

EXECUTIVE

**6TH APRIL 2009
AT 1000 HOURS**

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Minicom: 01246 242450 Fax: 01246 242423

Sherwood Lodge
Bolsover
Derbyshire
S44 6NF

Date: 27th March 2009

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 6th April 2009 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 51.

Yours faithfully,



Chief Executive Officer

To: Chairman and Members of the Executive

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

DECLARATION OF INTERESTS

COMMITTEE: Executive

DATE: 6th April 2009

NAME OF MEMBER- _____

Levels of Interest 1. Personal
 2. Personal and prejudicial

Nature of Interest _____

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 provide to the Clerk at the conclusion of the meeting.

Good practice to give nature of interest – without declaring any confidentiality.

It is still your responsibility to disclose any interests which you may have at the commencement of the meeting, and before the relevant item on the agenda is discussed.

A nil return is not required.

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Minutes of a meeting of the Executive of the Bolsover District Council held in the Council Chamber, Sherwood Lodge, Bolsover, on Monday, 16th March 2009 at 1000 hours.

PRESENT:-

Members:-

Councillor E. Watts – Chair

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

Officers:-

W. Lumley (Chief Executive Officer), J. Brooks (Director of Resources), S. Tomlinson (Director of Strategy), S.E.A. Sternberg (Solicitor to the Council), J. Sherwood (Environmental Health Residential Manager), A. Lowery (Street Services Manager), G. Galloway (Buildings and Contracts Manager), B. Truswell (Head of Procurement) and A. Bluff (Democratic Services Officer).

Also in attendance at the meeting was Mr T. Witts, Executive Director, Groundwork Creswell and Mr A. Diggles (Operations and Development Manager), Groundwork Creswell.

794. APOLOGY

An apology for absence was received on behalf of Councillor A.J. Hodkin.

795. URGENT ITEMS OF BUSINESS

The Chair advised the meeting of an urgent item of business to consider being, 'Meden Valley Making Places', this would be discussed after agenda item 4; 'Minutes of a Meeting held on 16th February 2009. He further advised the meeting that due to the absence of the Head of Housing, agenda item 5; 'Rent Arrears – verbal update', would be deferred until the next meeting.

796. DECLARATION OF INTERESTS

The following declaration of interest was made.

Minute No.	Councillor	Level of Interest
799	Councillor A.F. Tomlinson	Personal
800	Councillor A.F. Tomlinson	Personal

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797. MINUTES – 16TH FEBRUARY 2009

Moved by Councillor B.R. Murray-Carr, seconded by Councillor D. McGregor
RESOLVED that the minutes of a meeting held on 16th February 2009 be agreed as a true record.

798. RENT ARREARS – VERBAL UPDATE

Due to the absence of the Head of Housing, this item was deferred until the next meeting.

(Head of Democratic Services)

799. GROUNDWORK CRESWELL, ASHFIELD AND MANSFIELD CORE FUNDING, REPORT ON ACTIVITIES DURING 2008/09 AND PRESENTATION BY T. WITTS, EXECUTIVE DIRECTOR, GROUNDWORK CRESWELL

The Head of Regeneration's report stated that targets set for the previous two years had been met by Groundwork. Core funding of £18,000 had been allocated to them as part of the 2008/09 budget and the report sought Executive's permission to release this money subject to a satisfactory report.

Groundwork are a key partner on the Local Enterprise Growth Initiative and directly employ several staff. They also play a significant role in developing funding bids in partnership with the Council and others across the Local Strategic Partnership (LSP).

Trevor Witts, Executive Director and Alan Diggles, Operations and Development Manager, gave a joint presentation to the meeting on Groundwork's achievements for the previous two years and proposed activity for 2009/10. Headings were; Review of the 2007/09 Programmes, LAA National Indicators, Projected Programmes for 2009/10 and Service Level Agreement. A copy of Groundwork Creswell's brochure was also circulated to Members.

Members asked questions and discussion took place.

Moved by Councillor K. Bowman, seconded by Councillor J.E. Bennett
RESOLVED that 1) the report and presentation be received,

2) payment for 2008/09 totalling £18,000 be released to Groundwork Creswell, Ashfield and Mansfield.

(Head of Regeneration)

Reason for decision: To release the payment to Groundwork Creswell, Ashfield & Mansfield.

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800. URGENT ITEM – MEDEN VALLEY MAKING PLACES

The Environmental Health Residential Manager presented the report to seek Members approval for the Chief Executive Officer of the Council to sign a second Deed of Variation which allowed the Meden Valley Making Places Ltd to operate outside the Meden Valley area;

The Chief Executive Officer of Meden Valley Making Places Ltd had been developing the business outside the Meden Valley geographical area and this now needed to be formalised, requiring the approval of the founder Members of the Company.

Moved by Councillor E. Watts, seconded by Councillor J.E. Bennett

RESOLVED that the Chief Executive Officer be authorised to approve the Deed of Variation in relation to Meden Valley Making Places Ltd.

(Environmental Health Residential Manager / Chief Executive Officer)

Reason for decision: To continue working with one of the Council's most important strategic partners.

801. PATCH MANAGEMENT POLICIES – TREE MANAGEMENT POLICY

The Street Services Manager presented the draft Tree Management Policy. The policy would help the Council be more proactive in its management of trees within the district and planned maintenance should represent better value for money than 'out of hours' responses. The policy would also be used to encourage others, responsible for trees, to take a positive approach to the management of trees in their care

The draft policy had been approved by Patch Management Group on 5th November 2008 and had previously been submitted to the Equalities Services Development Group (ESDG), Senior Management Team (SMT), Policy and Performance Management Group 2 (PPMG2) and Scrutiny Committee. Scrutiny Committee had recommended that the policy be implemented.

The Street Services Manager advised the meeting that an amendment to paragraph 4.2.5 of the policy under the heading 'Removal of Trees', would be made to include the wording, "not removing trees or disturbing trees when nesting birds are present". Members welcomed the report and asked questions.

Moved by Councillor D. Kelly, seconded by Councillor B.R. Murray-Carr.

RESOLVED that subject to the inclusion of the wording, "not removing trees or disturbing trees when nesting birds are present", to paragraph 4.2.5 of the policy under, 'Removal of Trees', the draft Tree Management Policy be approved.

(Street Services Manager / Head of Democratic Services)

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Reason for decision: In order to approve the Tree Management Policy.

802. CLIMATE CHANGE – INVEST TO SAVE IMPROVEMENTS AT SHERWOOD LODGE

The Director of Strategy presented a detailed report to seek Members approval for the installation of photovoltaic energy cells on certain elevations of the roof to Sherwood Lodge. These areas were marked on the plan attached to the report.

The Council's Corporate Plan included a target to reduce the Council's carbon emissions to 80% of the 2006/7 levels by March 2011. The level of contribution from this scheme would equate to 268 tonnes of carbon dioxide saved over the 25 year life of the equipment.

The total cost of installation of the proposed system was £78,075. The Low Carbon Buildings Programme would contribute 50% towards the cost of installing these improvements, which would require the Council to contribute £39,037.50 however; there was no current budgetary provision for the works outlined. The Director of Strategy explained how this could be funded from savings made from the Asset Management Plan which was currently being reviewed to avoid any potential unnecessary expenditure. A more detailed report would be brought to a future meeting regarding the proposed revision of the Asset Management Plan.

Members raised concerns about the review of the Asset Management Plan.

After lengthy discussion, Members requested that they receive annual reports regarding projected savings and actual savings made from the installation and this be added as a further recommendation to the report.

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

RESOLVED that 1) the proposed installation of a photovoltaic energy system be installed at Sherwood Lodge as outlined in the report,

2) Members receive annual reports regarding projected savings and actual savings made from the installation.

(Director of Strategy/Head of Democratic Services)

Reason for decision: To assist the Council in meeting its carbon reduction target and to generate ongoing savings.

800. CONTINUED - URGENT ITEM – MEDEN VALLEY MAKING PLACES

It became apparent that not all Members had a printed copy of the Meden Valley Making Places report when previously discussed at minute number 800 and

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Members sought further clarification from the Environmental Health Residential Manager on certain points.

Although the decision had previously been taken, Members reaffirmed their previous decision.

Moved by Councillor D. McGregor, seconded by Councillor B.R. Murray-Carr
RESOLVED that 1) the decision previously taken at Minute Number 800 be reaffirmed,

2) the Chief Executive Officer, in conjunction with the Leader, Deputy Leader and Solicitor to the Council, be authorised to approve any changes to the Memorandum and Articles of Association and any related documents of the Company in the future provided that there are no significant implications for the Authority.

(Environmental Health Residential Manager/Chief Executive Officer)

803. ICT BUDGET BIDS

The Director of Resources presented the report in respect of bids for ICT expenditure.

The ICT Strategy Group had considered and recommended the bids as outlined in the report for approval by Executive.

Members asked questions and lengthy discussion took place.

Moved by Councillor D. McGregor, seconded by Councillor E. Watts
RESOLVED that the ICT capital bids detailed in the report be approved and financed from the ICT and Office Equipment Reserve.

(Director of Resources)

Reason for decision: In order to allocate funds from the ICT reserve.

804. 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.

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805. EXTENSION TO THE ESTABLISHED PARTNERSHIP AGREEMENT WITH BAGGALEY AND JENKINS LTD TO DELIVER THE KITCHEN REPLACEMENT PROGRAMME TO COUNCIL HOUSING STOCK EXEMPT – PARAGRAPH 3

The Buildings and Contracts Manager presented the report to seek Members approval to extend the contract awarded to Baggaley and Jenkins Ltd, to deliver the kitchen replacement element of the Decent Homes Standard, which the Authority has to meet by December 2010. If Members agreed to extend the contract, their approval would also be necessary to suspend Contract Standing Order 4.8.1 (1).

On 5th April 2006, Council approved a three year partnership agreement, with Baggaley and Jenkins Ltd of Mansfield, with an option to extend for a further two years, or up to the OJEU threshold, whichever is reached first.

Current figures for the 2008/2009 contract have been analysed for target contract costs against actual costs and customer satisfaction results. The Tenant Satisfaction level achieved at the time of writing for 2008/09 is 95% against a target of 85%. If approved, the contract would continue to be supervised by Consultancy Services staff and contract performance would be monitored via contract Key Performance Indicators.

Members asked questions and lengthy discussion took place.

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

2) Contract Standing Order 4.8.1(1) be suspended to allow the current contract to be extended by two years or up to the OJEU threshold, whichever is reached first.

(Buildings and Contracts Manager)

Reason for decision: In order to maintain timely progress on the decent homes programme.

806. TENDER UPDATES EXEMPT – PARAGRAPH 3

The Head of Shared Procurement gave a verbal update to the meeting regarding progress on the tender for consultancy services for the Shirebrook Sustainable Development Masterplan.

Moved by Councillor E.Watts, seconded by Councillor D. McGregor
RESOLVED that the verbal report be noted.

The meeting concluded at 1210 hours.

Committee:	Executive	Agenda Item No.:	5
Date:	6 th April 2009	Status	Open
Category	2. Decision within the functions of Executive		
Subject:	Working Neighbourhoods Fund Monitoring Report		
Report by:	Consultant Programme Manager		
Other Officers Involved	Chief Executive's and Partnership Manager		
Director	Chief Executive Officer		
Relevant Portfolio Holder	Regeneration		

RELEVANT CORPORATE AIMS

REGENERATION – Developing healthy, prosperous and sustainable communities.

TARGETS

The Working Neighbourhoods Fund will impact on the National Indicator 153 – Working age people claiming out of work benefits in the worst performing neighbourhoods. Bolsover District Council has agreed a holding target with the LAA of reducing the out of work claimant rate within the worst performing neighbourhoods from 28.7% to 25.4% by March 2011. The Local Authority's success in tackling worklessness will also be measured against a further 4 indicators, these being:

- NI 117 – 16 to 18 year olds who are not in education, training or employment
- NI 118 – Take up of formal childcare by low income working families
- NI 163 – Working age population qualified to at least Level 2 or higher
- NI 172 – VAT registered businesses in the area showing growth.

VALUE FOR MONEY

The principles of Value for Money – economy, efficiency and effectiveness will be applied in all interventions considered.

THE REPORT

Background

1. Executive Members will recall the Authority's award of Working Neighbourhoods Fund earlier this year (Minute No. 886 refers). The

Working Neighbourhoods Fund was introduced as part of the Local Government Finance Settlement and is one element of the new Area Based Grant. It provides resources to local authorities to tackle worklessness and low levels of skills and enterprise in their most deprived areas.

2. The WNF allocation to Bolsover District Council is:

2008/09	£2,055,516
2009/10	£2,440,522
2010/11	£2,535,018

3. As part of the Council's approach to tackling worklessness, a Commissioning Framework has been established to allocate the funding in two ways:-
- i) the Local Authority's focus upon the people who are **already receiving benefits** and are unemployed and try to encourage them back into work and off benefits, and
 - ii) tasking the Local Strategic Partnership for Bolsover with identifying measures to address and **prevent the need to be in receipt of benefits** or become unemployed.
4. In respect of (i) above, the Council has established a Core Worklessness Group which the Leader of the Council has delegated powers to agree the Working Neighbourhoods Fund spend.
5. £1m per annum has been allocated to the Local Strategic Partnership (LSP) in respect of 2(ii) above

Progress Update

6. NI 153 is the primary indicator for the Working Neighbourhoods Fund – "Working age people claiming out of work benefits in the worst performing neighbourhoods". The measure for this indicator is defined as those Lower Super Output Areas (LSOAs) with a benefit claim rate of 25% or more based on a four quarter average between May 2006 and February 2007. Bolsover District Council agreed a holding target through the LAA against NI 153 to reduce the average claimant rate of the six eligible LSOAs from 28.7% to 25.4% by March 2011 (this equates to a **net reduction** of 163 people off benefits and into work by March 2011).
7. The table below reflects a trend of improvement of the average claimant rate across all six targeted LSOAs in the rolling average for the 12 months ending August 2008 is 26.2%. However, it should be noted that these figures do not provide an accurate picture of the current economic downturn and the impact on worklessness within local communities as data on all income related benefits is only available up to August 2008.

LSOA	Ward Name	Working age population (16-59/64)	Average worklessness benefits claimants *	Rate (%)
E01019509	Shirebrook North West	649	208.75	32.2
E01019507	Shirebrook East	1,056	287.50	27.2
E01019488	Bolsover West	920	243.75	26.5
E01019498	Elmton-with-Creswell	1,022	236.25	23.1
E01019523	Whitwell	666	185.0	27.8
E01019483	Bolsover North West	1,304	310.0	23.8
Total		5,617	1471.25	26.2

** Includes Job Seekers Allowance, Incapacity Benefit, Lone Parents and others on income related benefits.*

Commissioning Activity

8. The Core Worklessness Group and the Local Strategic Partnership are currently progressing a range of interventions for commissioning. A summary of approved projects and those still progressing through the commissioning process can be seen on the following pages.
9. Actual WNF funded delivery in 2008/09 has been minimal to date. However, a number of projects will be ready to commence delivery early in the new financial year and 2009/10 will also see a number of large projects being commissioned. Furthermore, it has been necessary to commission a number of studies in order to inform future delivery, i.e. example, Financial Inclusion and Public Sector Apprenticeships
10. To maximise use of the WNF and to ensure sufficient time is made available to target and impact in local communities, the Leader of the Council via delegated authority, has agreed that projects will be allowed to span a 3 year period (for many this will be 2009/10 to 2011/12. This is feasible as the WNF grant is a rolling programme of funding and therefore allows the Local Authority flexibility in utilising the spend.
11. Bolsover District Council is hosting a further priority setting event to drive forward the delivery of WNF objectives in the district on 26th March 2009. It is intended that this will build upon the WNF Launch Event held in July 2008 and result in the development of a Strategy and Action Plan that will guide the delivery of the funding available. There will be four workshops in the afternoon that will focus on:

Young People;
Unemployed;
Health; and
Employer Engagement and Business Support.

Financial Update

12. The table below provides summary information on the WNF allocations, approvals and commitments for both the LSP and the CWG.

	LSP	CWG	Total
Management and Admin Budget		285,100	285,100
WNF Budget for Commissioning	3,000,000	3,745,956	6,745,956
WNF approved to date	264,212	627,530	891,742
Indicative Cost of Priority Interventions	1,673,000*	1,054,275*	2,727,275
Remaining WNF	1,062,788	2,064,151**	3,126,939

* *Indicative figures only i.e. actual WNF required may go up or down during the commissioning/tendering process*

** *Some of the CWG's priority interventions summarised on previous pages do not have an indicative cost attached to them yet*

Suspending Contract Standing Orders

13. The CWG have identified a priority intervention through their commissioning activity where there are considered to be justifiable reasons for suspending Contract Standing Orders. Endorsement from the Executive is now being sought to suspend CSO's for the project outlined below.

Disability Dynamics

14. The aim of the proposed service is to provide a substantive offer with pro-active Business Adviser support and targeted promotional activity specifically for a people with disabilities. The proposed service is based on an emda (East Midlands Development Agency) pilot programme which was delivered by Disability Dynamics Ltd in 2007 and provided a package of support which included assistance with market research and business planning; access to low-cost computer equipment; free business cards and publicity for each new business and support and assistance from a dedicated business advisor during the first few months of trading.
15. It is envisaged that WNF in the region of £200,000 would be required to deliver the objectives of the project over a two year period, with an opportunity to extend the project for a further year subject to the project providing additionality to the regional business support offer.
16. This programme of support is seen as an extension to a successful pilot which was delivered in 2007/2008. To ensure consistency of approach and building on lessons learnt from the pilot programme it would be justified to continue the programme with Disability Dynamics Ltd. In addition to this, Disability Dynamics Ltd have submitted a bid to Chesterfield Borough Council under their WNF programme which has

been successful. Using the same deliverer across Chesterfield and Bolsover will provide economies of scale and early discussions have taken place with Chesterfield and Disability Dynamics Ltd with regards providing best value through shared resources where possible.

17. Further to the above, the procurement/tendering process would be unnecessarily time consuming and would seriously jeopardise the best practice developed by Disability Dynamics Ltd and the opportunity to achieve best value through working in partnership with Chesterfield Borough Council.

CORE WORKLESSNESS GROUP

Approved Projects	WNF Approved
<p>Family Employment Initiative An additional Adviser to provide outreach support within the Family Employment Initiative team to work with economically inactive adults in the most deprived neighbourhoods. During the period August – December 2008, the FEI Team worked with 211 individuals which resulted in 76 people entering employment</p>	<p>£273,681 to March 2011</p>
<p>BizFizz Business start-up support and advice through a BizFizz Coach in Clowne and Elmton with Creswell (2008/09 only)</p>	<p>£24,927 to March 2009</p>
<p>LEADER Programme Contribution towards the Management of the LEADER programme which aims to improve the quality of life and economic prosperity of rural communities through small scale innovative projects</p>	<p>£66,000 to March 2009</p>
<p>Grants to Voluntary Organisations BDC approved funding towards worklessness activities of the Trade Union Safety Team and the Derbyshire Unemployed Workers Centres over three years</p>	<p>£96,867 to March 2011</p>
<p>Public Sector Apprenticeship Programme A scoping piece of work has been commissioned to explore the potential for a Public Sector Apprenticeship Programme. The work will result in the production of a delivery plan which will then be taken forward in Phase 2</p>	<p>£16,625 to May 2009</p>
<p>Ways to Work This project is aimed at reducing the barriers to employment associated with transport difficulties and is an enhancement to the existing Wheels to Work programme in the district. New elements of the programme include push bike and electric bike loan, personalised travel planning, bus/taxi vouchers, subsidised driving lessons and better information on transport options.</p>	<p>£149,430 to March 2012</p>
<p>TOTAL</p>	<p>£627,530</p>

Proposed Interventions	Indicative WNF and Timescale
Business start-up support and advice for people with disabilities/learning difficulties. Exemption from Contracts Standing Orders is required	£200,000 to March 2011
An ILM programme to tackle worklessness and provide accredited training for those with multiple barriers including ex-offenders, substance mis-users, young people not in employment, education or training and the long term unemployed.	£150,000 2009/10 pilot
Pre 'Skills for Jobs' intervention and development including courses for JCP/CET clients who need more intensive support and guidance than is presently provided, i.e. red/amber clients that are furthest away from the labour market	£175,000 to March 2012
Employer engagement intervention to include engagement with JCP and FEI clients who are close to employment but need job-specific skills. This is a cross-cutting project with the LSP and includes: Pre-employment gateway training course Job-specific short courses Additional outreach workers Aftercare service to employers to improve employee retention	£215,000 to March 2012 (cross cutting project with the LSP)
Bus to Work' Mini-bus service picking up from Langwith, Shirebrook and Bolsover and taking people to work at Markham Vale, Clowne and Balborough Links. SSP funding secured until June 2009, WNF required beyond then	£130,000 to March 2011
An online directory of employment services providing detailed and up-to-date information on publicly funded employment and related services within the district. A resource for local people as well as community engagement teams which will involve the recruitment of a dedicated person to maintain the directory. The directory was originally designed for East and Southeast London City Strategy Pathfinder and can be purchased for local use	£80,000 to March 2012
To recruit a Projects Officer (Infrastructure) who will progress the future development of the town centres and strategic sites within the district	£104,275 to March 2012
To implement recommendations for a Public Sector Apprenticeship Programme following completion of the Phase 1 work	Unknown at this stage
Consultants have recently been commissioned to carry out detailed studies on a number of project areas across Shirebrook town centre as identified in the Masterplan. This will present opportunities for training (construction) and employment (finished product). A Feasibility Study has been commissioned to assess the need and demand for the development of an Enterprise Centre in Shirebrook. This will result in both training and employment opportunities in its construction and completed building.	Unknown at this stage
TOTAL	£1,054,275

LOCAL STRATEGIC PARTNERSHIP

Approved Projects	WNF Approved
<p>Bolsover Volunteering Project This project will increase the number of high quality volunteering opportunities in order to improve the confidence, capacity and skills of local people, including those who are unemployed and/or experiencing poor health. This project will benefit 250 people in a volunteering opportunity</p>	<p>£179,296 to March 2012</p>
<p>Financial Inclusion – Phase 1 The LSP has commissioned a piece of work to gain a detailed understanding of what is required across the district in relation to financial inclusion and what will best meet the needs of local people. Financial inclusion includes: savings accounts affordable loans access to free debt advice money education This will result in the production of a delivery plan which will then be taken forward in Phase 2</p>	<p>£9,800 to May 2009</p>
<p>FEI – Practice Nurse Additional funding has been approved to recruit a District/Practice Nurse to work as a member of the existing Family Employment Initiative Team based in Shirebrook to help people with their health needs (health has been identified as a barrier to employment)</p>	<p>£75,116</p>
<p>TOTAL</p>	<p>£264,212</p>

Proposed Interventions	Indicative WNF and Timescale
<p>Employer engagement intervention to include engagement with JCP and FEI clients who are close to employment but need job-specific skills. This is a cross-cutting project with the CWG and includes: Pre-employment gateway training course Job-specific short courses Additional outreach workers Aftercare service to employers to improve employee retention</p>	<p>£383,000 to March 2012</p>

Proposed Interventions	Indicative WNF and Timescale
A large cross-cutting project that aims to raise the aspirations of the following target groups, through a means of innovative projects: Young people that are NEET including teenage parents and those with drug/alcohol problems Young people who are in care, have been in care or are homeless School age children and their families, with a focus on year 10/11 and post 16 transition Unemployed people within the most deprived neighbourhoods	£1,095,000 to March 2012
To create a community interest company based at Markham Vale Environment Centre that will employ and provide training to vulnerable adults with learning disabilities and mental health issues in the management of the developing green tourism resource in Bolsover & Chesterfield	£141,000 to March 2012
Additional staff resource to work within the Chief Executives and Partnership team – Funding and Appraisal Officer	£54,000 to March 2012
TOTAL	£1,673,000

ISSUES/OPTIONS FOR CONSIDERATION

Whether to agree the suspension of Contract Standing Orders 4.8.3 as set out in the report.

