		
ICT	3	3		
Legal	3	3		
Leisure	1	1		
Planning	2	2		
Regeneration	2	2		
Revenues	3	3		
Transferred	3	3		
Totals	46	43		3

Committee:	Executive	Agenda Item No.:	6
Date:	4th August 2008	Status	Open
Category	3. Part of the Budget and Policy Framework		
Subject:	Annual Letter from the Local Government Ombudsman		
Report by:	Customer Service and Access Officer		
Other Officers Involved			
Director	Chief Executive Officer		
Relevant Portfolio Holder	Customer Focused Services		

RELEVANT CORPORATE AIMS

CUSTOMER FOCUSED SERVICES – Providing excellent customer focused services

STRATEGIC ORGANISATIONAL DEVELOPMENT – Continually improving our organisation.

The effective management of complaints is central to good customer service. It also provides a good source of information which the Council can use to improve services.

TARGETS

Local Performance Indicators CSP3, CSP4 and CSP5 for number of complaints and response times

VALUE FOR MONEY

N/A

THE REPORT

To provide information contained within the Annual Letter 2007/08 from the Local Government Ombudsman (LGO).

The Annual Letter provides a summary of the complaints that the LGO received for Bolsover District Council over the last financial year. It also contains a covering letter and a statistical breakdown of the complaints together with an explanatory note. These documents have been appended for your information.

Key points from the Annual Letter:

The LGO received 18 complaints during 2007/08, a reduction of 5 when compared to the previous year. The spread of complaints by subject is very similar to last year, with the largest number of complaints remaining those about Housing.

The LGO did not issue any reports for Bolsover in 2007/08 and no complaints resulted in a local settlement.

Our average response time to first enquiries was 34.8 days, very similar to the 2006/07 figure of 34.1 days and outside of the LGO's target of 28 days. Relevant Heads of Service have been reminded of the need to provide their information for investigations in good time.

The LGO has noted that liaison arrangements with Bolsover have worked well during the year and that they have not experienced any problems.

The LGO decided 19 complaints during the year, of which 6 were premature. Of the complaints decided 2 (11%) were resubmitted premature complaints as the complainant remained unhappy. Neither of these complaints resulted in a local settlement. The LGO notes that this suggests that the Council's complaints procedure is working effectively.

ISSUES/OPTIONS FOR CONSIDERATION

The contents of the LGO's Annual Letter.

IMPLICATIONS

Financial: - None

Legal: - None

Human Resources: None

RECOMMENDATION(S)

That Executive receive the report and the LGO Annual Letter 2007/08

REASON FOR DECISION TO BE GIVEN IN ACCORDANCE WITH THE CONSTITUTION

To keep Members informed of Ombudsman complaints and the view of the Ombudsman as to the District's complaints handling.

ATTACHMENTS: - Annual Letter 2007/08 dated June 2008

FILE REFERENCE:

SOURCE DOCUMENT:

**The Local Government Ombudsman's
Annual Letter
Bolsover District Council
for the year ended
31 March 2008**

The Local Government Ombudsman (LGO) provides a free, independent and impartial service. We consider complaints about the administrative actions of councils and some other authorities. We cannot question what a council has done simply because someone does not agree with it. If we find something has gone wrong, such as poor service, service failure, delay or bad advice, and that a person has suffered as a result, the Ombudsmen aim to get it put right by recommending a suitable remedy. The LGO also uses the findings from investigation work to help authorities provide better public services through initiatives such as special reports, training and annual letters.

Annual Letter 2007/08 - Introduction

This annual letter provides a summary of the complaints received about Bolsover District Council and comments on the authority's performance and complaint-handling arrangements.

I hope that the letter will assist you in improving services by providing a useful perspective on how some people who are dissatisfied experience or perceive your services.

Two attachments form an integral part of this letter: statistical data covering a three year period and a note to help the interpretation of the statistics.

Complaints received

We received 18 complaints about your Council during 2007/08, a reduction of 5 on 2006/07. Looking at how many complaints were received in each category, the distribution was very similar to last year, other than there being 4 fewer "other" complaints.