IMPLICATONS

Financial: Detailed in the report

Legal: The suspension of Contract Standing Orders in relation to the intervention as detailed in paragraph 13, as a tendering process would usually be required for WNF commissioned interventions under the Local Authority's Procurement procedures.

Human Resources: None

RECOMMENDATION(S) that;

Executive suspends Contract Standing Orders 4.8.3 for the reasons given above in relation to Disability Dynamics Ltd.

REASON FOR DECISION TO BE GIVEN IN ACCORDANCE WITH THE CONSTITUTION

To ensure that WNF is targeted to best effect and where needed and to ensure that the tendering process does not unjustifiably distort the result.

ATTACHMENTS: **N**
FILE REFERENCE:
SOURCE DOCUMENT:

Committee:	Executive	Agenda Item No.:	6
Date:	6 th April 2009	Status	Open
Category	1. Key Decision included in Forward Plan		
Subject:	A Public Art Strategy for Brook Park, Shirebrook and the Bolsover District		
Report by:	Leisure Operations Manager		
Other Officers Involved	Arts Development Officer Head of Procurement Head of Planning		
Director	Strategy		
Relevant Portfolio Holder	Social Inclusion		

RELEVANT CORPORATE AIMS

REGENERATION – Developing healthy, prosperous and sustainable communities

Develop vibrant town centres. Develop flourishing rural communities. Encourage inward investment and a local entrepreneurial culture to maximize sustainable employment opportunities.

SOCIAL INCLUSION – Promoting fairness, equality and lifelong learning

Promote the development of skills and learning within communities.

ENVIRONMENT – Promoting and enhancing a clean and sustainable environment

Protect, enhance and improve the natural and built environment in a sustainable way.

CUSTOMER FOCUSED SERVICES – Providing excellent customer focused services

Strengthen community consultation and involvement. Design and deliver services to meet the needs of customers.

COMMUNITY SAFETY – Ensuring that communities are safe and secure

Arts participation programmes contribute to the delivery of 40,000 hours of community based engagement to 5,000 young people and help 500 young people successfully complete leadership awards / active citizenship programmes by March 2011.

TARGETS

To adopt the Public Art Strategy by January 2009 and achieve all milestones by March 2012.

VALUE FOR MONEY

The strategy has been funded by EMDA (£12,000) with partnership funding from Bolsover District Council (£2,000) and in kind funding from Derbyshire County Council through the provision of officer time to manage the contractors involved with the strategy creation.

A new procedure has been developed as part of the Bolsover District Public Art Strategy to categorise into small, medium and large contracts and a route will be followed as to how the contract will be managed and whether that contract can be managed in-house as apposed to by an external Consultant.

The Procurement of Public Art Management and Delivery will demonstrate value for money due to competitive tendering when a Consultant is appointed for large scale Public Art Contracts and where small to medium sized contracts are managed in-house by the Arts Development Officer this will show savings of 20% on current charges levied by external consultants. There is an opportunity to charge 5% of the project cost (thus leaving a 15% saving overall) by charging an internal project management fee to offset any increases in salary for the Arts Development Officer as a result of any changes to the role that are directly attributed to the Public Art Management process.

THE REPORT

Members will recall during the presentation to Executive of the Bolsover District Arts Strategy 2008-13 on March 10th 2008, that the report recognised there had been a huge amount of development around Brook Park and Shirebrook. The report explained that with this in mind, EMDA had given funding for a "Public Art Strategy for Brook Park and Shirebrook" to be written. The strategy was to be jointly managed by BDC Arts Development Officer and DCC Arts Development Officer.

With this in mind it seemed sensible to further develop the work of the brief for Brook Park and Shirebrook to provide for a "Public Art Strategy for Bolsover District" which would include a revised Public Art Policy and Procedures for the management of Public Art.

Public Art includes but is not limited to, not only the obvious permanent structures such as sculptures, mosaics and ironworks etc. but also compositions, written works and participatory projects.

BENEFITS OF PUBLIC ART

The potential cultural, economic, social and environmental benefits of public art are now widely accepted. These include:

- enhancement of the built environment and contribution to urban design
- contributing to developing an environment that is attractive to existing and new businesses
- value is added to developer's schemes and product
- providing additional attractions to residents and visitors
- helping to develop a locally distinctive sense of place
- providing employment opportunities for artists and creative industries
- potential of increased ownership of public spaces by communities through involvement in design and evolution of artworks
- recognised as a tool of urban regeneration
- promoting the profile of the district
- adding value to existing commitments e.g. interpretation, street furniture
- introducing new heritage for future generations
- mainstreams art
- method of connecting spaces, including rural to urban

CURRENT POSITION

There is no formal or systematic mechanism that identifies and encourages public art opportunities. The Public Art function was, until recently, managed by Junction Arts, where most opportunities arose for one-off projects / commissions. These have been integrated into the environment with varying degrees of success, but have given the Authority experience of the various aspects of the public art process. Major regeneration opportunities now necessitate a coherent and holistic approach to public art, so that we can expect an improved quality of design.

Public art opportunities do exist in:

- large scale commercial developments
- housing developments
- urban and rural enhancements
- interpretation of historic monuments and historic sites
- signage
- lighting
- private developments e.g. business parks
- District Council developments e.g. depot

A number of suggested project strands have been identified via the strategy creation including * landscaping * signage * and works of art – as part of the strategy commission the consultants will, once the ideas have been further developed and agreed, write the funding applications to the various funding bodies also identified within the strategy.

PUBLIC ARTS STRATEGY - STRATEGIC OUTCOMES

The draft Public Art Strategy has a number of benefits for a co-ordinated approach to public art:

- provide a framework for officers and members to achieve the maximum benefits from the programme
- complimenting the work of other BDC departments and initiatives, such as tourism, economic development and community cohesion
- provide a long lasting high quality legacy of public artworks and programmes for the local community and wider public
- provide a distinctive and innovative approach to public art that will enhance the District
- build partnerships with stakeholders and encourage further relationships through recognising the benefits of public art programmes
- build the creative industries sector in the District to further develop creative occupations and activities

KEY OBJECTIVES

The key objectives of the Public Arts strategy are to:

- develop an integrated approach by BDC to the section 106 process and other public art initiatives
- develop mechanisms that will allow all partners and the community to work together productively
- demonstrate public arts role in enhancing the social, economic and cultural life of the District and generate new public art schemes
- provide a contextual framework that will offer support in developing greater understanding, enjoyment and engagement with public art and wider creative activities
- integrate public art projects into the BDC arts programme

THE MANAGEMENT OF PUBLIC ART

When the Arts Strategy was adopted by the Council in March 2008, it was agreed that the previous custom and practice of commissioning permanent works of art would be replaced by a more flexible approach. As a result, monies available for art projects can now be used for more community based projects including the development of participatory arts programmes.

The Public Arts Strategy provides a new flowchart to indicate how commissions will be placed for any art projects, this is included at appendix 1. The flowchart process, ensures that there is a dialogue between Planning Officers, the Arts Development Officer and local members at an early stage to map out the potential art input and to engage with the developers. At this stage, and as an intrinsic part of the S106 agreement if a public art project is proposed, a public art expert will also work with the developer and the Arts Development Officer to propose the most appropriate public art scheme and

the mechanisms by which they might be achieved along with any wider arts input as part of the S106 agreement.

The current process for planning applications, where there is no pre-application discussion the planning officers will flag up a shopping list with developers. Ideally, one officer in the department should be a one-stop coordinator for each application, disseminating information to each partner which can include the ADO or a public art consultant. The potential for planning officers to raise issues with developers concerned with integrating artist- and craftsperson-designed elements would also be considered at the earliest possible opportunity within the planning process. The priorities for this approach are currently subject to a review of section 106 priorities by Executive and PPMG Chairs. Subject to the outcome of any decisions arising from this review, there may be an impact on the number of opportunities for public arts projects that are progressed.

There are three scales of project outlined - which are:
within the design team,
tendering or
working directly with the community, either singly or in combination.

The scale of the project should also determine how the project is managed. The management of the project is either directly through the ADO for relatively small and uncomplicated programmes, through a quotation system with a preferred supplier list for larger projects and the possibility of a tendering system for the largest and most complex projects.

The strategy proposes that for a project of under £20,000 (a development of some £2 million) it is suggested that the programme should be managed internally by the Arts Development Officer, with or without the assistance of a public art expert. The project could be either a commissioned art work of any art form, a participatory arts programme or a combination. For a project from £20,000 to £50,000 the project could be either managed in house or could be tendered to the preferred supplier list, who would project manage the process, including timetabling, contracting, applying for necessary approvals, and arranging for the long term future of the project. For a project of over £50,000, the project could either be tendered to a preferred Project Manager or if it is substantial, have an open tender or directly contract. The direct contract route is only likely where a specific artist or type of artwork is required for a nationally important project.

Attached is a copy of the strategy for consideration.

ISSUES/OPTIONS FOR CONSIDERATION

Members are asked to adopt the Public Art Strategy.

If approved, the strategy will be reviewed annually and subject to a report to Executive on progress.

IMPLICATONS

Financial: Associated to the various developments within our District there are monies identified as Per Cent For Art contributions via Section 106 agreements or planning conditions amounting to over £1m. An efficiency saving of 20% on all small and medium sized contracts funded through Per Cent For Art monies when managed internally has equated to over £24,600 for 08/09 that would have previously been paid in management fees to external organisations/contractors. There is an opportunity to charge 5% of the project cost (thus leaving a 15% saving overall) by charging an internal project management fee to offset any increases that may apply following Job Evaluation assessment in salary for the Arts Development Officer as a result of any changes to the role that are directly attributed to the Public Art Management process.

In addition, the 'in house' management of the Public Art function has meant that revenue monies totalling £99,000 have been received for arts related community projects as an alternative to works of art.

Legal: None

Human Resources: The 'in house' management of the Public Art function is additional to the Arts Development Officers current Job Description and may have JE implications which are being considered.

RECOMMENDATION(S) that;

- 1) Executive approves the Public Art Strategy for Brook Park, Shirebrook and the Bolsover District,**
- 2) the Leisure Operations Manager be given delegated authority to make minor changes as necessary to the document in consultation with Director of Strategy and Portfolio Holder for Social Inclusion,**
- 3) Executive approves the opportunity to levy a charge of 5% of the total project cost (thus leaving a 15% saving overall based on previous management arrangements) for internal project management fees.**

REASON FOR DECISION TO BE GIVEN IN ACCORDANCE WITH THE CONSTITUTION

To adopt a Public Art Strategy for Brook Park, Shirebrook and the Bolsover District. To give approval for the Procurement of Public Art Management and Delivery.

ATTACHMENTS: Y
FILE REFERENCE: None
SOURCE DOCUMENT: Background papers held by Arts Development Officer.

A PUBLIC ART STRATEGY

For

BROOK PARK, SHIREBROOK AND THE BOLSOVER DISTRICT

Written by

**Alan Humberstone &
Tim Harris
of CULTURAL CONSORTIUM, Ltd**

**For Bolsover District Council & Derbyshire County
Council,**

**Funded by East Midlands Development Agency and
Bolsover District Council**

October 2008

“I would love to see more significant work in public spaces that is not institutionalised – work that is truly everyone's.”

*Anthony Gormley,
Artist*

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EXECUTIVE SUMMARY

1. This Strategy is developed with support from Bolsover District Council, Derbyshire County Council and East Midlands Development Agency. It delivers a public art scheme for the Brook Park and wider Shirebrook area as well as developing a public art strategy for Bolsover District, one of the recommendations of the Bolsover Arts Strategy, 2008.
2. Public Art has been developed by other authorities, including in the East Midlands, to create a new vision for areas which are seeking to re-invent themselves, following a period of industrial decline.
3. The term “Public Art” is taken to include participatory and celebratory projects which are impermanent, as well as sculpture, mosaic, photography, painting, writing, ironwork, glass, ceramics, carving, textiles, film, lighting, and performance, both musical and dramatic.
4. Public Art has the capacity to deliver corporate aims of encouraging public engagement, improving the visual environment and generating public pride. This Strategy links with the Shirebrook Masterplan to deliver the aim of:

‘A 21st century Market Town...well connected to its surroundings, both physically and economically...with a high profile within the region.’

5. The Bolsover area has a number of creative, tourism and environmental agencies which can impact on the Strategy through delivering green space improvement contextualise the geological and social history, as well as delivering education and outreach projects. The building of effective partnerships and cross agency working will be a vital aspect of delivering the strategy.
6. There are a number of new and exciting developments in the Shirebrook Town, and within the Brook Park facility that will be reinforced by innovative and appropriate Public Art developments; many of these are outlined in the Masterplan. The Strategy proposes the linking of the Brook Park development and the proposed developments outlined in the Shirebrook Masterplan to create a public art programme across Brook Park and the town that will be a major driver in the regeneration of the area.
7. In addition, there are a number of initiatives in the former Coalfield areas of Derbyshire that are also advocating the use of public art within their regeneration scheme. We propose that these initiatives should be linked and integrated to provide a major public art presence, potential public art trail and a major boost to the image of the area with resulting social and economic benefits. The coalfields programmes lay across the Bolsover, Chesterfield and North East Derbyshire local authority areas and the potential for collaborative arrangements could be explored.
8. There are additional opportunities to be explored through the landscaping around Brook Park and in connecting the Retail Park to the Town, through developing common artist/craftsperson-designed elements such as signage, street furniture and lighting that could be utilised across the District
9. Following the transfer of responsibility for Public Art within BDC, to the Arts Development Officer, this Strategy proposes the development of communication between departments, with further support from Public Art professionals. Key issues are the early notification of potential developments to the Arts Development Officer, working with the developers on potential public art elements within the design process and at no additional cost the integration of public art professionals on design teams.

10. The new planning regulations will alter the whole Section 106 agreement process through being superseded by the Community Infrastructure Levy. Although there may be a change in the methodology, it is likely that funding towards public art programmes will be channelled through identified social impact costs. The National Validation Criteria for planning applications will include many nationally agreed systems but a locally determined Design and Access statement could have the capacity to refer to public art and other similar design imperatives and this should be explored.
11. The guiding principles of the Public Art Strategy are to ensure the provision of:
 - Quality of product
 - Local distinctiveness
 - Community engagement,in any new developments in the Bolsover area.
12. Quality of product may be developed through the active engagement of creative professionals including agencies based within Bolsover District Council in working with local authority officers at an early stage of planning.
13. Local distinctiveness may be developed by ensuring that projects are inspired by the use of local materials and the rich geology of the area, as well as its history of diverse industries and the inward movement of different social groups.
14. Community engagement may be delivered through focused consultation with local groups, outreach and participatory projects, and the involvement of local interest groups in the recruitment of appropriate artists. This will be informed by the statutory planning consultations such as the Statement of Community Involvement coupled with more focused consultation when public art schemes have been identified.
15. Projects will be divided into 3 bands as appropriate to allow for local “pooling” of funds to create local ward-based projects as well as imaginative developments of national (or international) importance. There are no resource implications for the authorities although external funding will be sought for Public Art initiatives, to complement section 106 contributions where appropriate.

1. INTRODUCTION

1.1 Introduction

This report was commissioned by Derbyshire County Council and Bolsover District Council to address the need for a Public Art Strategy and Action Plan, in recognition of the new and emerging regeneration in Bolsover, and the new Brook Park development.

1.2 Definition of Public Art

The definition of Public Art in the commissioning brief is wider than traditional sculpture and statues. The brief defines Public Arts as including:

“almost all art forms, including sculpture, mosaic, photography, painting, writing, ironwork, glass, ceramics, carving, textiles, film, lighting, and performance, both musical and dramatic. What makes such work into public art is the process of involving contemporary artists with the public realm (by which is meant both the physical environment and the local people), and the commissioning process that creates work for and appropriate to a specific location”

The brief anticipated the role of Public Art in delivering the following Regenerative outcomes for the Bolsover and Brook Park area

:

- Draw attention to past, present and future
- Get people involved
- Foster a sense of identity, pride of place and belonging
- Encourage inclusion, active participation and ambition
- Raise the profile of Brook Park, Shirebrook and Bolsover District
- Celebrate the character of the area
- Forge links between communities, places and countries
- Create a notable and ambitious example of arts in regeneration

1.3 Linking to 2008 Bolsover Arts Strategy

This Strategy delivers one of the key aims of the 2008 Bolsover Arts Strategy, which was formally adopted by the Authority in March, 2008. That recognised the potential for Public Art development as part of the Regeneration of the Bolsover District, and the impact on the environment. The Bolsover Arts Strategy links to the Sustainable Community Strategy and is the over-arching strategy for the District. An additional key document is the Shirebrook Sustainable Development Masterplan, 2007, which sets out a clear vision for:

‘A 21st century Market Town...well connected to its surroundings, both physically and economically.. with a high profile within the region.’

As part of the research relating to the report, the work that related specifically to the Brook Park regeneration scheme and the public art strategy for BDC overlapped in many ways. This report makes the case for integrating the Brook Park public art initiatives with the planned developments in Shirebrook and its environs over the next few years to build a major public art initiative to deliver the objectives outlined above and act as an exemplar

and route map to further public art schemes related to regeneration programmes across BDC and more widely in Derbyshire.

1.4 Linking to Projects across the County

This report has been commissioned by EMDA and Bolsover District Council to provide a public art strategy for the Brook Park regeneration scheme and the wider Bolsover District. The research for the report has indicated that there is huge potential for working collaboratively in a number of areas:

- The integration of a Brook Park Public Art scheme with Shirebrook Town regeneration, as indicated above.
- Collaboration between the coalfields and coalfields linked regeneration schemes throughout Derbyshire, such as Markham Vale, The Avenue and Pleasley Vale.
- Collaboration across local authority areas, particularly where the schemes run across two or more boundaries.

The potential for both a high profile public art presence and the potential to link with other strategies, such as tourism, crime reduction and economic development could be massively increased by taking this approach.

2. Audit of Current Activity

2.1 Bolsover District Council

Historically, development of art in the public realm has been organised through the Planning Department, and has often been successfully delivered by Junction Arts, which is funded to deliver participatory arts opportunities in Bolsover. However, recent changes within BDC will bring responsibility of administering these funds within the responsibility of the Arts Development Officer. It is clear that the considerable investment in the District through new housing and regeneration projects have created a significant body of funding through 106 agreements, and that this is rising annually.

Analysis of the existing contributions to artwork development, under 106 agreements shows a conservative estimate of well over £1.1million which has been, or will be invested in artworks through the contribution of 106 Planning Agreements, from 2005 to 2008. This demonstrates the need for a coordinated approach that allows for the development of participatory arts activity, as outlined in the 2008 Bolsover Arts Strategy, alongside Public Art, as outlined in 1.2 above. The different scale of initiatives – which are defined within the Strategy at 5.6 below – allows for specific Public Art initiatives and appropriate community-led arts projects, and for overlaps between them.

The Arts Development Officer has been managing some Public Art initiatives in collaboration with local communities, such as the village memorial at Blackwell, and Blossom Walk in Creswell.

2.2 Junction Arts

Junction Arts have been delivering Public art projects in Bolsover, since 1994, which have been funded by a variety of sources, including 106s, external funders, such as Arts Council, England, Awards for All, Market Towns SRB, NRF, Derbyshire CC and others. Junction's work as a participatory arts organisation - to *“work with communities, schools, statutory, voluntary and private sector organisations in the district to create high-quality, exciting and imaginative creative programmes and projects which engage local people”* – has led to a number of public art projects with a strong participatory element across the District.

The Junction Arts approach has been to engage a local community in defining needs and as part of the artist recruitment process, and see a benefit in encouraging approaches that inspire engagement and participation, particularly in communities with whom they have strong existing links. Existing records provided by Junction Arts show around 10 public projects in various stages of development since 1995; no details of budget allocated, or levered, into artworks has been available. However, Junction Arts have appointed a Public Art Officer to drive their delivery of these projects as they emerge, and the necessary community consultation process. Projects delivered have included a mosaic, and teen shelter with Blackwell PC, and the South Normanton Centre Clock.

2.3 Creswell Heritage Trust

CHT manages Creswell Crags, but operates from Maltby across to Pleasley Vale, working with a variety of groups through an Outreach programme focusing on geographic reimits. Creativity is one part of a toolkit to deliver community aspiration and to increase understanding of the range of history and influences that have defined the sub-region. This places considerable importance on the geology of the area as the prime factor in bringing people to settle in the locality; while the nature of the area changes as a result of the influx, often for economic reasons, the geology, however, remains constant but may be economically exploited in a number of different ways through human habitation of the area. The Trust focuses on the histories and stories of the area, most evidently in the public perception, through the Creswell Crags Heritage area.

2.4 Groundwork, Creswell Group

Groundwork has good existing links with BDC, who are represented on the Board, and have a funding SLA with the Authority. However, Groundwork has not been invited to deliver 106 programmes, although there is evidence that neighbouring authorities have established constructive partnerships with the Trust. GW Creswell has aspirations to work creatively on the environmental clean-up of The Avenue and through the Meden Valley Making Places project.

The Groundwork team of landscape architects works with local communities, often in disadvantaged areas, and focuses on training with young people, and community empowerment. Their priority programme areas are in climate change and housing stock renewal. They are experienced in accessing external funding towards local projects, and would see themselves as developing partnerships with regeneration agencies in the delivery of environmental projects, as well taking on the delivery role. Their *Creative Regeneration programme 2004-7* received £170,000 of external funding towards a regional series of residential projects; the Bolsover District did not benefit from this programme.

Groundwork would advocate for the role of landscaping and environmental improvements to be recognised within the creative and community “mix”, to be supported by 106 funding. This would include creative linkages between pockets of space left over in the course of developments, which are often left as green spaces of no scale or impact.

2.5 East Midlands Development Agency

A meeting was held with the EMDA project management team at Brook Park, as EMDA had funded the Brook Park and Shirebrook elements of this report. They had now handed over the operation of Brook Park to the users, or contractors for the public areas. EMDA were keen to encourage the report to look as widely as possible at the provision of public art in EMDA-associated regeneration projects. It was agreed that looking at the Brook Park development in the context of the Shirebrook Masterplan, which EMDA had also funded, was a productive way forward as would any potential links with the other ex-coalfields schemes in Derbyshire, such as Markham Vale, the Avenue and Pleasley Vale. There may be fruitful discussions regarding public art provision within the coalfields regeneration schemes and that enormous benefits could be derived from strategic links between the schemes. This also holds for the potential for synergy between the Brook Park scheme and the Shirebrook Masterplan.

2.6 Coalfields & Coal-related Regeneration projects

2.6.1 Markham Vale

Markham Vale is another regeneration project centred on a former coalfield site which is managed by Derbyshire County Council. Based around a newly constructed junction on the M1, there are substantial warehouse development sites but also a number of open spaces, with a variety of landscape types, where there is considerable potential for public art. The site straddles three local authority areas (Bolsover, Chesterfield and North East Derbyshire) and the BDC area is open space that will have no warehousing. There is an existing public art strategy within the design framework document where indicative sites and a putative budget are proposed. A contract for the development and delivery of the public art strategy will be tendered during 2008.

2.6.2 The Avenue

The Avenue is a former coking works near Chesterfield which is being regenerated by EMDA. The site is heavily polluted and currently the remediation work on site is mainly concerned with contaminated materials treatment and earthworks design. We understand that a contract for landscaping with Groundwork Trust contains some tentative proposals for the involvement of arts projects but this is still currently at the planning stage.

2.6.3 Pleasley Vale

The former coalfield site at Pleasley Vale at the southern end of the District, where there has already been considerable regeneration, could also potentially be part of a wider public art initiative particularly as it marks the southern edge of the limestone ridge.

2.7 Shirebrook Master Plan

Shirebrook has also recently had a sustainable development Masterplan produced, again with funding made available from EMDA. The regeneration of Shirebrook is also planned and the Masterplan does make reference to the role of public art within the regeneration process, noting that:

“To achieve this, Shirebrook needs to create a local distinctiveness and sense of place. This will require significant improvements in the physical environment of Shirebrook town centre – both of buildings and the spaces in between”.

The Masterplan also advocates for the policy of developing visual connections through Shirebrook through the medium of public realm improvements, and proposes action that is aimed at:

“Creating and transforming key linkages within the town centre and looking outwards are important for the future of the town. Within the town centre, better linkages, for example the new ‘High Street’, will connect a potential retail anchor with Market Place. Also creating a better public realm within Market Place and along the new ‘High Street’ will encourage people to access the whole, instead of focusing on particular parts of the town.

Given the amount of change currently underway around the town centre – including Brook Park, up to 1,300 new homes to the south west of the town, regeneration initiatives at Model Village and redevelopment of Shirebrook Community School site as an Academy – it is essential that the town centre is linked to these homes, businesses and facilities. Measures including improved signage, lighting and enhanced security, are also key to this theme”.

2.8 2005 Consultation

This was undertaken by County Cllr Marian Stockdale on interest in a Shirebrook Arts Installation in 2005, which enabled local people to contribute thoughts on an arts installation that would recognise the major heritage themes in the Shirebrook area, and specifically the mining industry and its history. The feedback relating to the interest expressed by the local community has been retained by Cllr. Stockdale.

3. Public Art – the impact on Local Authority Priorities

3.1 Is there a role for Public Art in Regeneration?

The role of Public Art in the regeneration of market towns and the countryside will provoke debate and discussion. Supporters of public art would argue that it improves the visual environment, adds prestige to new development and can offer, in some instances, the opportunity for meaningful public participation. Opposing points of view have argued that public art is nothing more than window dressing, masking the fundamental social and economic problems that pervade many of Britain's towns and cities.

Case Study 1 - CORBY PARKLAND GATEWAY

The Parkland Gateway Public Art project is part of a Borough-wide initiative funded by a combination of local authority, Arts Council England, S106 Planning and emda, which aims:

- To engage and reflect Corby's diverse community
- To creatively include Corby's existing arts community
- To commission works that activate the built environment
- To deliver a programme of quality, impact and ambition
- To integrate with Corby's Borough wide Culture and Regeneration Programme
- To provide a sustainable model of good practice

This involves parallel projects in which one artist has been engaged to create artwork as part of a new swimming pool building, working with the local community to encourage new users of the building, while a different artistic brief has enabled a Consultant Artist to work with design teams and propose large-scale works as part of physical environment, and offer advice on the wider commissioning programme. Two new light-based proposals for the Civic Hub and the Pool have been approved by the Borough Council.

3.2 Increasing Collaboration with Planning

The link between Arts Development and Planning departments is growing in the UK. In 2001, a survey of Local Authority Arts Officers showed that 83 percent of respondents felt that they worked or sometimes worked closely with their authority's planning function, and 72 percent have directly commissioned public art within their District/Borough.

3.3 Meeting Local Authority Priorities

This demonstrates the growing importance of the Public Art process to local authority regeneration programmes, because it is often credited with being able to offer a number of social economic and physical benefits. These include:

- Enhancing the quality of the built environment
- Humanisation of public spaces
- Giving individual and distinctive character to development
- Adding quality and variety to the natural environment, leading to sense of place, local identity and community pride
- Decreasing levels of vandalism
- Adding to the range of local arts provision and raising awareness

- Involving the community with art
- Creating employment for local artists
- Enhancing the status and image of a development
- Attracting inward investment to an area
- Expressing cultural identity
- Stimulating environmental renewal and regeneration

It is clear that Public Art does have a clear role in 'defining the nature' of an area, and giving a clear impression of how it wants to be perceived in the public view. From the model of attractive street art and open vistas of European cities – a model which has been reinterpreted in many UK urban centres, most recently Nottingham – to the visioning of market towns, Public Art – temporary or permanent – has continued to engage local people in defining their area.

Case Study 2 – TAUNTON DEANE BOROUGH COUNCIL - DESIGN AND ACCESS STATEMENT

The new planning regulations and the use of Design and Access Statements will allow the distinctiveness, appropriateness and quality of developments, including the provision of public art, to be given a prominence that has not had an appropriate mechanism before. Some excellent examples are already emerging and one, by Taunton Deane Borough Council includes the following obligations:

Details of creative design opportunities should be discussed at the outset of a development proposal.

Developers must submit a public art statement of intent at the earliest possible stage of master planning for the public realm.

Developers must also address the issues of community response, sustainability and provision for maintenance costs.

Details of the Taunton Deane Borough Council Design and Access Statement can be found on the Public Art South West web site at www.publicartonline.org.uk

3.4 Derbyshire County Council Public Art Group

An interest group of members has been established within the Cultural Services portfolio to take an overview on the importance of good design within public realm regeneration, for example with the Markham Vale initiative. This group recognises the importance of community development in successful Public Art programmes, and the impact of such programmes on local identity and local distinctiveness.

In addition, developing the role of the creative economy, as one of the fastest growing UK sectors, is a key aspiration for the County Council, and this has a clear and important remit, in the development of quality design. It will be important, therefore, to ensure develop the practice of early collaboration, and access to creative and innovative advice at an early stage of planning discussions.

4. Public Art Development across Bolsover District – Current Operating Context

4.1 Current Pressures on Public Art delivery

Despite there being a public art or percent for art policy in place in the District for a number of years, the provision of commissioned works, involving community participation, as part of new developments over £1 million is regarded as a process that is still to prove itself. With pressure on competing demands for community and infrastructure benefits derived from S106 or other funding through regeneration, the requirement for public art to be demonstrably proven as a worthwhile expenditure is becoming more crucial. Establishing the commitment of the developer - and the process of consulting with the local community - has not always been achieved nor has the need to allow public debate within a supportive framework. This has led to public art works that seemed to be imposed, did not command the support of the community, had no commitment from the developer, was subject to vandalism and were at best ignored and at worst allowed to deteriorate leading to further public disenchantment.

4.2 Public Art and Community engagement

Public Art has been seen as something that has been imposed on local communities rather than reflecting their common heritage. There is still a tension in discussing public art between items that have a resonance in the community, such as pit winding wheels, but do not have a creative input other than marginal decoration and works that are seen to have been imposed on a community where there has been little attempt at engagement between the parties or a coherence of approach. Any Public Art Strategy therefore needs to be in sympathy with, and understood by, the local community.

4.3 Expanding the Range of Public Art Commissions

Although the current public art policy statements of both the County Council and Bolsover District Council give wide ranging and liberal interpretations of public art that would have the broad approval of the wider creative community, many of the projects undertaken to date were of a narrow range of visual arts activities that often had little to do with any local connection in terms of tradition or materials used. Equally, the nature of community engagement was limited to a narrow range of activities and art form types.

The encouragement of a wider range of public art possibilities for the various communities will also crucially depend on the ability of the agencies involved in the early planning process to have expertise, or access to expertise, that could signpost the possibilities and build in the concept from the earliest stage. This could have two major benefits; firstly artworks could be integrated into the design process, such as lighting, landscaping or street furniture; secondly the public art scheme could (and should) enhance the overall design. There is also the possibility of community consultation having the input of creative individuals in terms of both decision making and profile raising.

4.4 Project Management – an integrated approach

If major iconic schemes are to be part of Public Art programmes, the ability to work with the design team at an early stage and the ability to develop a funding strategy for projects that have a national or international significance should be built in. The potential for an enhanced profile would also need to be carefully managed with the different audiences that the project would engage with.

The lines of communication between developers, planners, arts specialists and artists need to reflect both the requirements of all parties but also their potential. Equally the timescales of all the various parts of the planning, development and implementation of projects needs to be agreed at an early stage.

4.5 Availability of local Creative skills

The skills and availability of relevant creative practitioners who can deliver the projects' aspirations, often in close collaboration with Bolsover communities, need to be established and potentially developed. The development of a Public Art strategy should ensure that artists resident in the District are given opportunities for training and participating if appropriate. The Public Art programme should also be used to encourage the development of a critical mass of creative practitioners in the District and more widely in the County.

Case Study 3 – SITES OF MEANING, PEAK DISTRICT, 2005

One approach which has paid dividends in the Derbyshire Peak has been a collective response by local people and the creative sector to develop "*Sites of Meaning*". This was an ambitious community-led plan (with around 200 people, as well as schools and colleges) to create boundary markers, in 17 parishes, linked to original and traditional writings. The project (www.sitesofmeaning.org.uk) was supported by local authority funding, stone quarries, and private sector farmers, and won a series of awards. It involved over 20 local creative workers – writers, masons, wallers, builders, etc.

The innovative nature of this approach lies in the early use of creative advice to enable the project to develop practical outcomes, in close collaboration with planners and local landowners.

4.6 Existing Funding and Management arrangements for Public Art in the Bolsover District

The current public art policy is stated as policy GEN17 of the Local Plan is to, 'Seek to negotiate the provision of a work or works of art or a contribution to community arts at a level of 1% of the total cost of the scheme on major developments, costing one million pounds or more, to which there is public access or which will have a significant visual impact.

The development of a public art strategy needs to define both the policy framework in which it takes place, as well as mapping out the implementation of the strategy across BDC and the wider stakeholders in the process. A number of changes to procedures and practice have recently been taken by Members, and the Authority is currently reviewing how it manages 106 contributions, and the priorities for District investment.

The Public Art policy, as stated above, requires a 1% contribution for all developments over £1 million. The lower end of triggering the contribution would result in a commitment of £10,000. This level of contribution towards public art will not usually be able to provide a publicly sited work that would have sufficient quality or durability to enhance the artistic profile of the District. For this reason the issue of how to provide the most effective use of this funding is a critical issue. The most important element in the process will be the need to determine the nature of the programme stemming from the Section 106 funding. The relative funding levels linked to the production of publicly sited works, publicly commissioned art works such as music or literature that are non permanent, or funding for community based projects will need to be balanced. This will hopefully avoid the potential for creating a series of compartmentalised project types that are formulaic and do not address the greatest potential for providing the best return for the partners involved and the community.

4.7 Newly approved areas of responsibility

The responsibility for delivering public art projects on behalf of BDC was transferred to the Arts Development Officer from the Planning Department in 2007. This required a structured mechanism for liaison between the Planning Department and the ADO. This is a key element that will be addressed within the strategy.

The existing public art commissioning process before this strategy was that Bolsover DC Planning Department formally contracted Junction Arts to deliver Section 106 public art programmes on a project by project basis. Procurement procedures have led to this process needing to be more open and transparent and cost effective. Members have agreed to have a more open process where there will be a number of preferred suppliers who will bid competitively for each Section 106 public art programme where appropriate.

5. Public Art Strategy for Bolsover

5.1 Principles of the strategy

There are three guiding principles that should be paramount when developing and delivering a public art project. These principles underpin the public art process.

5.1.1 Quality

The most important criterion is the overall quality of the artwork. The quality can be determined in a number of ways and does not necessarily mean only commissioning artists with an established reputation; commissioning an artwork produced by a community group or school is equally relevant as long as the quality threshold can be seen as the highest attainable within the particular circumstances of each commission.

5.1.2 Local distinctiveness

The commissioning process should acknowledge the context in which the public art work is to be placed and be both sympathetic and relevant. It should reflect the geological, historical and social context outlined below in terms of its aesthetics but should be contemporary in terms of choice of artist and content.

5.1.3 Ownership by the community

The community in which the commission is carried out should be fully consulted with and be an integral part of the process. The consultation should seek to inform and educate the community in both the commissioning process and the nature of the commission. The particular community where the commission resides may also have distinct qualities that should be recognised and included.

5.2 Geological, historical and social context

Bolsover District, and the particular landscape of which Brook Park and Shirebrook are part of, has a unique character and a social history which defines the people and their society. The ridge that cuts through Brook Park, but spans the length of the District from Creswell to Pleasley is of a distinctive magnesium limestone that directly relates to the internationally important stone age settlement at Creswell Crags but is also the even more ancient forests that laid down the coal that has held such an important place in the recent history of the area. Other industrialisation such as the hosiery and related textile trades were also part of the industrialised past, coupled with major expansion of the railways that, although they have suffered a decline since the 1960's, still have a major impact on the area in terms of its social, economic and visual impact. Now the landscape is becoming focussed on transport in a different context, through the close motorway network, and communication industries, creating a new upsurge in population through extensive housing developments where commuting to close population centres is more common than working locally. Clearly the geology of the area has been crucial to affording a sustainable existence to local inhabitants over tens of thousands of years and the public art should reflect both the raw materials presented by the natural landscape and also the activities undertaken by the population, both in its historic context and within contemporary society.

Several quarries were active on Bolsover Moor in the 19th century and there is evidence that stone for Bolsover Castle was taken from a quarry on Bolsover Moor in the 17th century. This stone was originally selected for the rebuilding of the Houses of Parliament after the fire of 1837 but there was insufficient material to complete.

5.3 Main Elements of the Strategy

Given the geological, historical and social context above, public art commissions should contain elements related to this context when formulating briefs or negotiating with potential developers and other partners or stakeholders. These criteria should appear in all guidelines and statements related to public art and potentially inform the Design and Access Statement within the emerging planning process.

The elements are:

The use of materials that are sympathetic to the wider area, such as limestone (the particular qualities of Magnesian limestone should be considered as a major requirement) and the nature and distribution of coal. Also the materials generated through agricultural and industrial developments should be considered including mining, textiles and the railway development. Some of these elements may be local and specific, such as different textile manufacturing methods across the District. The agricultural implications, from the Stone Age settlements through to current practice should also be considered in terms of the type and range of crops, boundaries and landscape interventions.

Creating a bridge between the rich history of the District, which can be traced over literally tens of thousands of years and the regeneration of the area where new communities and infrastructure are becoming established.

Seeking to gain the confidence of partners and the community through explaining, demonstrating and promoting the commissioning of public art at all stages of the process.

This is not an exhaustive list of criteria but should be seen as the minimum set to be considered at the outset of any public art programme.

5.4 Delivering the Strategy

In practical terms, dependent on both the scale and nature of the potential development, there are a number of ways in which public art commissioning can be pursued with developers. The routes are not mutually exclusive and any or all of the following approaches might be taken:

- Work with the design teams of developers to integrate public art works as part of the design and build programme of the development.
- Commission public artworks through a tendering process with preferred suppliers or, with low value commissions, directly through artists.
- Work with local communities in developing artworks or participatory arts programmes for inclusion with developments or in projects that enhance the local community.

The particular arrangement, or arrangements, for each element of the programme will depend on the initial negotiation phase between the developer and BDC. There will also need to be a project plan developed to indicate the main elements of the programme, the delivery mechanism and other contractual issues. It is proposed that in all future discussions for outline planning permission, reserved matters or formal planning consent, that the developers should, from the S106 funding, pay for the services of a public art consultant to advise on the potential for public art provision in the development, both as commissioned art works or as art or design work integrated into the development within the design process. The public art consultant would, with the Arts Development Officer, also determine how appropriate integrated art works, specially commissioned art works or participatory arts programmes, as the whole or part of the S106 arts contribution, should be formally offered for approval by Members in collaboration with Planning Officers.

The Planning Department will continue to have a key role in their initial discussions with developers, to encourage them to integrate artists or craftspeople designed works into the design process, often at little or no extra cost. It has been agreed that it would be beneficial

to arrange a seminar to demonstrate examples of artist- and craftsperson-led design works integrated into developments as part of the existing programme for the Planning Department, which are also normally open to planning officers from Chesterfield and North East Derbyshire local authorities.

There may also be a number of initiatives that have opportunities for developing public artworks outside of the Section 106 process. The strategy should be used as a template for all of these programmes in order to provide a coherent approach across the District.