Liaison with the Local Government Ombudsman

Liaison arrangements with your Council work well and my staff have not experienced any problems over the year.

The time taken to respond to first enquiries from my office was 34.8 days, very similar to the 2006/07 figure of 34.1 days. The target is 28 days, which over half of district councils achieve. No meaningful trends can be identified given that enquiries were made on only four complaints. But I would ask that the Council takes any action it can to ensure responses are made as quickly as possible, whilst maintaining their quality.

Decisions on complaints

Reports and local settlements

We will often discontinue enquires into a complaint when a council takes or agrees to take action that we consider to be a satisfactory response – we call these local settlements. In 2007/08 the Local Government Ombudsmen determined 27% of complaints by local settlement (excluding 'premature' complaints - where councils have not had a proper chance to deal with them - and those outside our jurisdiction). If an investigation is completed I issue a public report.

We did not issue any reports about your Council during the year and no complaints resulted in a local settlement.

Your Council's complaints procedure and handling of complaints

We decided 19 complaints during the year, of which 32% were premature, that is the Council had not been given a reasonable opportunity to respond to them. Of the complaints decided 2 (11%) were resubmitted premature complaints as the complainant was unhappy with the Council's response. Neither of these complaints resulted in a local settlement. This suggests the Council's complaints procedure is working effectively and no problems were identified during our investigations.

Training in complaint handling

Part of our role is to provide advice and guidance about good administrative practice. We offer training courses for all levels of local authority staff in complaints handling and investigation. A detailed evaluation of the training provided to councils over the past three years shows very high levels of satisfaction. We will customise courses to meet your Council's specific requirements and provide courses for groups of staff from different smaller authorities. Participants benefit from the complaint-handling knowledge and expertise of the experienced investigators who present the courses.

I enclose information on the full range of courses available together with contact details for enquiries and any further bookings.

LGO developments

We launched the LGO Advice Team in April, providing a first contact service for all enquirers and new complainants. Demand for the service has been high. Our team of advisers, trained to provide comprehensive information and advice, has dealt with many thousands of calls since the service started.

The team handles complaints submitted by telephone, email or text, as well as in writing. This new power to accept complaints other than in writing was one of the provisions of the Local Government and Public Involvement in Health Act, which also came into force in April. Our experience of implementing other provisions in the Act, such as complaints about service failure and apparent maladministration, is being kept under review and will be subject to further discussion. Any feedback from your Council would be welcome.

Last year we published two special reports providing advice and guidance on 'applications for prior approval of telecommunications masts' and 'citizen redress in local partnerships'. Feedback on special reports is always welcome. I would particularly appreciate information on complaints protocols in the governance arrangements of partnerships with which your Council is involved.

Conclusions and general observations

I welcome this opportunity to comment on our experience of complaints about the Council over the past year. I hope that you find the information and assessment provided useful when seeking improvements to your Council's services.

Anne Seex
Local Government Ombudsman
Beverley House
17 Shipton Road
YORK
YO30 5FZ

June 2008

Enc: Statistical data
Note on interpretation of statistics
Leaflet on training courses (with posted copy only)

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June 2008

Enc: Statistical data
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Leaflet on training courses (with posted copy only)

Complaints received by subject area	Benefits	Housing	Other	Planning & building control	Public finance	Total
01/04/2007 - 31/03/2008	0	8	4	5	1	18
2006 / 2007	0	9	8	5	1	23
2005 / 2006	2	10	9	5	0	26

Note: these figures will include complaints that were made prematurely to the Ombudsman and which we referred back to the authority

Decisions	Mrs	IS	Mrs	Mrs	Not	Obsc	Outside jurisdiction	Partly complete	Total complete	Total
01/04/2007 - 31/03/2008	0	0	0	0	7	5	1	6	13	19
2006 / 2007	0	5	0	0	7	3	1	8	16	24
2005 / 2006	0	4	0	0	4	3	1	10	12	22

See attached notes for an explanation of the headings in this table.