5.4 Strategic Outcomes

The strategy has the following aims that are designed to integrate successfully the implementation of public art into developments to the benefit of the local community.

- Provide a framework to allow BDC members and officers to achieve the maximum benefit from the programme
- Assist in developing other BDC departments and initiatives, such as tourism, economic development and community cohesion
- Provide a long lasting high quality legacy of public artworks and programmes for the local community and the wider public
- Provide a distinctive and innovative approach to public art that will enhance the District.
- Build partnerships between the stakeholders and encourage further relationships through recognising the benefits of public art programmes
- Build the creative industries sector in the District to further develop creative occupations and activities

5.5 Key Objectives of the Public Art Strategy

The key objectives of the strategy are as follows:

- Develop an integrated approach by BDC to the Section 106 process and other public art initiatives, within the Authority's current review of 106 priorities.
- Develop mechanisms that will allow all partners and the community to work together productively
- Demonstrate public art's role in enhancing the social, economic and cultural life of the District and generate new public art schemes
- Provide a contextual framework that will offer support in developing greater understanding, enjoyment and engagement with public art and wider creative activities.
- Integrate public art projects into the BDC arts programme

5.5 Who does what?

Although the responsibility of delivering public art programmes is with the Arts Development Officer, the first contact that developers will have is through Planning. Clearly establishing the initial process of determining the best approach and negotiating with developers concerning the public art element of the Section 106 will require a collaborative approach. The provision of a new flowchart, that takes account of the new strategy and processes,

such as using preferred suppliers, has been prepared as part of the strategy document, and is included at appendix 1.

The new flowchart process, ensures that there is a dialogue between Planning Officers and the Arts Development Officer at an early stage to map out the potential public art input and to engage with the developers. At this stage, and as an intrinsic part of the S106 agreement, a public art expert will also work with the developer and the Arts Development Officer to propose the most appropriate public art scheme and the mechanisms by which they might be achieved along with any wider arts input as part of the S106 agreement. Where there is the potential for input at an early stage and the possibility for working as part of the design team and integrating public art works into the design process. The current process of planning application, where there is no pre-application is that planning officers will flag up a shopping list with developers. Ideally, one officer in the department should be a one-stop coordinator for each application, disseminating information to each partner which can include the ADO or a public art consultant. The potential for planning officers to raise issues with developers concerned with integrating artist- and craftsperson-designed elements would also be considered at the earliest possible opportunity within the planning process.

The planning process and the whole Section 106 agreement process may be superseded by the Community Infrastructure Levy in the future. Although there will be a change in the methodology, it is likely that funding towards public art programmes will be channelled through identified social impact costs. Also the National Validation Criteria for planning applications will include many nationally agreed systems and procedures. Within the new application process, there is a Design and Access statement which has the capacity to refer to public art and other similar design imperatives.

The engagement with the design team or developers at an early stage could also demand the input of a public art specialist. The potential for this should be built into the process and there will need to be funding for a specialist who would be brought in as an expert as already happens in other specialist areas such as archaeology or wildlife within the planning process.

As well as the three scales of project, outlined in the next paragraph – there are a number of ways for the creative elements to be designed:

- working through the design team
- contracting artists
- working directly with the community through cultural agencies

These methods can be used either singly or in combination - the scale of the project should also determine how the project is managed. The management of the project is either directly through the ADO for relatively small and uncomplicated programmes, through a quotation system with a preferred supplier list for larger projects, with the possibility of a tendering system for the largest and most complex projects.

5.6 Different scales of project budget – a proposal for management

For a project of under £20,000 (a development of some £2 million) it is suggested that the programme should be managed internally by the Arts Development Officer, with or without the assistance of a public art expert. The project could be either a commissioned art work of any art form, a participatory arts programme or a combination. There is an argument to say that relatively small amounts do not provide the opportunity for a commissioned work of art that would be of sufficient quality and durability and that a pooling of such funding to provide a more substantial project would be beneficial although there may be barriers to this because of the constraints placed on Section 106 agreements.

For a project from £20,000 to £50,000 the project may be tendered to the preferred supplier list, who would project manage the process, including timetabling, contracting, applying for necessary approvals, and arranging for the long term future of the project.

For a project of over £50,000, the project could either be tendered to a preferred Project Manager or if it is substantial, have an open tender or directly contract. The direct contract route is only likely where a specific artist or type of artwork is required for a nationally important project. The contract will stipulate the main terms of engagement. A model contract or template is offered at Appendix 3.

5.7 Project Management Toolkit

A number of questions arise in ensuring the safe and effective delivery, through the management proposals set out in the form of a Toolkit, which is attached at appendix 4. Thinking through the answers to these questions, will also help guide the proposal into the right funding source, but also ensure that the necessary issues are raised to define its scale and objectives. A Toolkit approach enables managers to avoid a time-consuming and blanket approach to public art development, and ensures the development is seen as a part of a coherent and inter-linked approach to a Bolsover Public Art programme.

6. The Brook Park Development and the role of Public Art

6.1 Development of a Brook Park and Shirebrook 'Brand'

The brief included the desire to promote specific brand related to the Brook Park and Shirebrook elements of the work. A definition of the Brook Park brief would be:

'Public art within Brook Park and the wider Shirebrook community should show a sympathy for - and resonance with - the unique geological, social and economic history of the area. This will come through a commitment to high quality contemporary arts from artists who understand the local context but who may have a wider national or even international profile.'

The public art should create a bridge between the historic perspective and the new vision that is emerging, through challenging art works that will provide a vibrant new vision while understanding the historic context. The vision and context will be amplified through, at all times, seeking to gain the confidence of partners and the community through explaining, demonstrating and promoting the vision.'

The brand will need to include both a vision of the type of artworks – in terms of art forms, materials, scale and status of artists, as well as its contextualising aesthetic.

6.2 Additional Context in Regard to Brook Park and Shirebrook

Brook Park is a development to regenerate a former coalfield in Shirebrook, funded through East Midlands Development Agency and English Partnerships. The first phase is already substantially complete and is occupied. EMDA has also handed over the site to both the occupants and as adopted land to a range of partners. For this reason, any public art proposal would need the active collaboration and agreement by as yet undetermined partners.

There was no public art related Section 106 agreement with the Brook Park development and thus no direct funding to pay for any proposals emerging from this strategy.

EMDA is also currently developing other former coal related regeneration sites in the area, such as Markham Vale and The Avenue coking works. The Markham Vale site is situated across three local authority boundaries, Chesterfield, North East Derbyshire and Bolsover. In the outline plans for Markham Vale there are indicative sites earmarked for public art although no decisions have yet been made. At The Avenue site, the Groundwork Trust have been contracted to provide landscaping consultancy which includes potential public art involvement. These ex-coalfields regeneration sites all have a potential to have substantial public art elements enhancing the development. Although this report is centred on the Brook Park and Shirebrook regeneration schemes it is hoped that the broad strategy will be complementary to Markham Vale and The Avenue as there is significant potential for a major public art programme to be created that could have many opportunities for tourism and economic development across all of the involved local authorities.

6.3 Linking Shirebrook and Brook Park, through innovative Public Art proposals

The Brook Park site, as already indicated, is close to completion, with most Units already occupied or with options. The development is substantially occupied by Sports Direct, as their Headquarters, main distribution hub and retail outlet. The other occupiers are two steel fabricators and a growing number of mixed uses such as exhibition design and building services although to date there are a number of unoccupied units. The site, despite being occupied has suffered from vandalism. This might in part be explained by the general lack of public presence during the day and a complete absence at night. There are also a number of plots with options on them, that are little more than empty landscapes. The landscaping is also relatively new and has not yet achieved any maturity. There is some

attempt at creating leisure activities and walks through the area but there is little to act as a positive draw.

The lack of public presence and the non welcoming landscape has led to anti social behaviour and vandalism within the development. In particular, the signage has been damaged constantly and the lack of suitable signage is of concern to the occupiers. Clearly public art should have a role in generating a presence on site and providing a less daunting landscape although careful choice of artworks that could survive a hostile environment might be appropriate.

As the site is already close to completion and all of the ground occupied by users or adopted, there is no chance of integrating a public art scheme throughout the development and only a restricted number of areas where public art might be located. Given this the guiding principles for public artworks within Brook Park should:

- Encourage public access to and use of the site
- Link Brook Park with Shirebrook and its environs
- Provide a stimulating environment that should be robust and safe
- Assist the occupiers and local community in creating a user friendly and welcoming environment

6.4 Public Art Projects within Brook Park – an outline programme

Using the suggested criteria for public art in the district, the following are seen as potential public art works within Brook Park and Shirebrook that also have some implications for a wider adoption of the public art strategy within the District.

- A robust signage scheme in durable materials to reflect the design objectives contained in the strategy that could be used throughout the Brook Park and Shirebrook regeneration programmes.
- Street furniture, such as seating, lighting, railings and waste bins that have design integrity with the signage scheme and potentially a District wide adoption.
- Large scale artist designed environmental landscaping for the Brook Park site that would reflect the limestone, coal and other related geological and historic connections
- Public art commissions that deliver the outcomes and objectives of the public art strategy whilst also reflecting and are sympathetic to the local history and community, linked to the range of developments already planned or within the wider planning aspirations, within Brook Park and Shirebrook. This would include the design of 'way markers' or 'gateways' that would be used to signify the developments and provide a distinctive motif or design element throughout the programme while reflecting local distinctiveness.

The whole programme needs an overall design context that will provide a number of linking elements within the schemes. This would certainly include the signage and street furniture but should also include other 'way markers' or elements that reflect the distinctiveness of the local community but give a linking theme to the whole area.

Collaborating with local businesses on artworks or decorative schemes in proximity to, or as part of premises would reflect the business interests, public interaction and links with the local community as well as giving further coherence to public art provision.

6.5 Delivering a phased Public Art development in Brook Park & Shirebrook,

The Strategy recognises that for public art in Shirebrook and Brook Park to be developed in isolation from each other would be counter-productive and fail to impact on any of the outcomes indicated in 3.3. The proposal is to develop an initial two-pronged approach that is appropriate to both areas and sets the context for an ambitious programme for Shirebrook, Brook Park and its environs over a number of years. Project briefs for these are outlined (in draft form) in Appendix 7, and the Action Plan in section 7 of the Strategy outlines the necessary tasks.

6.5.1 Implementing an overall design vision

One of the two lead projects would be one that sought to bring a holistic design approach to the various elements that would be developed in the future, as well as providing some key elements for Brook Park and other areas that are currently being completed. The elements of the signage scheme, street furniture and the 'way markers' or 'gateways' described in section 6.4 would allow a distinctive range of public art works coupled with a range of well designed elements that linked the various schemes in the locality.

6.5.2 Developing a new Landscape feature at Brook Park

Brook Park has the capacity – and the need – to “host” a new permanent landscape feature for the site, which would have the effect of significantly lifting the functional appearance of the site, dominated by buildings of similar scale and dimension. This proposal would also create an initial high-impact feature which would reinforce the importance of design for the new developments in the town centre and elsewhere. The proposal, therefore, is for a major landscape based construction or feature that fulfils the criteria of the Public Art Strategy, and that funding should be sought to deliver this. Funding options are offered in Appendix 7.

6.6 Public Art Options within the Shirebrook Masterplan

The Shirebrook Masterplan already acknowledges the provision of public art works in the following areas:

- Main Street
- Supermarket development – ‘Retail Anchor’
- Market Place

In addition, there are a number of new developments that are currently planned that should be included in a wider Brook Park and Shirebrook public art scheme. Most of the developments are already some way through the planning process but some do not have a Section 106 agreement so will need alternative funding if they are to be part of the public art programme. The planned developments that should be included as part of the process are:

- Residential development in proximity to Brook Park/Model Village (this development was negotiated without 106 agreement for public art)
- Business Innovation Centre
- Academy as part of Building Schools for the Future (without 106 agreement)
- Sports Direct Phase 2

The Brook Park and Shirebrook public art programme should act as a pilot integrated public art to demonstrate the potential benefits to the community and enhancement to the environment.

6.7 Wider Public Benefits

The Brook Park development and the area between Shirebrook and Brook Park already have significant areas that have public access. There is a series of pathways that link Shirebrook railway station to Brook Park that have as yet immature landscaping but where new water course and wooded areas provide landscape variety. The water courses flow through Brook Park and across the Nottinghamshire border where there are some leisure fishing facilities. The public art programme could lead to a significantly greater use of the area and encourage public access.

7. Fundraising Strategy – Public Art Programme

7.1 The Approach to Funding Public Art in Bolsover/Brook Park

This Fundraising Strategy sets out some practical steps necessary to deliver the different scales of project budget as outlined in paragraph 5.6, ie:

- under £20,000
- £20-50,000
- Over £50,000

The Project Management Toolkit, Appendix 3, demonstrates the different issues that help define which band a project may fit.

Potentially, there are four distinct approaches to ensuring the Public Art programme in Bolsover is developed across a coordinated front, ie

- towards locally-specific developments which are “pooled” across more than one community or appropriate 106 contribution, ie Project A (value up to £20,000)
- towards landmark projects appropriate to large-scale building developments in the District, ie Project B (value £20-50,000)
- major landmarks which are of national, or international significance and attract appropriate interest as such ie Project C (value of over £50,000)
- A pool of funds available to support and seed-fund the development of linked projects across the District, through professional staffing, programme evaluation, conferencing and match-funding external funders.

7.2 Resource Implications

There are no resource implications for the Authority in terms of additional staffing support towards the development of Public Art. The proposed inclusion of a Public Art consultant or “expert” to work with the Planning Department and/or developers at an early stage, would be met from the 106 (or equivalent) contribution.

The programme may include an element of training of Planning and Arts staff to raise awareness of design impact and establishing a co-ordinated approach.

The contract for delivery of Public Art projects will include provision for annual maintenance and upkeep of any installations as well as recognising any possible decommissioning costs. The maintenance schedule, along with details of inspection and repair in case of damage, will need to be incorporated into the contractual negotiations. The danger of deteriorating artworks is critical both in terms of public safety and the image of public art as a positive contribution to the community. The draft contracts include the possibility of using agents to be responsible for the maintenance of public artworks as part of the management of each project.

7.3 Funding Sources

There are a number of public sector, Lottery, Trusts and other sources of investment, which can be explored. An initial list of sources, which will be appropriate to the different scales of project outlines above, is offered at Appendix 5. For convenience, this is divided between phase 1, in which the overview, communication lines and infrastructure can be established (autumn 2008 to summer 2009) and phase 2 which will develop local authority and community-based Public Art as new building and landscaping opportunities arise.

External Funding in phase 1 could develop the capacity for involvement with the creative “voice” and to ensure public awareness. Support for this may be sought from:

- Arts Council England, who have a record of supporting collaborative approaches with local authorities who wish to work with creative agencies to deliver work of quality and local distinctiveness
- Henry Moore Foundation
- Paul Hamlyn Foundation, whose Open Grants scheme seeks to support the development of new ideas, including *“introducing successful practice to areas where practice is less developed”* and includes Pilot or Feasibility studies within allowable plans. BDC would appear to meet the Eligibility checker for the Foundation
- Coalfields Regeneration Trust
- EMDA or the Alliance SSP
- English Partnerships
- Sports Direct and other Brook Park users
- Tarmac plc

Funding in phase 2 will target project costs, linked to individual public realm projects, and may be sought in conjunction with, or by, community groups, but still linked to the principles of this Strategy.

7.4 Funding Action Plan

Funding may be sought for those projects, as outlined in phase 1 or 2 above, which deliver:

- quality of design and innovation, which is built into each individual proposal at an early stage, and also underpins the strategic development of a coordinated approach across the area.
- clear ownership by local community, through a process of consultation, project management or through a contribution to the making process
- a contribution to the local distinctiveness of the Bolsover area, for example through use of local materials.

To that end, the Action Plan proposes a two-phase approach:

7.4.1 Phase 1 – 2008-09

In this period, we propose a series of actions designed to build a coordinated approach to new building and landscaping initiatives in the future, and increased awareness of the importance of design in Shirebrook. Funding in this phase should be sought towards the establishment of development costs.

7.4.1.1 Phase 1 Action Plan

Action	Funding Source	Responsibility of	Link to Strategic document	Outcome
Bolsover DC				
Public Art consultant to work with Planning Department on new applications to develop innovative options, that meet the proposals of this Strategy.	Through allocation of planned 106 contribution	Planning dept Arts Development Officer	Shirebrook Sustainable Development Masterplan, 2007 Bolsover Sustainable Communities Strategy	- consideration of design impact at early stage - external "voice" - link with external funding opportunities - overview that ensures proposals are linked and sympathetic
Planning Department develop the Design and Access Statement to take account of public art strategy	BDC officer time	Planning Department/ ADO	Design and Access Statement issued by Planning Department	- developers build in public art elements to planning applications where indicated
Collaboration with the Derbyshire County Council's Design Group And Bolsover Strategic Partnership.	n/a	Public Art Consultant	Shirebrook Sustainable Development Masterplan, 2007 Bolsover Sustainable Communities Strategy	- links with sub-regional agendas
Developing plans for Public Art options that link Brook Park to Shirebrook through environmental projects that are already planned, such as street furniture and signage **	Existing budget allocation	Public Art Consultant Arts Development Officer	Shirebrook Sustainable Development Masterplan, 2007	- community engagement - value for money - unique product - support for local/regional creative sector

Ensuring that the approach to Public Art initiatives within Masterplan developments are coordinated, reflect the broad social history of the area, and are connected to the local community through education and outreach	BDC officer time	Public Art Consultant Arts Development Officer	Shirebrook Sustainable Development Masterplan, 2007	<ul style="list-style-type: none"> - meeting local agendas - community engagement and education - overview that ensures proposals are linked and sympathetic - preserving local culture - delivering local distinctiveness
Prioritising community-led opportunities that will emerge over phase 2.	BDC officer time	Arts Development Officer	Bolsover Arts Strategy, 2008	<ul style="list-style-type: none"> - overview that ensures proposals are linked and sympathetic - forward planning - wide consultation
Advocating and publicising the opportunities for attractive and innovative projects through external visits and presentations	BDC officer time	Public Art Consultant	n/a	<ul style="list-style-type: none"> - increased awareness of Regeneration impact - skills training
Officer support, coordination, meeting facilities, advocacy tools and print where appropriate.	BDC in kind	Arts Development Officer	Bolsover Arts Strategy, 2008	<ul style="list-style-type: none"> - community engagement - higher profile to BDC/DCC aspirations, locally and sub-regionally
Explore the potential for working across local authorities for major public art programmes	n/a	Arts Officers and Planning Departments	DCC Public Art Policy, Coalfields regeneration schemes	<ul style="list-style-type: none"> - large scale integrated projects possible to enhance economic development, tourism, community and education policies

Derbyshire CC				
Monitor consultation with design professionals and the creative sector to produce design brief for the area	Arts Council – (Grants for the Arts), Paul Hamlyn Foundation & HLF	Public Art Consultant, Arts Development Officer	Public Art Strategy 2008	- external “voice” and expertise - wider advice and consultation
Monitor liaison group around landscaping feature at Brook Park	In collaboration with BDC	DCC lead officer & Design Group		- Stakeholder consultation and engagement
Link Brook Park/Bolsover planned developments, with other County initiatives including coalfields regeneration programmes, to DCC Design Group & to external Regeneration agencies	n/a	DCC lead officer	Derbyshire Sustainable Community Strategy Regional Economic Strategy	- partnership development
Approve project brief for landscaping feature	In collaboration with BDC & Liaison Group	DCC lead officer & Design Group	Public Arts Strategy, 2008	Artistic product
Contribute to planned options that link Brook Park to Shirebrook through environmental projects such as street furniture and signage **	Existing budget allocation	Public Art Consultant Arts Development Officer	Shirebrook Sustainable Development Masterplan, 2007	- community engagement - value for money - unique product - support for local/regional creative sector
Explore the potential for working across local authorities for major public art programmes	n/a	Arts Officers and Planning Departments	DCC Public Art Policy, Coalfields regeneration schemes	- large scale integrated projects possible to enhance economic development, tourism, community and education policies

** This will involve commissioning the creative sector to produce such work to a specified brief (which reflect the Public Art Strategy) and to be approved by Bolsover District Council members.

7.4.1.2 Phase 1 Aims

The aims for Phase 1 are to:

- establish the infrastructure for the development of a coordinated approach
- improve awareness of good practice and impact
- ensure links can and are being made to strategic and community-based groups and agencies
- deliver initial projects which are designed to link across the area

7.4.2 Phase 2 – 2009 and following

This phase will focus on developing quality projects that meet the criteria of the Public Art Strategy. Projects will be developed through Bolsover District, or by Bolsover-based arts agencies, working with local groups, but it will be important to maintain an overview and ensure that emerging proposals are coordinated and sympathetic with each other.

Public Art opportunities in Shirebrook and Brook Park will emerge through either:

- large-scale initiatives as determined by the Shirebrook Sustainable Development Masterplan
- community-based initiatives

After reviewing new projects through the proposed Toolkit (at appendix 4), funding will be sought on a project basis. While the infrastructure will have been established in phase 1, phase 2 (and following phases) will seek funds to develop individual projects of quality. Applications will need to be developed by the appropriate organisation locally, including (in some cases) BDC, and the costs to be met should include:

- commissioning costs, including encouraging artists to develop responses to local developments
- management costs – meeting rooms, coordination
- recruitment
- materials
- public consultation and involvement in short listed applications
- education and outreach
- evaluation.

7.4.2.1 Phase 2 Action Plan

Action	Funding Source	Responsibility of	Link to Strategic document	Outcome
Bolsover DC				
Manage new public art opportunities to ensure they meet PA Strategy criteria	n/a	ADO, Public Art Consultant	Bolsover Public Art Strategy, 2008	- Overview and co-ordination of new opps - delivering quality
Advocate for role of Public Art in delivering Masterplan developments	n/a	ADO, Public Art Consultant	Shirebrook Sustainable Development Masterplan, 2007	- attractive and forward-looking town centre in line with Masterplan - community engagement
Continue to work between Local Authority departments to ensure opportunities for PA are recognised at early stage	n/a	ADO	Shirebrook Sustainable Development Masterplan, 2007	- Increased efficiency and value for money
Raise funds to deliver Public Art initiatives	106, private sector, external as appropriate (options in appendix 5)	ADO	Shirebrook Sustainable Development Masterplan, 2007 Bolsover Sustainable Communities Strategy	- Increased efficiency and value for money - community engagement
Collaborate with Bolsover creative agencies and communities to deliver innovative programme in line with Strategy recommendations	n/a	ADO	Bolsover Sustainable Communities Strategy Bolsover Public Art Strategy, 2008	- Community engagement
Recruit artists or appropriate creative agency to deliver planned developments, appropriate to band structure	Subject to funding sources	ADO, Public Art Consultant	Bolsover Public Art Strategy, 2008	- supporting creative agencies

Derbyshire CC				
Continue to explore options that link Brook Park to Shirebrook through environmental projects that are already planned, such as street furniture and signage	Existing budget allocation	DCC lead officer, Public Art Consultant & Design Group	Shirebrook Sustainable Development Masterplan, 2007	- community engagement - value for money - unique product - support for local/regional creative sector
Monitor funding applications for landscaping feature at Brook Park	Options in appendix 5	DCC lead officer, and Public Art consultant	Shirebrook Sustainable Development Masterplan, 2007	External funding support
Work with Brook park Liaison group to recruit and deliver best option for landscaping feature	As above	DCC lead officer, Bolsover DC and Public Art consultant		
Disseminate results through sub-regional arts trails and link to other DCC initiatives as tourism option	Existing budgets	DCC lead officer	Regional Economic Strategy	Visitor attraction

7.4.2.2 Phase 2 Aims

The aims of Phase 2 will be to:

- develop a co-ordinated programme of Public Art initiatives that deliver across private sector, local authority and community-led building and landscaping improvements
- ensure this programme meets the historical and regeneration aspirations of Derbyshire CC and Bolsover DC
- maximise external funding sources towards the delivery of the programme
- ensure an appropriate role for local cultural and creative organisations in managing these projects within the criteria of the Public Arts Strategy
- maximise community engagement in projects (all bands A, B, and C) through consultation and outreach
- build skills and awareness through collaborative working across Local Authority teams.

8 Artists - Selection Criteria and Contracting

8.1 Selection of Artists

The process of selecting and contracting artists for public art commissions is now well established but there are a number of ground rules that need observing. The strategy will need a wide variety of selection and contracting methodologies for the various types and scale of public art work although if the proposed system template is implemented, major problems should be able to be avoided.

The template indicates that artists should be selected through the three main avenues normally used for commissioning, namely:

- Open submission – where the commissioning opportunity is advertised through specialist press or appropriate local or national sources offering criteria to allow suitably qualified and experienced artists to apply, submit information and possibly attend for interview.
- Limited competition – where a small number of suitably qualified and experienced artists are identified and usually asked to produce designs or proposals for selection.
- By invitation – where artists are invited to undertake the work as they are particularly qualified or their work especially appropriate or of a national or international significance.

The artist or artists who work with the design teams of developments to integrate art and design elements at the design phase would also be selected using similar criteria depending on the complexity and nature of the collaboration.

8.2 Artist's Contracts

Contracting artists will also be subject to the criteria that have been developed for public art commissioning. A model contract is included in the appendix although there may need to be specific circumstances that will require legal assistance.

The main elements to be considered within the contract are:

1. Definitions - listing the contracting parties, including any agents.
2. Scope of work, design development and artists' brief
3. Contract dates
4. Fees, costs and payment schedules
5. Insurances and indemnities
6. Ownership and copyright
7. Defects and warranties
8. Variations and terminations
9. Originality and workmanship
10. Permissions, site preparation, installation and maintenance

11. Moral rights
12. Proper law
13. Addresses
14. Variations
15. General
16. Arbitration
17. Duration

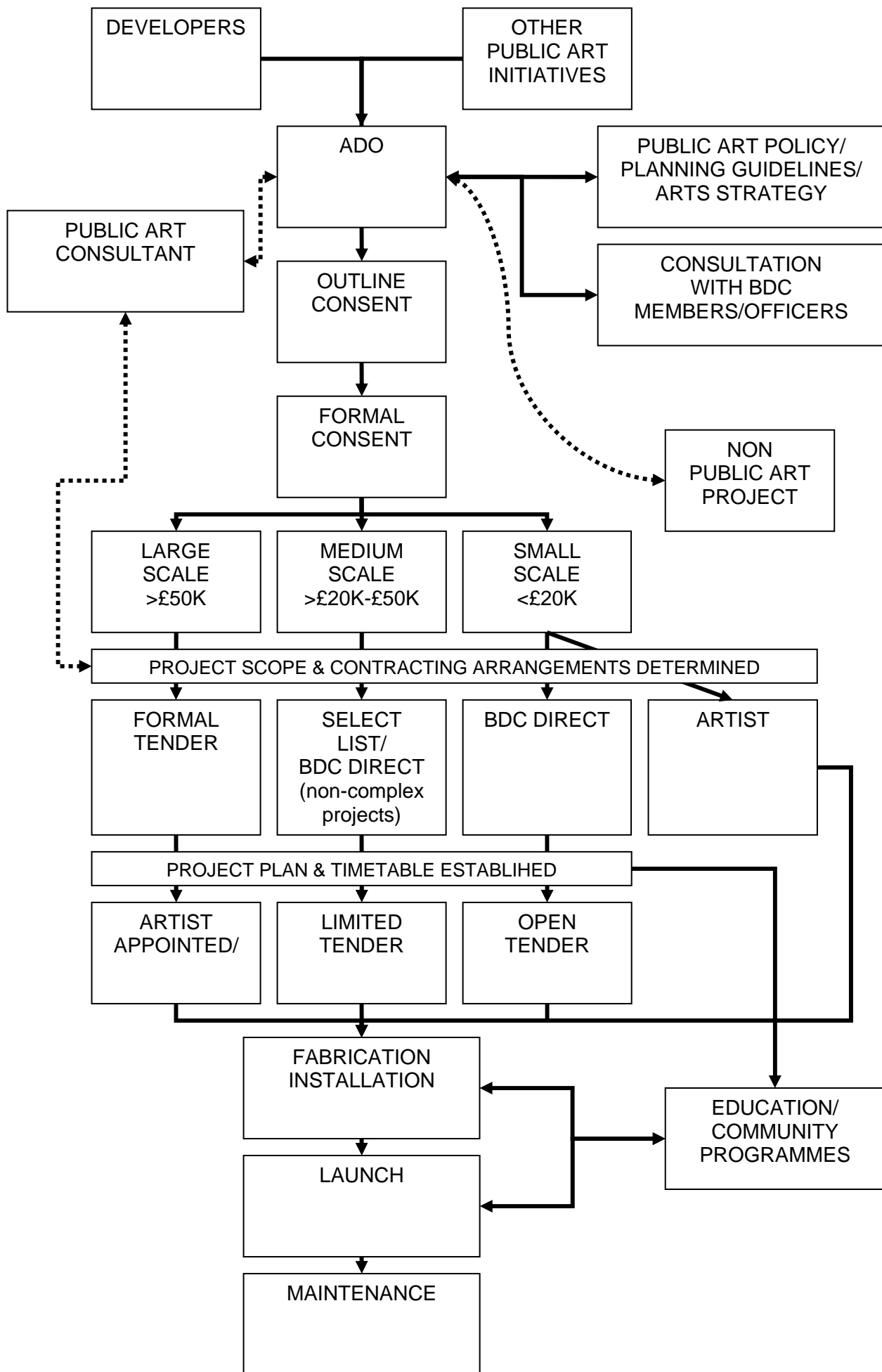
A contract of the complexity described here may be comparatively complex for small scale commissions and not contain enough detail for major commissioned artworks. Any contract will need careful scrutiny, particularly where funding from third parties has been received and they have specific requirements.

Appendix 1

MEETING SCHEDULE

NAME	ORGANISATION
Charles Monkhouse	Artist
Sarah Reed	Arts Council England, East Midlands
Cllr Ken Walker	Bolsover District Council
Cllr Brian Murray Carr	Bolsover District Council
Cllr Anne Syrett	Bolsover District Council
Chris Doy	Bolsover District Council
Sonia Coleman	Bolsover District Council
Carole Hirst	Bolsover District Council
Lee Hickin	Bolsover District Council
Stewart Tomlinson	Bolsover District Council
John Scott	Creswell Heritage Trust
Cllr Bob Janes	Derbyshire County Council
Cllr Marian Stockdale	Derbyshire County Council
Ann Wright	Derbyshire County Council
Matt Taylor	Derbyshire County Council
Mike Fenton	EMDA
George Kavvouras	EMDA
Fiona Clarke	Groundwork Trust
Richard Erwin-Jones	Groundwork Trust
Val Carman	Junction Arts
Tina Glover	Junction Arts

PUBLIC ART PROCESS TEMPLATE



PUBLIC ART PROJECT MANAGEMENT TOOLKIT

Task		Project Scale		
		Small (<£20k)	Medium (£20 - £50k)	Large (Over £50k)
1	Planners alert ADO to potential development at outline, reserved matter or formal consent stage	X	X	X
2	Developers contract public art consultant		X	X
3	Consultation with due regard to statement of community involvement	X	X	X
4	ADO and public art consultant agree public art and/or other arts provision with developer		X	X
5	Public consultation regarding proposed arts programmes	X	X	X
6	Project scope and contracting arrangements for project manager determined for size of project a) Artist manager or ADO project manages b) Project manager appointed for select list c) Formal tender for project manager	X	X X	X
7	Project plan, timetable and statutory requirements established and implemented	X	X	X
8	Artist selected if not directly managing the project a) Quotations sought b) Open or limited tender c) Artist appointed or formal tender	X	X	X
9	Artist contracts prepared and signed	X	X	X
10	Necessary permissions obtained and contractual obligations resolved such as maintenance schedule	X	X	X
11	Fabrication timetable established	X	X	X
12	Community and education programmes delivered	X	X	X

Appendix 4

MODEL CONTRACT FOR ARTISTS

This model contract shows the main elements that need to be considered for a public art commission but may need to be revised depending on the scale and nature of the commission. Legal advice should be sought if there are any elements that are subject to doubt or understanding.

1. DEFINITIONS

In these conditions the following words shall have the meaning herein assigned to them:

'The Client' shall mean acting through

'The Artist' shall mean of

'The Architect' shall mean of acting through

'The Agent' means of acting through

The Project Manager means of acting through

The Contractor means of acting through

The Structural Engineer means of acting through

'The Artwork' shall mean the work of art, details and location of which are set out in the Brief.

The Brief' shall mean the brief, annexed hereto, which shall form an integral part of this Agreement.

The singular shall include the plural and vice versa.

The masculine shall include the feminine and vice versa.

2. SCOPE OF THE ARTWORK

The Client hereby commissions the Artist to undertake and carry out the Artwork.

Specifically this will include the supply and installation of the finished Artwork as per the agreed proposals set out in the artist's model and the drawing(s) as per the specification agreed with artist and appended to this Agreement.

3. DATES

The Artwork is to be completed by the Artist by **date** and installed by **date (the Completion date)**. The completion date shall however be extended for such period of time as the Artist may be prevented by reason of illness, accidental damage by fire flood or other hazard or other cause outside the control of the Artist (including for this purpose any acts, omissions or requirements of Client or their agents or sub-contractors) from completing the Artwork. Except as herein provided should the Artist fail to complete the Artwork by such date (as extended if applicable), a penalty sum of a maximum of 5% of the total cost of the Commission may be deducted by the

Client from the final instalment specified in Clause 4. Except as herein provided, if the Artist fails to complete Artwork within a further 3 months of the completion date the Client reserves the right to invoke the termination Clause 8 and take action against the Artist for the recovery of its the entire cost of the Artwork.

The Artist will keep the Agent informed of progress with the Artwork and if at any time the Artist considers that the Artwork may not be completed by the specified time, the Agent will be informed immediately.

If the Artwork cannot be delivered to site and/or installed by reason of a delay to the project of which the Artwork forms part or for any other reason outside the control of the Artist, the Client agrees to arrange for storage of the Artwork at its cost and to reimburse the Artist for any reasonable out-of-pocket expenses incurred by the Artist as a direct result.

4. FEES AND COSTS

In consideration of the creation and sale of the Artwork by the Artist, the Client agrees to pay the Artist the total sum of £ (in words the amount).

Stage 1	Upon signing this agreement	£
Stage 2	To be paid by (date)	£
Stage 3	Upon completion of the manufacture of Artwork	£
Final Stage	Upon satisfactory Installation and handover of the Artwork	£

The amounts contained in Clause 4 above do not include Value Added Tax, which will be added as appropriate in accordance with current legislation.

The Artist agrees to create the Artwork for the agreed sum, which (unless otherwise stated in the Brief or otherwise agreed in writing) is deemed to include all expenses borne or to be borne by the Artist and Subcontractor in connection with the Artwork except where such expenses are caused as a direct result of additional requirements or conditions being imposed by the Client or the Agent or their agents or sub-contractors or as a result of installation or delivery of the Artwork being delayed for reasons outside the artists control.

5. INSURANCE

The Artist will bear any risk of loss or damage to the Artwork (whether in completed or uncompleted state) in the course of fabrication, wherever situate, until the Artwork is delivered by the Artist to the Contractor.

The Client will ensure that the Artwork is insured upon satisfactory installation by the Contractor against loss or damage from usual risks up to the valuation recommended by the Agent, including public liability cover. The Client may assign responsibility for insurance to a third party under any agreement contained in Clause 10

6. OWNERSHIP, COPYRIGHT AND REPRODUCTION RIGHTS

It is agreed that upon completion of the Artwork and payment to the Artist of the agreed Fee as specified in Clause 4 (or payment as specified in Clause 8 in the event of termination) property in the Artwork shall pass to the Client.

Copyright in the Artwork (and any preliminary designs, models or drawings including those submitted under Clause 2) shall remain with the Artist.

The Artist undertakes that he will not make or authorise the making of any copy of the Artwork.

The Client, the Architect and the Agent shall each be entitled, without consulting the Artist and without further payment, to make or authorise to be made any photograph of the Artwork and to include or authorise the inclusion of the Artwork or any such photograph of the Artwork (or any preliminary models designs or working drawings submitted by the Artist under Clause 2) in any record, publication, film, video or television broadcast, subject to Clause 11.

The Artist will also (at no cost to the Agent) provide the Agent with a set of slides of the fabrication of the Artwork and such other documentary material as may be agreed in writing.

7. LIAISON AND ROLE OF AGENT

The Artist shall maintain close liaison with the Agent throughout the progress of the Artwork and shall make whatever visits to sites and attend any meetings to discuss details of the Artwork at the request of the Agent as are reasonably necessary.

In addition the Agent will be responsible for liaising between the Client, the Project Manager, and the Artist concerning all arrangements for design development, fabrication, site preparation and installation and transportation of the Artwork to the site in its finished state.

8. TERMINATION OF AGREEMENT

It is acknowledged that the Commission can only be terminated by the Client if the project of which the Artwork forms part is cancelled in whole or in part for unforeseeable reasons in which case the Client may terminate this Agreement by written notice to the Artist, who will thereupon be entitled to receive or to retain payment for all Artwork done or sub-contracted in pursuance of this Agreement up to the date of such note, together with such further sums as may be considered reasonable in the circumstances and be agreed between the parties.

If the Artist should die before completing the Artwork, the Artist's successors in title will be entitled to receive or to retain payment for all Artwork done by the Artist in pursuance of this Agreement, together with such further sums as may be considered reasonable in the circumstances and be agreed between the parties, in such circumstances the penalty provision of Clause 3 above shall not apply. The Artist nominates (**name**) to oversee completion of the Artwork, should he die before the Artwork is **finished and installed**.

The Client may terminate this Agreement by notice in writing if the Artwork has not been completed within **three months** of the date referred to in Clause 3 (as extended in the circumstances referred to therein). Upon such termination the Client will be entitled to request the return all sums paid to the Artist by the Client under the terms of Clause 4 together with such compensation as shall be agreed between the parties.

9. ORIGINALITY, AESTHETICS, CARE and DILIGENCE

The Artist warrants that the Artwork will be original.

The Artist shall exercise all reasonable care, diligence and skill in undertaking and carrying out the Artwork.

10. PERMISSIONS, SITE PREPARATION, TRANSPORT, INSTALLATION and MAINTENANCE

10a SITE PREPARATION AND INSTALLATION

Save where otherwise provided in the Brief:

The Client will be responsible at its own cost and in consultation with the Artist, the Project Manager and the Agent for the preparation of the approved site for the Artwork including any ground works/foundations.

The Artist will give not less than **x weeks** notice to the Contractor, the Project Manager, the Client and to the Agent of the anticipated completion date for the Artwork.

The Artist will, at no additional charge, be present at and make expertise available to the Contractor, the Project Manager, the Client and the Agent during the installation of the Artwork.

The Client will afford the Artist and her authorised Agents access at all reasonable times to the approved site for the Artwork.

The Artist will liaise as necessary with the Agent/Client in all matters concerning site preparation and installation.

The Artist/Client will be responsible for paying the cost of transport and installation of the Artwork.

The Client is responsible for paying the costs of lighting (if required) and a plaque crediting the artist, details of which will be agreed with the artist.

The Artist is responsible for paying the cost of producing and providing any special fixtures or fittings (as defined in the Brief) which will be installed with the prior agreement of the Contractor/Architect/Project Manager /Client.

The Client is responsible for providing adequate foundations and fixings. The Client's nominated Agent and Project Manager will be responsible for consulting the Artist who shall be responsible for providing information as requested on behalf of the Client. Neither the Artist nor his subcontractors will be held responsible for any damage or injury caused as a result of the condition of the site, nor for any injury caused by anyone attempting to climb on the Artwork or the site, or any claims arising from the design of the Artwork and its use except for those already indemnified in other clauses in this contract.

The Client will be responsible for ensuring that all necessary planning consents and approvals of any statutory authority or the site owner have or will be obtained and for all costs associated therewith.

10b TRANSPORT

The Artist or his duly appointed Agents or Subcontractors will arrange (unless otherwise stated in the Brief) all necessary transport of the Artwork, both during the making of the Artwork and for its delivery to the site. The Contractor will install the Artwork to a specification produced by the Artist and agreed by the Contractor and the Project Manager.

10c MAINTENANCE AND DAMAGE/ALTERATION TO THE ARTWORK

Prior to installation of the Artwork, the Artist will provide to the Agent and the Client a maintenance schedule for the Artwork, giving adequate details of cleaning and maintenance methods required.

Upon installation of the Artwork the Artwork shall become the property of the Client and as such the Client will be responsible for ensuring the future inspection, insurance, maintenance and cleaning of the Artwork subject to any agreement with third parties reached under Clause 10

The Client may assign the maintenance and insurance of the Artwork to third parties subject to this assignment fulfilling the terms herein.

Subject to the above, if the Artwork is damaged and after consultation with the Artist, the Client decides that restoration/repair is feasible at an acceptable cost, the Client will give the Artist the option to conduct or supervise the restoration or repair on terms and to a schedule to be agreed.

Where the Artwork requires restoration or repair by reason of defects in materials within 12 months of completion, the Artist shall be responsible for carrying out the necessary restoration or repairs and these costs to be borne by the Artist, who shall remain responsible for securing any remedy from the suppliers of such materials. This obligation shall be without prejudice to any other period of guarantee provided by any person who supplied Artwork or materials to the Artist, if specified in the Brief.

10d REMOVAL

The Client confirms that the Artwork is intended to be available for installation on the specified site for an indefinite period during which time the public will be given access to it so far as the Client is able to procure. However the Client reserves the right to remove the Artwork from view for temporary periods should this be required for maintenance or structural reasons or other good cause.

If for exceptional and unavoidable reasons the Artwork needs to be removed permanently, the Client undertakes at its own expense to endeavour to find an alternative site acceptable to the Artist and to re-site the Artwork there, if the Artist so requests. If however no agreed alternative site can be found, the Client will ensure that the Artwork is stored until a suitable site can be found or returned to the Artist permanently.