Average local authority response times 01

Response times	FIRST ENQUIRIES	
	No. of First Enquiries	Avg no. of days to respond
01/04/2007 - 31/03/2008	4	34.8
2006 / 2007	11	34.1
2005 / 2006	11	28.5

Types of authority	<=28 day %	29-35 day %	> = 36 day %
District Councils	56.4	24.6	19.1
Unitary Authorities	41.3	50.0	8.7
Metropolitan Authorities	58.3	30.6	11.1
County Councils	47.1	38.2	14.7
London Boroughs	45.5	27.3	27.3
National Park Authority	71.4	28.6	0.0

Notes to assist interpretation of the LGO's local authority statistics 2007/08

1. Complaints received

This information shows the number of complaints received by the LGO, broken down by service area and in total within the periods given. These figures include complaints that are made prematurely to the LGO (see below for more explanation) and that we send to the council to consider first. The figures may include some complaints that we have received but where we have not yet contacted the council.

2. Decisions

This information records the number of decisions made by the LGO, broken down by outcome, within the periods given. **This number will not be the same as the number of complaints received**, because some complaints are made in one year and decided in the next. Below we set out a key explaining the outcome categories for 2007/08 complaints.

MI reps: where the LGO has concluded an investigation and issued a formal report finding maladministration causing injustice.

LS (local settlements): decisions by letter discontinuing our investigation because the authority has agreed to take some action which is considered by the Ombudsman as a satisfactory outcome for the complainant.

M reps: where the LGO has concluded an investigation and issued a formal report finding maladministration but causing no injustice to the complainant.

NM reps: where the LGO has concluded an investigation and issued a formal report finding no maladministration by the council.

No mal: decisions by letter discontinuing an investigation because we have found no, or insufficient, evidence of maladministration.

Omb disc: decisions by letter discontinuing an investigation in which we have exercised the Ombudsman's general discretion not to pursue the complaint. This can be for a variety of reasons, but the most common is that we have found no or insufficient injustice to warrant pursuing the matter further.

Outside jurisdiction: these are cases which were outside the Ombudsman's jurisdiction.

Premature complaints: decisions that the complaint is premature. The LGO does not normally consider a complaint unless a council has first had an opportunity to deal with that complaint itself. So if someone complains to the LGO without having taken the matter up with a council, the LGO will usually refer it to the council as a 'premature complaint' to see if the council can itself resolve the matter.

Total excl premature: all decisions excluding those where we referred the complaint back to the council as 'premature'.

3. Response times

These figures record the average time the council takes to respond to our first enquiries on a complaint. We measure this in calendar days from the date we send our letter/fax/email to the date that we receive a substantive response from the council. The council's figures may differ somewhat,

since they are likely to be recorded from the date the council receives our letter until the despatch of its response.

4. Average local authority response times 2007/08

This table gives comparative figures for average response times by authorities in England, by type of authority, within three time bands.

EXECUTIVE AGENDA

4th August 2008 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.	To receive declarations of interest in respect of business on the agenda and any urgent additional items to be considered at the meeting.	1
4.	To approve the minutes of a meeting held on 14 th July 2008.	2 to 7
5.	Compliments, Comments, Complaints and Freedom of Information Requests.	8 to 30
6.	Annual Letter from the Local Government Ombudsman.	31 to 39
7.	Rent Arrears – Verbal Update.	Verbal Report
PART 2 – EXEMPT ITEMS		
<i>The Local Government (Access to Information) Act 1985, Local Government Act 1972, Part 1, Schedule 12a.</i>		
<u>Paragraph 3</u>		
8.	Vale House, Pleasley Vale Business Park.	40 to 43
9.	Proceeds from the Sale of Bolsover Baths.	44 to 47
10. *	Tender Opening – Tender for the Supply of Asbestos Removal Services.	48
11. *	Tender Opening –Tender for the Provision of Security Services at Pleasley Vale Mills.	49

*** Denotes Key Decision included on the Forward Plan.**