11. MORAL RIGHTS, ATTRIBUTION & ACKNOWLEDGEMENT

As soon as possible following installation of the Artwork, the Client undertakes to place near the Artwork a suitable plaque, with wording to be agreed with the Artist, describing the Artwork and its subject, and naming the Artist and any funding agencies or sponsors.

The Client and the Agent will at all times acknowledge and identify the Artist as the creator of the Artwork including all occasions on which the Artwork or any drawings, designs or models are exhibited in public or a visual image of the Artwork broadcast or copies of a graphic Artwork representing the Artwork or a photograph of it are issued to the public.

The Client undertakes not to intentionally alter, modify or destroy the Artwork, or consent to others doing the same.

If any alteration or modification of the Artwork takes place after Completion and whether intentional or accidental and whether done by the Client or others, the

Artwork shall no longer be represented as the Artwork of the Artist unless the Artist consents in writing.

The provisions of Clause 11 shall be in addition and without prejudice to any of the Artist's rights or remedies under Sections 77 to 84 (inclusive) of the Copyright Designs and Patents Act 1 978.

12. PROPER LAW

This Agreement is governed by the law of England and Wales and may only be amended by further written agreement signed by all the parties.

13. ADDRESSES

The Artist undertakes, during the currency of the Commission, to notify the Client and the Agent in writing of any change in his address, including the address of his studio, within seven days of that change occurring.

14. VARIATIONS

No variations or additions to these Conditions may be made without the written consent of all parties.

15. GENERAL

In the event of any conflict between the terms of the Brief and these Conditions, the latter shall prevail.

The Artist shall have no liability or responsibility for the acts or omissions of site-contractors or employees or agents of the Client or the site-owner.

This contract is personal to the Artist who may not assign any part of her/his obligations without permission (not to be unreasonably withheld) except that the Artist may sub-contract the fabrication of the Artwork or any part of it to others provided the Artist remains responsible for complying with these Conditions.

16. DISPUTES

Any dispute under or arising from this Agreement may be referred at the instance of either party to an independent arbiter who shall use all reasonable endeavours to effect a solution acceptable to all parties and may make recommendations according to what he considers fair and reasonable in the circumstances of the case. Such referral shall be without prejudice to the right of any part to take legal proceedings at any stage.

17. DURATION

This Agreement is binding upon the parties, their assigns and all other successors in title.

SIGNED

.....the Artist

.....for and on behalf of the Client)

Designation:

.....for and on behalf of the
Agent)

Designation:

Date:

Brook Park Commission Brief

Landscape Feature

Background

Brook Park is a former coalfield site close to Shirebrook in Derbyshire which has been developed into a major warehousing and distribution centre. The project was a partnership between East Midlands Development Agency, English Partnerships and Derbyshire County Council and is entirely situated within Bolsover District.

The development is now nearing completion and a report was commissioned to advise on the potential for public art on the site. The majority of the warehousing and other units have been taken and major landscaping works have been initiated. The major user is the UK headquarters for Sports Direct and they have options on further sites in the immediate area.

In developing the public art strategy for the Brook Park site the following statement was adopted,

'Public art within Brook Park and the wider Shirebrook community should show a sympathy for - and resonance with - the unique geological, social and economic history of the area. This will come through a commitment to high quality contemporary arts from artists who understand the local context but who may have a wider national or even international profile.'

'The public art should create a bridge between the historic perspective and the new vision that is emerging, through challenging art works that will provide a vibrant new vision while understanding the historic context. The vision and context will be amplified through, at all times, seeking to gain the confidence of partners and the community through explaining, demonstrating and promoting the vision.'

As the first phase of the provision of public art around the Brook Park site, we wish to appoint an artist to produce a major artwork that will seek to reflect the geology and history of the site and act as a landmark for the both Brook Park and Shirebrook

In parallel to the writing of a public art strategy for the Brook Park development, a public art strategy for the whole of Bolsover District was commissioned. The strategy is designed to deliver the following three overarching guiding principles for public art developments in the District:

- Quality of product
- Local distinctiveness
- Community engagement

These principles will be expected to be incorporated into this project and need to be reflected in the proposal.

East Midlands Development Agency have also funded a Masterplan for the development of Shirebrook town and its environs. This outlines a regeneration strategy for the town and makes reference to the provision of public art and other design elements within the plan. It is planned to incorporate public art projects within major phases of the regeneration process and in parallel with this artwork, there will be a programme to set a design brief across the Brook Park and wider Shirebrook developments that will incorporate aspects such as signage, street furniture and 'gateway' elements at key locations.

Vision for the Project

The site has a dramatic landscaping feature that looks out over the town and the surrounding countryside where the development has also led to recreational facilities being provided. The landscaping has exposed elements of the underlying geology, both limestone and coal, as well as newly routed drainage channels and balancing ponds. In addition, there is also some conifer planting by the Forestry Commission near to the site and bordering the publicly accessible areas.

We are looking for an artist who is capable of producing a major landscape based construction or feature that fulfilled the criteria of the public art strategy, namely:

- The use of materials that are sympathetic to the wider area, such as limestone (the particular qualities of Magnesian limestone should be considered as a major requirement) and the nature and distribution of coal. Also the materials generated through agricultural and industrial developments should be considered including mining, textiles and the railway development. The agricultural implications, from the Stone Age settlements through to current practice should also be considered in terms of the type and range of crops, boundaries and landscape interventions.
- Creating a bridge between the rich history of the District, which can be traced over literally tens of thousands of years and the regeneration of the area where new communities and infrastructure are becoming established.
- Seeking to gain the confidence of partners and the community through explaining, demonstrating and promoting the commissioning of public art at all stages of the process.

This will be the major commissioned art work on the site and will need to both fulfil all of the criteria and act as an exemplar for the subsequent commissions.

Site Details

The site has not yet been fully defined as this will be one of the issues to be negotiated with the chosen artist. The areas defined for possible location of the art work are shown on the attached photographs.

The site already has contracts for landscape maintenance in place and the maintenance implications for the installed art work will be a significant consideration.

Technical Brief

(The artist or their mutually agreed agent will be responsible for all contractual, safety and legal matters and this is reflected in the fee.)

(It is proposed that a project manager will be contracted who will act as agent for the commissioner and on behalf of the artist for matters related to the contractual, safety and legal aspects of the contract.)

As the construction phase on site has already been completed, the proposals must include details of the groundworks, installation and transport to site. This cost will form part of the overall contract but may be sub-contracted to third parties.

The artwork will need to be robust and conform to Health and Safety and other legislation. Maintenance schedules and evidence of suitability and appropriateness of materials will be required.

Timescale

To be arranged

Selection Criteria and Procedure

The commission will be based on submission of proposals by a limited number of selected artists. A fee will be paid for the production of the proposals by suitable and jointly agreed methods. The proposals must include details of installation and any additional technical requirements on site as well as the chosen materials. Appropriate public consultation will be put in place once the proposals and designs are submitted.

Panel

The selection panel for the commission will be representatives of:

- Derbyshire CC (including elected member)
- Bolsover DC (ditto)
- EMDA, if appropriate
- Brook Park site users
- Brook Park Consultative committee
- Public Art specialists, as advisors

Budget

The budget will be split into two elements, the production of proposals and the development, fabrication and installation of the agreed art work.

Contract

A contract will be issued when the artist has been selected.

Background Information for Commissioners and Funders

Relevance to funding streams

This project delivers a number of outcomes which are relevant to public funding criteria, particularly in an area which features in the top 10 SOE areas. The Bolsover area is coming out of a period of industrial decline, and is addressing its regeneration needs. The recent Shirebrook Master Plan set out a vision of the town as

A 21st century Market Town...well connected to its surroundings, both physically and economically.. with a high profile within the region.'

It emphasised the importance of design and Public Art initiatives to deliver the Plan. This initiative will help deliver the Plan's aims, and provide an early impact that sets the benchmark for other design opportunities that will emerge through new builds linked to the Plan.

- Local distinctiveness

It will provide an added dimension to the landscape adjoining the Brook Park development and create a striking artistic development which brings local distinctiveness to the industrial and retail centre. As such it will provide a spiritual and historic complement to the private sector site, and an opportunity for relaxation (and meeting place) close to what will be a thriving visitor site. It is estimated that it will be seen by 150,000 site visitors and staff per year.

- Increasing Public Engagement

The landscaping feature will, if appropriate, be linked to other Derbyshire public art projects, and provide a visitor attraction to Bolsover, benefiting from its proximity to the motorway network, and complementing emerging developments at Markham Vale and elsewhere.

- Raising aspirations

The recent decline of the Bolsover area is marked by a perceived failure of aspiration.

Around 1 in 5 of the adult population do not have an NVQ or equivalent qualification - higher than the regional and national equivalents. Youth unemployment is a particular issue with a third of 18-24 year-olds being without jobs, and good health indices are below the norm; premature mortality is 10% above the UK average. Individual wards have high levels of youth disaffection, petty vandalism (a recurring issue, to be considered in relation to this development) and some problem estates.

As a result, a number of national and regional initiatives are focused on the Bolsover district, including:

- Drug & Alcohol Action teams
- Neighbourhood Renewal
- Market Towns
- Safer Communities

- Local Employment Growth Initiative (LEGI)
- Community Empowerment
- Spearhead Health Area
- Fair Share (Bolsover has achieved less than the average in Lottery funding).

Despite the disadvantages and relatively high deprivation indices locally, Bolsover has a high level of community engagement. This is evidenced in the study which led to the 2008 Bolsover Arts Strategy, which revealed that 500 community and voluntary sector groups are active locally, and which led to the establishment of an Arts Forum, coordinated by the District Arts Development Officer.

- Skills development

It is intended that the landscaping feature will target the engagement of local people in the creative and design process, leading to greater public ownership and identity, not only with this project but with the principle of design as a feature of major new facilities builds in the District. It has the capacity to link to Creswell Crags Historical centre where creativity is part of a series of methods to deliver community aspiration and to increase understanding of the range of history and influences that have defined the sub-region.

- Meeting Quality threshold

This will be a major new initiative and potentially a benchmark for design-based developments that meet the criteria of the Public Art Strategy and remain within the public consciousness for some time. As such, the recruitment of a suitable and qualified artist will focus UK-wide, and the project will be managed by arts professionals within the lead Authority supported by external expertise.

- Economic Impact

A high proportion of the costs of this project will be spent in the Bolsover/Derbyshire area, since marketing, materials, project management and education elements will all be delivered from local sources. The project develops local skills through facilitating collaboration between local professionals and local people, and a leading professional expert with a national reputation. This will add to the skills of the creative sector, in the area of benefit, and increase employability at a time when (as the Public Art Strategy makes clear) there are increased opportunities in the County.

BROOK PARK AND SHIREBROOK COMMISSION BRIEF

DESIGN STRATEGY

Background

Brook Park is a former coalfield site close to Shirebrook in Derbyshire which has been developed into a major warehousing and distribution centre. The project was a partnership between East Midlands Development Agency, English Partnerships and Derbyshire County Council and is entirely situated with Bolsover District.

The development is now nearing completion and a report was commissioned to advise on the potential for public art on the site. The majority of the warehousing and other units have been taken and major landscaping works have been initiated. The major user is the UK headquarters for Sports Direct and they have options on further sites in the immediate area.

In developing the public art strategy for the Brook Park site the following statement was adopted,

'Public art within Brook Park and the wider Shirebrook community should show a sympathy for - and resonance with - the unique geological, social and economic history of the area. This will come through a commitment to high quality contemporary arts from artists who understand the local context but who may have a wider national or even international profile.'

'The public art should create a bridge between the historic perspective and the new vision that is emerging, through challenging art works that will provide a vibrant new vision while understanding the historic context. The vision and context will be amplified through, at all times, seeking to gain the confidence of partners and the community through explaining, demonstrating and promoting the vision.'

As the first phase of the provision of public art around the Brook Park site, we wish to appoint a design team to provide an overall design strategy for the Brook Park and Shirebrook areas as well as designing the signage, street furniture and other elements that will be used throughout Brook Park, Shirebrook and potentially the whole District.

In parallel to the writing of a public art strategy for the Brook Park development, a public art strategy for the whole of Bolsover District was commissioned. The strategy is designed to deliver the following three overarching guiding principles for public art developments in the District:

- Quality of product
- Local distinctiveness

- Community engagement

These principles will be expected to be incorporated into this project and need to be reflected in the proposal.

East Midlands Development Agency have also funded the Masterplan for the development of Shirebrook town and its environs. This outlines a regeneration strategy for the town and makes reference to the provision of public art and other design elements within the plan. It is planned to incorporate public art projects within major phases of the regeneration process and in parallel with this artwork, there will be a programme to set a design brief across the Brook Park and wider Shirebrook developments that will incorporate aspects such as signage, street furniture and 'gateway' elements at key locations.

Vision for the Project

We are looking to appoint an individual, group of individuals or organisation to undertake the preparation of a design brief and the design of key elements of a major public art programme that will be located both at the Brook Park development and at key new developments in Shirebrook. The appointed persons may be public art consultants, artists, design or architectural practices or a combination of specialisms. These may include elements which are sited District-wide, through Bolsover.

A design strategy that will provide a coherent approach and integrate the public art works across the Brook Park development with a range of public art commissions across Shirebrook that will be occurring over the next five to ten years. This will include:

- Researching and producing design proposals for a number of "way markers" or gateways across the various developments that demonstrate the local distinctiveness.
- The design and development of a robust signage scheme, conforming to legal constraints that can be used across the Brook Park and Shirebrook developments.
- The design and development of street furniture that can be used across the Brook Park and Shirebrook developments and also potentially across Bolsover District.

This design strategy will provide the core design elements of the long term regeneration of Brook Park and Shirebrook and as such it will need to be capable of working over a number of years and be flexible enough to be capable of being used in projects that are yet to be planned.

Site Details

As well as the Brook Park development the Shirebrook master plan already acknowledges the provision of public art works in the following areas:

- Main Street
- Supermarket development – 'Retail Anchor'

- Market Place

In addition, there are a number of new developments that are currently planned that should be included in a wider Brook Park and Shirebrook public art scheme which are:

- Residential development in proximity to Brook Park/Model Village (this development was negotiated without 106 agreement for public art)
- Business Innovation Centre
- Academy as part of Building Schools for the Future (without 106 agreement)
- Sports Direct Phase 2

Technical Brief

(The design team or their mutually agreed agent will be responsible for all contractual, safety and legal matters and this is reflected in the fee.)

(It is proposed that a project manager will be contracted who will act as agent for the commissioner and on behalf of the artist for matters related to the contractual, safety and legal aspects of the contract.)

The fee will be expected to cover the cost of preparing fully worked up proposals for each of the major elements described in the brief. In addition, the elements of signage and street furniture will require the production of engineering drawings and/or prototypes as well as a fully developed design brief. The unit costs of production for each element as well as their proposed production methodology must be included. For the 'waymarkers' or 'gateways' an outline scheme needs to be prepared with either a fully developed set of briefs or identification of artists as appropriate.

The artworks will need to be robust and conform to Health and Safety and other legislation. Maintenance schedules and evidence of suitability and appropriateness of materials will be required.

Timescale

To be arranged

Selection Criteria and Procedure

The commission will be based on submission of proposals through a tendering process. Appropriate public consultation will be put in place once the proposals and designs are submitted.

Panel

The selection panel for the commission will be representatives of:

- Derbyshire CC (including elected member)

- Bolsover DC (ditto)
- EMDA, if appropriate
- Brook Park site users
- Brook Park Consultative committee
- Public Art specialists, as advisors

Budget

The budget will be split into two elements, the production of proposals and the development, fabrication and installation of the agreed art work.

Contract

A contract will be prepared at the conclusion of negotiations with the chosen individual or group has been selected.

Background Information for Commissioners and Funders

Relevance to funding streams

This project delivers a number of outcomes which are relevant to public funding criteria, particularly in an area which features in the top 10 SOE areas. The Bolsover area is coming out of a period of industrial decline, and is addressing its regeneration needs. The recent Shirebrook Master Plan set out a vision of the town as

A 21st century Market Town...well connected to its surroundings, both physically and economically.. with a high profile within the region.'

It emphasised the importance of design and Public Art initiatives to deliver the Plan. This initiative will help deliver the Plan's aims, and provide an early impact that sets the benchmark for other design opportunities that will emerge through new builds linked to the Plan.

- Local distinctiveness

It will provide an added dimension to the landscape adjoining the Brook Park development and create a striking artistic development which brings local distinctiveness to the industrial and retail centre. As such it will provide a spiritual and historic complement to the private sector site, and an opportunity for relaxation (and meeting place) close to what will be a thriving visitor site. It is estimated that it will be seen by 150,000 site visitors and staff per year.

- Increasing Public Engagement

The landscaping feature will, if appropriate, be linked to other Derbyshire public art projects, and provide a visitor attraction to Bolsover, benefiting from its proximity to the motorway network, and complementing emerging developments at Markham Vale and elsewhere.

- Raising aspirations

The recent decline of the Bolsover area is marked by a perceived failure of aspiration.

Around 1 in 5 of the adult population do not have an NVQ or equivalent qualification - higher than the regional and national equivalents. Youth unemployment is a particular issue with a third of 18-24 year-olds being without jobs, and good health indices are below the norm; premature mortality is 10% above the UK average. Individual wards have high levels of youth disaffection, petty vandalism (a recurring issue, to be considered in relation to this development) and some problem estates.

As a result, a number of national and regional initiatives are focused on the Bolsover district, including:

- Drug & Alcohol Action teams
- Neighbourhood Renewal
- Market Towns

- Safer Communities
- Local Employment Growth Initiative (LEGI)
- Community Empowerment
- Spearhead Health Area
- Fair Share (Bolsover has achieved less than the average in Lottery funding).

Despite the disadvantages and relatively high deprivation indices locally, Bolsover has a high level of community engagement. This is evidenced in the study which led to the 2008 Bolsover Arts Strategy, which revealed that 500 community and voluntary sector groups are active locally, and which led to the establishment of an Arts Forum, coordinated by the District Arts Development Officer.

- Skills development

It is intended that the landscaping feature will target the engagement of local people in the creative and design process, leading to greater public ownership and identity, not only with this project but with the principle of design as a feature of major new facilities builds in the District. It has the capacity to link to Creswell Crags Historical centre where creativity is part of a series of methods to deliver community aspiration and to increase understanding of the range of history and influences that have defined the sub-region.

- Meeting Quality threshold

This will be a major new initiative and potentially a benchmark for design-based developments that meet the criteria of the Public Art Strategy and remain within the public consciousness for some time. As such, the recruitment of a suitable and qualified artist will focus UK-wide, and the project will be managed by arts professionals within the lead Authority supported by external expertise.

- Economic Impact

A high proportion of the costs of this project will be spent in the Bolsover/Derbyshire area, since marketing, materials, project management and education elements will all be delivered from local sources. The project develops local skills through facilitating collaboration between local professionals and local people, and a leading professional expert with a national reputation. This will add to the skills of the creative sector, in the area of benefit, and increase employability at a time when (as the Public Art Strategy makes clear) there are increased opportunities in the County.

POTENTIAL INVESTMENT SOURCES

Section A – Phase 1

This section looks at sources that may support the activities in Phase 1 to build the infrastructure and advocate for the impact of Design on Regeneration issues.

1 Arts Council England

The “Grants for the Arts” programme is Lottery-funded and aims to *“get great art to more people by championing, developing and investing in artistic experiences that enrich people’s lives”*. It could encourage the engagement of artists to bring a creative voice to the planning process, and bringing external advice on the impact of design on local regeneration. It would also support the engagement of local people through participating in the making process of new creations, and – following the McMaster report – would emphasise the importance of quality as well as engagement in the process.

“Grants for the Arts” is a competitive application process, and has supported the costs of creative agencies and individuals being able to develop responses to new public realm opportunities (eg in Corby).

2 Paul Hamlyn Foundation

The Foundation is open to Pilot and Feasibility Studies that may establish activity in areas where practice is less developed.

The Open Grants Scheme supports innovative ways of increasing people's enjoyment, experience and involvement in the arts, and to support the development, implementation and dissemination of new ideas across all art forms. Innovation and new ideas mean:

- Initial research into opportunities and problems to identify possible interventions
- Feasibility and/or pilot studies
- Building on a pilot study to develop a larger initiative
- Replication and scaling-up
- Introducing successful exemplary activities to areas where practice is less developed
- New approaches to evaluation, sharing of good practice and learning

Who can apply

Only formally constituted organizations or if the constitution is on a not-for-profit basis.

Funding priorities

Current funding priorities in terms of participants/beneficiaries are:

- Children and young people (up to 25 years old)
- Inter-generational groups including children and young people (up to 25 years old) with their families, carers and communities

- Particularly, but not exclusively, people who live outside London

There is no minimum or maximum grant size. The Foundation prefers to make grants where there are other contributors, preferably in cash, towards the cost of the activity. In 2005-06 there were 83 grants through the open grant scheme - totaling £3,718,306 - of which 53 per cent were for over £30,000. The average grant size was £44,799.

3. ***Esmee Fairbairn***

The Trust's primary interests are in the UK's cultural life, education, the natural environment and enabling people who are disadvantaged to participate more fully in society.

We are particularly interested in hearing about how the work you are proposing:

- Addresses a significant gap in provision
- Develops or strengthens good practice
- Challenges convention or takes a risk in order to address a difficult issue
- Tests out new ideas or practices
- Takes an enterprising approach to achieving your aims
- Sets out to influence policy or change behavior more widely

We can only fund work that is legally charitable. You do not have to be a registered charity to apply, but your constitution must allow you to carry out the work you propose.

Average contributions from the Trust are around £50,000; a first-stage application is required for submission, which will take one month before an invitation to go to 2nd stage, or a decline, will be issued.

Section B - Phase 2

This section looks at external funding sources for Public Art activities in Brook park and Bolsover that may support individual projects or connected series. Some of these, as indicated, are specifically for applications from community groups only.

B1 – large-scale projects

4. ***Big Lottery Fund – Changing Spaces***

Changing Spaces is an environmental programme focusing on three priority areas – community spaces, local community enterprise and access to the natural environment. It will invest around £200 million in environmental projects across England. The programme is being delivered in partnership with other organisations who are either delivering a large strategic portfolio or an England wide, open grants programme for the Lottery. The most appropriate strand is:

Community Spaces programme (run by Groundwork UK) – this programme opened to applications on 19 March 2008. It funds community

groups who want to improve local green spaces such as play areas, community gardens, parks, wildlife areas and village greens. For more information visit www.community-spaces.org.uk.

5 Coalfields Regeneration Trust

Statutory organisations including local authorities, health authorities, health trusts, schools, further education colleges and other publicly funded organisations can apply for grants over £30,000. Applications could be developed towards large-scale installations over that sum, therefore, where there are clear outputs in:

- employability improvement
- education and skills
- healthy living

A pre-application form will be required to gain an early evaluation, followed by full application which can take up to six months to process.

The most appropriate funding theme is as follows:

Supporting Communities

This theme is intended to support communities to play an active part in regeneration. It includes both capital and revenue elements and focuses on:

- Providing access to facilities whether new or existing and tackling issues of geographical isolation
- Measures which promote healthier lifestyles linking communities to wider health provision
- Support for projects which combat the exclusion of communities from financial services and which tackle poverty and debt
- Projects which build on active citizenship and local participation

6 Henry Moore Foundation

The Foundation was established in 1977 to advance the education of the public by the promotion of their appreciation of the fine arts and in particular the works of Henry Moore. It concentrates its support on sculpture. These aims are achieved through specific projects initiated within the organisation both at Perry Green and in Leeds, particularly exhibitions and publications, and by giving grant aid to other suitable enterprises.

The Foundation's grant programme is focussed on specific objectives. It is the trustees' policy to support all aspects of the arts in which Henry Moore himself was engaged: sculpture, drawing and print-making (all freely interpreted in the case of contemporary work). The key criterion is artistic quality; practical viability is also important. Special consideration will be given to projects outside London and to venues with limited funding.

Grants are available in the range of £5,000 up to £21,000 to assist the commissioners of new work for permanent or temporary display, indoors or out.

7. Heritage Lottery Fund

The HLF has a number of strands which may support public art initiatives in Bolsover.

There are three aims which relate to learning, conservation and participation.

To receive a grant your project must:

- help people to learn about their own and other people's heritage.

Your project must also do either or both of the following.

- Conserve the UK's diverse heritage for present and future generations to experience and enjoy.
- Help more people, and a wider range of people, to take an active part in and make decisions about heritage.

Heritage includes many different things from the past that we value and want to pass on to future generations. Heritage projects might include:

- people's memories and experiences
- histories of people, communities, places and events
- cultural traditions
- historic buildings and townscapes
- archaeological sites
- collections of items, archives or other materials
- natural and designed landscapes
- habitats and species
- sites and collections linked to our industrial, maritime and transport history.

Appropriate strands are as follows:

7.1 Heritage Grants (grants of more than £50,000)

Heritage Grants is our main grants programme offering grants of more than £50,000 for projects that relate to the national, regional or local heritage of the UK. *This would be appropriate to individual projects that are within Band A, as defined by the Public Art Strategy.*

In April 2008 HLA introduced new application materials and guidance for this programme. During this transitional year they will start assessing applications under this new programme on **1 September 2008** and will give first-round decisions in **December 2008**.

7.2 Your Heritage (£3,000 to £50,000)

This would be appropriate to individual projects that are within Band B, as defined by the Public Art Strategy.

Your Heritage provides grants of between £3,000 and £50,000 to support projects that relate to the local, regional or national heritage of the UK, and welcomes applications that help people to learn about, look after and celebrate heritage in a fun and enjoyable way. Dates are as in 7.1.

7.3 Townscape Heritage Initiative (£500,000 - £2,000,000)

This would be appropriate to developments within a designated conservation area, tackling more than one building and repair features lost from the public realm, especially where they are important to restoring the special character of the area.

Through our Townscape Heritage Initiative (THI) programme, we make grants that help communities to regenerate conservation areas displaying particular social and economic need throughout the United Kingdom (except the Channel Islands and Isle of Man). It encourages partnerships to carry out repairs and other works to a number of historic properties within those areas, and improve the quality of life for all those who live, work or visit there.

The national batch deadline for 2008 first-round applications is 30 November. Decisions will be made on these applications in April 2009.

THI outcomes:

Preserving and enhancing the character and appearance of conservation areas affected by high levels of deprivation and in need of regeneration.

- Bringing historic buildings back into appropriate and sustainable use.
- Safeguarding the character of conservation areas through:
 - increasing training opportunities in heritage skills;
 - increasing community participation; and
 - improving approaches to conservation management and maintenance.

7.4 Young Roots (£3,000 to £25,000)

Providing grants of between £3,000 and £25,000, the Young Roots Programme aims to involve 13-25 year-olds in finding out about their heritage, developing skills, building confidence and promoting community involvement. Young Roots projects stem directly from young peoples' interests and ideas, harnessing their creativity and energy and helping them work with others in their local community.

In April 2008 we introduced new application materials and guidance for this programme. During this transitional year we will start assessing applications under this new programme on **1 September 2008** and will give our first decisions within 10 weeks of your application.

To receive a Young Roots grant, your project must relate to the varied heritage of the UK and:

- provide new opportunities for a wider range of young people aged 13 to 25 to learn about their own and others' heritage;
- allow young people to lead and take part in creative and engaging activities;
- develop partnerships between youth organisations and heritage organisations; and
- create opportunities to celebrate young people's achievements in the project and share their learning with the wider community.

Your project must also create either:

- opportunities for young people to volunteer in heritage; or

- new opportunities for young people to gain skills in identifying, recording, interpreting or caring for heritage.

B2 – Community Initiatives

8. Awards for All

Although Awards for All can, and has, invested in public art, festivals, environmental improvements and community celebrations, applications will need to be channelled through a not-for-profit, parish/town or community group. Maximum awards are for £10,000 within a 2-year timescale.

9. Biffaward

Most Biffaward grants are accessed by church councils and village halls to address capital costs of community buildings, and applications need to show the maximum community use following the investment. Biffawards therefore can add to the value of community buildings by including creative installations as part of the building plans, to improve the ambiance of the building. Groups are asked to submit an Expression of Interest first, before proceeding to full application. The Derbyshire Environmental Trust can facilitate community applications for awards and provide advice.

Grants of up to £50,000 are available to improve or provide community spaces, cultural facilities and places for outdoor recreation, if:

- the project is within 10 miles of a Biffa operation
- it is also within 10 miles of any landfill site
- at least 104 days of public access per year
- the facility meets the requirements of the DDA

Local projects may be within the requisite distance from the Clowne and Mansfield Biffa operating centres.

10. Derbyshire County Council

Derbyshire County Council has a Small Arts Grant fund to facilitate match funding for of up to £1,000 for projects which fit into one or more of these priorities:

- developing new audiences and participants in arts activity
- supporting arts work with disabled people
- supporting arts work in rural areas
- supporting the creative economy.

11. Stone Quarries – donation of materials

There is some history of donations by local quarries towards creative projects that have reflected local history and community concerns. In the Bolsover area, the limestone is of a slight gold hue which differentiates it from other sub-regional materials.

However, community groups will be expected to understand the Health & Safety responsibilities of transporting appropriate quantities of limestone and have the necessary transport available.

Discussions beforehand are recommended. The only Bolsover quarry is **Tarmac Ltd** 's Bolsover Quarry, Whaley Rd, Bolsover, Chesterfield, Derbyshire S44 6XE; Queries for donated materials should be addressed to:

Area Manager
Tarmac Ltd,
Bellmoor Quarry,
Great North Rd,
Retford
Notts
DN22 8SG
Tel: 01777-713502

Committee:	Executive	Agenda Item No.:	8
Date:	6th April 2009	Status	Open
Category	2. Decision within the functions of Executive		
Subject:	Representation on the Derby and Derbyshire Economic Partnership.		
Report by:	Head of Regeneration		
Other Officers Involved			
Director	Director of Strategy		
Relevant Portfolio Holder	Regeneration		

RELEVANT CORPORATE AIMS

ENVIRONMENT – Promoting and enhancing a clear and sustainable environment.

REGENERATION – Developing healthy, prosperous and sustainable communities.

SOCIAL INCLUSION – Promoting fairness, equality and lifelong learning.

ENVIRONMENT – engagement with the DDEP will present new opportunities to delivery projects which will enhance and regenerate towns and villages across the District.

REGENERATION – DDEP’s management of the Single Programme funding for the foreseeable future will enable the development of new programmes to regenerate both the physical and social environment within local communities.

SOCIAL INCLUSION – engagement in to a well established sub-regional partnership and developed/developing programmes will contribute to alleviating the high levels of deprivation in existence across parts of the district.

TARGETS

EMDA's vision is that by 2020, the East Midlands will be a flourishing region - with growing and innovative businesses, skilled people in good quality jobs, participating in healthy, inclusive communities and living in thriving and attractive places. The vision will be measured using the 'Regional Index of Sustainable Economic Wellbeing', which EMDA have developed to measure progress towards their twin aims of sustainable economic growth and economic wellbeing; and the SSPs are regarded as a vitally important key to achieving that aim. By channeling funds through the SSPs, EMDA seeks to ensure that real improvements are made at a grass roots level.

A revised DDEP Sub-Regional Investment Plan will be completed in the coming months to take account of the priority activities for the North Eastern Derbyshire local authorities.

VALUE FOR MONEY

DDEP will have responsibility for the Single Programme monies on behalf of EMDA across the Bolsover district, from 1st April 2009 for an expected 12-month period. Representation on the partnership board will ensure Bolsover's priorities are recognised and that additional financial resources can be levered into the District in order to deliver projects which meet the Corporate Aims.

THE REPORT

The purpose of the report is to inform members of the change in management and administrative responsibility for the Single Programme following the implementation of recommendations in the Review of Sub-National Economic Development and Regeneration (SNR). The change will involve the management of the 'Single Programme' moving from the Alliance SSP to the Derby and Derbyshire Economic Partnership (DDEP) for an interim period during the transition of the funding to Derbyshire County Council.

DDEP was formed in early 2001, when a shadow board of public and private sector representatives was set up with the aim of creating sustainable economic regeneration through partnership working. In December 2002, the Partnership was formally accredited by the East Midlands Development Agency (EMDA) as the Sub-Regional Strategic Partnership, SSP, for the region covering the City of Derby and the boroughs of Amber Valley, Derbyshire Dales, Erewash, High Peak and South Derbyshire. From 1st April 2009, this will be extended to include Bolsover, North East Derbyshire and Chesterfield, and will no longer include City of Derby.

The DDEP will consider projects that will encourage business, create jobs, promote equality and help build strong and sustainable communities. Generally, activities supported by the DDEP will fall within one of the three key themes below:

1. **Employment and Skills:** The DDEP seeks to ensure that people in the region can access the training and education they need, to provide such a pool of talent and know-how. It aims to break down barriers to learning, addressing issues of access to childcare, providing better information about opportunities, and offering advice and guidance.
2. **Business Support:** DDEP's challenge is to encourage local people to be entrepreneurial, and to provide assistance to fledgling and growing

businesses in the region. To make the best possible use of the latest technology, facilitating broadband Internet connections across the region, and offering training in ICT systems.

3. **Infrastructure:** The DDEP will seek to ensure that region develops and modern and sustainable infrastructure. Developments will be in keeping with the history and culture of the region, and must be in harmony with the environment - one of Derbyshire's key assets.

The DDEP was incorporated in August 2003. The company board currently has 19 directors and 2 observers. From 1st April 2009, the membership will be extended to include representatives of the three North Eastern Derbyshire local authorities, but will exclude City of Derby representation. Current membership is made up of:

Dr John Foxcroft (Chair)	Chair and Finance Director, Garrandale Ltd.
Richard Brown	Chief Executive Officer, Eurostar (UK)Ltd
Richard Horsley	Managing Director, QED Public Relations Ltd
Clive James	Building Products Director, Tarmac Ltd
Bill Preece	Managing Director, Otter Controls Ltd
Mick Brown	Area Director, Derbyshire LSC
George Cowcher	CEO, Derbyshire and Nottinghamshire Chamber
Prof. John Coyne	Vice Chancellor, University of Derby
Mick Creedon	Chief Constable, Derbyshire Constabulary HQ
David Croll	Chief Executive and Principal, Derby College
Pete Edwards	Chief Executive, Erewash Voluntary Action CVS
Cllr. Geoff Carlile	(Vice Chair) Cabinet Member for Regeneration Derbyshire County Council
Cllr. Stephen Hayes	Cabinet Member for Regeneration Amber Valley BC
Cllr. Hilary Jones	Leader, Derby City Council
Cllr. Lewis Rose	Leader, Derbyshire Dales District Council
Cllr. Geoff Smith	Lead Member for Regeneration Erewash Borough Council
Cllr. Tony Kemp	Executive Member for Regeneration High Peak Borough Council
Cllr. Heather Wheeler	Leader, South Derbyshire District Council
Observers:	
Andrew Morgan	Director, Skills and Communities, EMDA
Marie Fitzgerald	Government Office for the East Midlands

DDEP has been able to attract significant private sector backing from major local employers such as Toyota, Tarmac and Eurostar, alongside representatives from the public sector, universities and education, and the voluntary and community sector.

All board members are Directors of the company. The Articles state, for public members, that they must be the Leader, Deputy Leader or senior politician of the Council with Cabinet responsibility for Economic Development.

ISSUES/OPTIONS FOR CONSIDERATION

As stated above representation is from the Leader or Deputy Leader (who also is Portfolio Holder for Regeneration at present) at board meetings. Due to commitments across a range of groups and partnerships, it may be difficult have representation at every board meeting. On occasion, with prior notice and approval from the Chair, an observer may be sent to represent the member concerned, but will carry no voting rights.

IMPLICATIONS

Financial: Member's time in attending meetings
Legal: DDEP Board's Memorandum and Articles of Association agreed by the East Midlands Development Agency (EMDA) will have to be amended to include the representation of the three Districts, including Bolsover. The Leader / Deputy Leader will be covered through the Council's insurance whilst acting on behalf of the authority. The Head of Regeneration will ensure that legal services have sight of any documents or agreements that may commit the Council in terms of further staff time or financial resources.

Human Resources: None.

RECOMMENDATION that;

The Board Member on DDEP is the Leader, Deputy Leader or Cabinet Member for Regeneration - this is to be at the Leader's discretion.

REASON FOR DECISION TO BE GIVEN IN ACCORDANCE WITH THE CONSTITUTION

To ensure the Council is represented on an important regeneration body.

ATTACHMENTS: **N**
FILE REFERENCE:
SOURCE DOCUMENT:

Committee:	Executive	Agenda Item No.:	9
Date:	6 th April 2009	Status	Open
Category	3. Part of the Budgetary and Policy Framework		
Subject:	Risk Management		
Report by:	Director of Strategy		
Other Officers involved:	Business Risk Group Senior Management Team Heads of Service		
Director	Strategy		
Relevant Portfolio Holder	Strategic Organisational Development		

RELEVANT CORPORATE AIMS

CUSTOMER FOCUSED SERVICES – Providing excellent customer focused services

STRATEGIC ORGANISATIONAL DEVELOPMENT – Continually improving our organisation.

By adopting a corporate approach to risk management, the Council minimises potential difficulties that could impact upon its abilities to deliver Customer Focussed Services.

TARGETS

A priority identified in the Corporate Plan is to ensure that all Strategies and Plans have robust monitoring, assessment and review functions

VALUE FOR MONEY

Proactive risk management avoids unnecessary expenditure in resolving issues that could otherwise be avoided or minimised by forward planning.

THE REPORT

Following an Internal Audit report into the Council's risk management arrangements it was recommended that an annual report be submitted to

Executive. The first report was provided on 10th March when the revised Risk Management Strategy was approved.

This report updates Members on progress with Risk Management and includes an update to the last report to Scrutiny Committee in September 2008. In particular it provides details of the quarterly review of both Operational and Strategic Risk Registers.

As a result of this review there are now a total of 197 identified risks (as opposed to 181 in September 2008), of which 169 (156) are Operational and 27 (25) are Strategic. During the course of the review 8 new Operational risks have been identified, 9 amended and 2 deleted. One strategic risk has been amended, 3 added and none deleted.

Members will recall that to assist in embedding risk management monitoring now takes place for any risks with an “initial” risk score of 8 or more. As a result of the changes referred to above, there are now 79 risks with such a score. 62 (56) Operational risks have an initial score of 8 or more of which 7 have been amended, 2 added and none deleted. There are 17 Strategic risks with such scores, with 1 amendment, 2 additions and no deletions. The revised Risk Registers are shown in Annex 1. Risks connected with projects and partnerships are now beginning to be included within the risk registers.

The Strategic Risk changes reflect three important elements for the Council. The risk score for budget and efficiency pressures have been increased to reflect the importance of this for the Council. Two new risks have been identified, the first dealing with Treasury Management arrangements to reflect the issues following the collapse of certain banks and the ongoing global financial crisis. The second relates to possible failure of contractors engaged on work for the Council. All of these risks will be reviewed by Senior Management Team on a quarterly basis.

Through this approach monitoring is now beginning to focus on the completion of actions to alleviate or reduce risks to their residual scores. If these scores remain at 8 or more they will continue to be reported but if following completion of appropriate actions the residual score reduces below 8 they will no longer be reported to Members, but remain on the Master Risk Register. To assist Members in monitoring progress Annex 1 contains shading to highlight any risks where changes have taken place since the last report. The “Comments” column is used to provide brief updates of progress on individual risks for Members.

ISSUES FOR CONSIDERATION

Dedicated risk management training has been arranged with the Council's insurance advisors for 6th and 12th May. These sessions are aimed at Members, Heads of Service and Managers and will deal with corporate manslaughter and

health and safety issues on each morning and embedding risk management each afternoon. Further details will be supplied in the near future.

Members are requested to consider the contents of this report and to identify any issues they require further information upon.

IMPLICATIONS

Financial: All costs associated with the introduction of the risk management strategy and the development of strategic and operational risk registers will be accommodated within existing budgets. Following further assessment of risks with an “initial” score of 8 or more it may be necessary to seek budgetary approval to undertake action to mitigate certain risks. All issues of this nature will be the subject of future reports to Members.

Legal: None

Human Resources: Officer and Member time to support and embed a risk management culture within the Council.

RECOMMENDATION(S)

That the contents of the report be noted and Members indicate any issues they require further information upon.

REASON FOR DECISION TO BE GIVEN IN ACCORDANCE WITH THE COUNCIL’S CONSTITUTION

To provide Executive with Risk Management arrangements.

ATTACHMENT: Strategic and Operational Risk Register
FILE REFERENCE:
SOURCE DOCUMENT: Risk Management Strategy

Master Risk Register 2009

SCORE IS GREATER THAN, OR EQUAL TO 8

	Department Risk Owner	Brief Description of Risk	Brief Service / Issues Description	Assessment of Risk with Current Controls in place			Assessment of Risk Control Measures that could be introduced			Date for completion of Action	Actual Completion Date	Status A=Amend N=New D=Delete	Comments / Controls
				Impact	Likelihood	Risk Score	Impact	Likelihood	Risk Score				
CEPT 002/06	CEPM	Inability to deliver key services as a result of specialised staff being absent or leaving.	CEPT	3	3	9	3	2	6	Mar-08		A	PCIO post confirmed with reduced hours
CSO 004	Comm Safety	Staff contaminated by syringe or toxic waste	Rangers	5	2	10	5	1	5	Mar-06	Oct-06		Link to Strategic risk SR19, but to be retained as operational risk
CSO 005	Comm Safety	Child Protection & duty of care of young people	All C/S staff	5	2	10	5	1	5	Apr-08	N/a		Strategic Risk - being addressed at Corporate level, but needs monitoring at dept level as well
CSO 006	Comm Safety	Lack of external funding	CSP & N.MGT	5	3	15	5	2	10	Apr-08	n/a		Strategic Risk - being addressed at Corporate level, but needs monitoring at dept level as well
CSPD 002/05b	Customer Service & Performance Manager	Insufficient training on software for management and systems administration	Customer Service and Policy & Performance	3	3	9	3	2	6		n/a		Training on specialist software being provided - Programme in place
CSPD 014/05	Customer Service & Performance Manager	Break in/ Theft/ Vandalism to contents and building	Contact Centres Area-based one-stop service	3	3	9	3	3	9		n/a		Risk Assessment revisited in Jan 2009. New judgement made. See CSPD 01/09
CSPD 04/08	Customer Service & Performance Manager	All CSPD staff (Sherwood Lodge-based & Contact Centres) need to understand fire evacuation procedures to avoid the risk of being caught in a burning building.	All CSPD staff (Sherwood Lodge-based & Contact Centres) need to understand their responsibilities in the event of a fire whether its ordinary members of staff or as trained Fire Marshals	4	2	8	4	1	4				Fire Drill in place, 2 trained Fire Marshals in place, regular fire evacuation tests carried out, 'lessons learnt' fed back to Chief Fire marshal and H & S Officer after each test & alarm. Low likelihood and comprehensive arrangements to address any shortfall in Fire Drill. An annual reminder for all CSPD staff of the fire drill process would further strengthen those arrangements.
CSPD 07/08	Customer Service & Performance Manager	All CSPD Officers (Sherwood Lodge-based & Contact Centres) need to understand the importance to the authority of implementing Risk-based decision making and the consequences of failing to implement this approach to Council business.	The Head of Service needs to ensure that all relevant staff understand the authority's approach to managing Business Risk and it's objectives	4	2	8	4	1	4				Ensure that RAs are in place for irregular activities by contacting managers. E.g. P Brown for Chauffeuring, L Hickin for Fireworks, etc. Generic RA to be produced to cover events management within the dept to cover, lifting/ handling, public liability, fire safety, etc.
CSPD 08/08	Customer Service & Performance Manager	Lone Working – All those staff that may at some time being working alone, in the District, may be vulnerable to attack (verbal and/or physical), kidnap, theft of personal or Council property, hate-crime harassment, etc	The Head of Service needs to ensure that all relevant staff are aware of the dangers and the importance of following safe-working processes.	4	2	8	4	1	4				Personal job-specific risk assessments are undertaken and appropriate action taken
ENV5	Environmental & Depot	Failure to Reduce the Number of Accidents & Days Lost due to Accidents to the Best in Class for the Depot and Street Services	Depot & Street Services	3	3	9	3	2	6	31/10/2006	31/10/2006		Health & Safety Improvement Plan in place with key milestones up to 2008/9. Plan being monitored by SMT.

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ENV6	Environmental & Depot	Failing to protect employees from Health and Safety risks of Hand Arm Vibration, Hazardous Substances, Work Equipment, Noise, Manual Handling, Working at Height	Depot & Street Services	3	3	9	3	2	6	31/12/2008			Policies and guidance in process of drafting & approval, interim measures in place
ENV7	Environmental & Depot	Meden Valley Making Places 1. Strategic Direction	Non achievement of objectives	4	2	8	4	2	8	ongoing	01/04/2011	N	Partnership
ENV8	Environmental & Depot	Meden Valley Making Places 2. Performance	Failure to deliver renewal programme	4	2	8	4	2	8	ongoing	01/04/2011	N	Partnership
HRO 2005/05	Health & Safety Officer	Failure to Reduce the Number of Accidents & Days Lost due to Accidents to the Best in Class	HR	3	3	9	3	2	6	31/10/2006	31/10/2006		Health & Safety Improvement Plan in place with key milestones up to 2008/9. Plan being monitored by SMT.
HRO 2005/10	Senior Training Officer	Deliver a Leadership/Management Development Programme for Each Level of Management	HR	3	3	9	3	2	6	31/03/2009			Senior and Middle Managers Leadership Development Programme Complete. Junior Managers and Team Leaders underway
HRO 2007/04	Health & Safety Officer	Inadequate arrangements in place re. revising Health & Safety Policies	HR	4	2	8	4	1	4	31/03/2008	31/03/2008		
HRO 2007/05	Health & Safety Officer	Failing to protect workers from potential workplace or work related violence, failing to protect the council and employees from the actions of visitors	HR	3	3	9	3	2	6	31/03/2008	31/03/2008		
HRO 2007/06	Health & Safety Officer	Failing to ensure adequate means of undertaking audits, inspections, accident investigations and risk assessments	HR	4	3	12	4	1	4	31/12/2008	31/12/2008		Policies, procedures, audit and management systems have been reviewed and improved over 2008
HRO 2007/07	Health & Safety Officer	Not having adequate fire safety management systems in place to manage fire risk	HR	4	3	12	4	1	4	30/09/2008	30/08/2008		Fire safety policy in place. Fire risk assessments completed and under review. Premises arrangements completed and under review.
HRO 2007/08	Health & Safety Officer	Failing to protect employees from Health and Safety risks of Hand Arm Vibration, Hazardous Substances, Work Equipment, Noise, Manual Handling, Working at Height	HR	3	3	9	3	2	6	31/12/2008	30/08/2008		Policies and guidance in place, training and training programmes being delivered / developed
HRO 2007/09	Health & Safety Officer	Not having an updated means of managing the risks associated with Display Screen Equipment (computer workstations)	HR	3	3	9	3	1	3	30/09/2008	30/09/2008		New policy and guidance adopted
HRO 2007/10	Health & Safety Officer	Not having adequate means to manage the risk from exposure to asbestos	HR	4	2	8	4	1	4	31/09/2008			Revised Policy and Guidance circulated. Training programme in place for October

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HRO 2007/11	Health & Safety Officer	Failure to implement the HSE's Stress Standards in revised policy documentation for stress management	HR	3	3	9	3	2	6	31/12/2008			drafted, to be circulated
Hou 004/05	Head of Housing	Loss of life/injury due to carbon monoxide poisoning	Repair & Maintenance	5	2	10	5	1	5	Procedure by Sept 2006	Sep-06		Procedure agreed - not tested in practice
Hou 006/5	Head of Housing	24 hour Central Control Service interrupted (note central control provides cover for other sections of authority)	Housing Services	5	3	15	5	1	5	April 2007 - Subject to capital bid.			Bid successful - equipment procured and installed Q1/07. Risk to be removed
Hou 007/05	Head of Housing	Lone Worker threat	Housing Services	4	2	8	4	1	4	Ongoing			Ongoing. Link to SR19
Hou 009/05	Head of Housing	Legionella outbreak in sheltered housing scheme	Housing Services	4	2	8	4	1	4	Guidance revised Sept06			Guidance restated Oct 06 - Sep 08 Monitoring continues
Hou 0011/05	Head of Housing	Failure to meet Decent Homes Standard within Govt Timescales	Housing Services	5	2	10	5	1	5	Ongoing until 2010			Monitoring group established. Sep 08 - Consultancy commissioned confirms on track. Options for Tarran bungalows
Hous 0013/05	Head of Housing	Increase in homelessness to point where there is insufficient accommodation	Housing Services	3	3	9	3	1	3	April 2007 - subject to revenue bid & external funding	December 2006 - succeeded by Hous 003/06		Report to council December 2006 - agreed use of existing stock. Additional measures within SDP for 2007/8
Hous 0014/05	Head of Housing	Failure to meet new Fire Safety Standards (following regulatory reform order) in Group Dwellings	Housing Services	4	2	8	4	1	4	Ongoing			To be addressed at Capital Programme. Sep 08 - work completed Q3/08.
Hous 001/06	Head of Housing	Reliance of microfiche system	Housing Services	3	4	12	3	4	12	Jul-09			Budget bid unsuccessful - risk remains unacceptable (with system would be likelihood of 2) Link to SR17. Spe 08 -Bid successful implementation commenced (when in place risk will reduce)
Hous 002/06	Head of Housing	Loss of Supporting People Contract	Housing Services	4	4	16	4	2	8	Apr-08			Activities with housing SDP for 2007/8 to obtain accreditation for service. For 2007/8 SP team only offering 1 year contract. Risk rescored Dec 08 - SP are looking to review of all services together with move to individual contracts. BDC must ensure service meets new guidance, and obtains external accreditation for quality.
Hous 004/06	Head of Housing	Asbestos in council property	Housing Services	5	3	15	5	1	5	Apr-08			Asbestos database purchased - access to be available to contractors. Sep 08 - Additional surveys needed - asnd build linke with new asbestos policy.
Hous 005/06	Head of Housing	Insurance risk / not sustainable garage sites	Housing Services	3	4	12	3	2	6	Ongoing			Risk based surveys to be completed at all sites. Policy agreed by council. Proceeds from disposals to assist HOU011/05. Sep 08 - Survey and assessment complete - to report to HSMG and members.
Hous 006/06	Head of Housing	Attack on Street Cash Collector	Housing Services	4	3	12	4	3	12	31.03.06			Political decision not to progress the action at the present time.
AIT/2006/023	Head of ICT	No policy or guidance for the identification and storage of corporate records	ICT Services	3	3	9	3	3	9	31/03/2006	31/03/2006		Political decision not to progress the action at the present time. Unsuccessful bid for Records Management system.
AIT/2007/024	Head of ICT	Damage to Corporate reputation if illicit images stored on network	ICT Services	3	3	9	3	1	3		Jun-08		Audit of network has taken place and Heads of Service informed where there is an issue in their Departments.
Leg/2005/10	Sol	Time Management System is no longer supported	Legal/Licensing	3	5	15	3	5	15	31/12/2008			An alternate method of time recording without the use of Timebase is being considered.
Leg/2005/11	Sol	Number of employee and member conduct related hearings increases beyond current levels.	Legal/Licensing	4	3	12	4	3	12				Cannot put in place any controls to lessen either impact or likelihood

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Regen 3	D Eccles	Lack of maintenance of roads, footpaths etc causing injury	Consultancy Services	3	3	9	3	2	6	01/12/2008		A	Full survey undertaken and included within asset management plan. Update May 08, under review only difficulty will be lack of funds to undertake work. Depends on adjustments to capital programme - will update next quarter. Sept 2008 - awaiting further deliberations with finance as to funding of further capital works. January 2009 update - process identified now through asset management group.
Regen 6	D Eccles	Accident or injury from dangerous structures	Engineers	4	2	8	4	2	8	1st Sept 2008	On going see notes		Being review as part of emergency planning process. Review 30th November 2006. Feb 2007 raised as part of business continuity- awaiting corporate decision. June 2007 No further action as yet. Up date 4th Dec 2007 - further fire risk assessment work on going. Tim Walker working on evacuation plan. Insurers assessors visited and advised Vale house probably presents a problem as it could block the road. Talking to Conservation about possible demolition. Update May 2008 - work arranged on site at Pleasley Vale Mill. Partial demolition to be completed over next month. Work completed at PV Mills - just generally to keep this risk under review
Regen 7	D Eccles	Injury at Pleasley Vale Mills	Property Management	4	3	12	4	3	12	1st Sept 2008	On going see notes		Recent approval for extensive repairs and addition of new lift to Mill 1, and car park to Mill 1. Fire risk assessments undertaken and asset management capital and revenue bids submitted. Feb 2007 large amount of capital work underway, fire officer has visited Mill 1 and offered recommendations June 2007 as above - also flood damage being examined and further work may be required. May 2008 update -extensive survey undertaken of culvert of Mills, high cost over £100,000 to rectify silt build up. Will be considered as part of future proposals for Mills - will keep under review.
Regen 8	D Eccles	Commercial management at Pleasley Mills	Property Management	4	3	12	4	3	12	1st July 2009	On going see notes		Update produced, audit review undertaken, debt reviewed more regularly, documents being prepared for EU tender of commercial management. Review 30th November 2006. Review 30th November 2006. Feb 2007 recent Council report now allowing for risk sharing/disposal options to be considered. Also Innes England instructed on outstanding debt and improved marketing June 2007 update - under constant financial review, development brief being prepared with the intention of securing the long term future of the mills. This includes the possibility of attracting a private sector partner. Up date 4th Dec 2007 Saville's appointed to handle searching for partner. Historic debt being reviewed constantly as well. May 2008 update - reasonable out turn although increase in power charges. Looking actively at future options to obtain investment form the private sector. Sept 2008 property in the process of going out to the market, decision on management taken after this.
Regen 9	D Eccles	Legionella control	Facilities management/ Other services	4	2	8	4	1	4	1st June 2007	On going see notes		Sampling regime being reviewed, new risk assessments taking place, training programme being drawn together. Up date by 30th November 2006 Plan produced and additional training implemented. Creswell being constantly sampled and reviewed (currently closed) and is the subject of a report to full council 4th April. June update - dosing equipment installed at Creswell and centre now open - work proceeding at other sites. 4th Dec 2007 update. Work at Creswell complete, majority of work complete on Legionella plan - responsible persons on site now identified, further training ref housing issues to take place shortly. May 2008 - Now dealt with through Legionella group.
Regen 10	D Eccles	Flooding to Pleasley Business Pa	Adverse effect on tenants businesses affecting power and access	4	2	8	3	2	6	1st Sept 08	1st Sept 2008		Some measures have / will be introduced to reduce the impact of flooding such as watertight panels to secure over openings to units and critical areas such as sub - stations. Ensuring that watercourses are kept clear. May 2008 update See earlier note on culverts under accident occurrence. This relates to incidents of damage caused by heavy rainfall. Incident occurred late April, fetched ceiling tiles off again. Tim Robinson looking at possible remedial work. Sept 2008 - taken through SMT no further action
Regen 12	D Eccles	LEGI - not requirement for forward strategy	Regeneration	3	3	9	2	2	4	1st Sept 2009		A	Appointment of new Project Director required - should take place in March

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PLA/2005/1/a	Head of planning	Planning decision on application or enforcement case based on faulty or unustifiable judgement, or legal failing, leading to judicial review	Planning	2	4	8	2	3	6	Mar-07	13/07/2007		Split PLA/2005/1 into two separate risks. New Action Plan prepared 30.11.07
PLA/2005/2/a	Head of Planning	Legal challenge to a development plan document or other statutory plan	Planning	3	3	9	3	2	6	Mar-06	25/01/2008		
LEI007	Leisure Operations Manager	Unexpected downturn in fees, charges & grants income	Leisure	4	2	8	4	1	4	Mar-06	07/03/2006		<p>EXISTING CONTROLS: Monitor income on a monthly basis. Have as many 3rd party funders as possible. Re-adjust expenditure to compensate for income.</p> <p>ADDITIONAL MEASURES: Monitor income daily with income trackers. Response to slumps will be quicker. Facilitate greater marketing activity to ensure targets are hit. Improve our service standards to improve our retention and loyalty.</p>
LEI009	Leisure Operations Manager	Legionella found in Council sport & leisure buildings	Leisure	4	2	8	4	1	4	Oct-06	Rec'mnded measures complete - monitoring ongoing -dosing system now fitted to water system to prevent legionella formation - new risk assessment now created following the works. Re-opened and operational from May 2007		<p>Covered by SR23 (new strategic risk created)</p> <p>EXISTING CONTROLS: Adherence to section 22 of leisure services h & s manual. Annual super chlorination of water systems at leisure centres. Monthly de-scale of shower heads – via monitoring sheet. Daily shower flushes – via daily operational checklist. Monitoring of temperatures of water storage vessels – via Elyo monthly inspections. Chemical dosing system now in place.</p> <p>ADDITIONAL MEASURES: Respond to advice following external legionella risk assessment.</p>
LEI010	Leisure Operations Manager	Injury to staff or members of the public resulting from defective & damaged buildings, fixtures & fittings.	Leisure	4	2	8	4	1	4	Mar-07	Mar-07		<p>Covered by SR8 & SR19</p> <p>EXISTING CONTROLS: Recorded buildings, fixtures and fittings checks. Public and employee liability insurance in place. Asset Management Plan incorporating Planned Maintenance Programmes. Contract with specialist property maintenance contractors.</p> <p>ADDITIONAL MEASURES: Corporate approach to asset management – ie capital bidding cycle done collectively.</p>
LEI011	Leisure Operations Manager	Injury from control, handling or use of chemicals & other toxic substances deemed hazardous to health	Leisure	4	2	8	4	1	4	Mar-07	toolbox talk' training tool created - this now to be delivered for teams to use - request New target date Mar 09	A	<p>Covered by SR19</p> <p>EXISTING CONTROLS: COSHH complaint procedures and working practices in place. COSHH training for staff. Public and employee liability insurance in place. Secure – non public storage areas provided.</p> <p>ADDITIONAL MEASURES: "Toolbox talks" training matrix to be introduced – a condensed series of training sessions covering a vast array of themes. can be delivered in 10 mins each anywhere.</p>

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LEI012	Leisure Operations Manager	Staff or members of the public contracting a disease, injury or poor health due to adverse hygiene, sanitation & environmental conditions	Leisure	4	2	8	4	1	4	Mar-07	toolbox talk' training tool created - this now to be delivered for teams to use - request New target date Mar 09	A	EXISTING CONTROLS: Public and Employee Liability Insurance in place Ongoing monitoring of environmental conditions in all sport & leisure buildings Ensure an effective cleaning regime is in place in all leisure buildings especially in hygiene critical areas like changing rooms, showers and toilets. ADDITIONAL MEASURES: "Toolbox talks" training matrix to be introduced – a condensed series of training sessions covering a vast array of themes. can be delivered in 10 mins each anywhere
LEI014	Leisure Operations Manager	Financial loss due to wet weather cancellation of outdoor events & activities	Leisure	4	2	8	4	1	4	Mar-07	Events consultation moved back pending discretionary services review - review complete - report to go to exec26/1/09	A	EXISTING CONTROLS: Take out 'Pluvius' Insurance where appropriate. Have as many 3 rd party funders tied in as possible. Re- adjust expenditure levels to compensate for reduced income. ADDITIONAL MEASURES: Review events profile – i.e. spread the risk by holding/assisting a series of smaller events
LEI015	Leisure Operations Manager	Transporting participants to and from activities	Leisure	4	2	8	4	1	4		2 staff now qualified Nov 06 - 3 additional staff identified for training as part of 08 training requirements - will be trained by Mar 09	A	EXISTING CONTROLS: Public and employee liability insurance in place Transport procedures in place. ADDITIONAL MEASURES: Drivers to undertake MIDAS training course
LEI016	Leisure Operations Manager	Injury to staff or members of the public from incorrectly used, defective or damaged plant, equipment, tools & materials	Leisure	4	2	8	4	1	4	Mar-07	toolbox talk' training tool created - this now to be delivered for teams to use - request New target date Mar 09	A	Covered by SR8 & SR19 EXISTING CONTROLS: Public and Employee Liability Insurance in place Recorded plant, equipment and tools checks undertaken Service contracts in place where appropriate Ensure staff are trained in the safe set up and use of plant equipment, tools and materials. ADDITIONAL MEASURES: Toolbox talks" training matrix to be introduced – a condensed series of training sessions covering a vast array of themes. can be delivered in 10 mins each anywhere.

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LEI024	Leisure Operations Manager	Partnership working - includes the following partnerships: Bolsover Baths Bolsover Countryside Partnership Bolsover District Cultural Forum Bolsover District Play Partnership Bolsover District school sports partnership Bolsover District Sports Partnership Bolsover Ngage partnership BSF extended services Creative Partnerships Derbyshire sport Partnership Frederick Gent Partnership Greenhouse partnership Greenspace forum Living Literacy Partnership SHBK MEM sports ground committee Wellness Partnership Community Sports Action Groups Derbyshire Leisure Officers Group Local Football Partnership North Derbyshire Disability Sports Partnership.	Leisure	4	2	8	4	2	8	Quarterly review		Partnership Agreement / Service level agreements / Concordats which should include as a minimum: <ul style="list-style-type: none"> • The name of the partnership & the individual partners. • Indicate legal status of the partnership • Indicate geographical area covered by the partnership • The long-term vision for the partnership and also its objectives. • Performance indicators • Longevity of the partnership • Compliance with key legislation • The protocols for sharing information • The roles, duties and responsibilities of partners • The resources required and describe how they will be provided (and by whom) • The ownership of assets • The decision-making process • The secretariat role • How the partnership will monitor and evaluate activities • The organisational structure • A Time-line setting out key milestones • The management structure • The Accountable Body • Partnership capital • Income and expenditure • Grants and funding • Banking and financial arrangements • Accounting arrangements • Insurance policy information • Results of the partnership risk assessment • Circumstances necessary to expel a partners • Dispute resolution and complaints procedures (between partners) • Procedures for breach of protocol • Termination provisions
PR4	Head of Shared Procurement Unit	Bankruptcy / administration of key suppliers on contracts managed by SPU	SPU	4	2	8	4	2	8	Quarterly review		Procedures in place for robust supplier selection and management
PR8	Head of Shared Procurement Unit	Poor performance / cost increase / poor standards from suppliers	SPU	4	2	8	4	2	8	Quarterly review		Procedures in place for robust supplier selection and management
PR9	Head of Shared Procurement Unit	Lack of adherence to EU Procurement Rules	SPU	2	4	8	2	2	4	Mar-08		Training for staff. Publicity for SPU advising staff to speak to SPU if concerned about any procurement issue.
REV1	Head of Revenue Services	Loss of Housing and Council Tax Benefit Subsidy	Loss of income to the Council	3	3	9	3	2	6	Mar-09		Introduce Monthly Subsidy Reconciliations/ Checking/ Scrutinising of critical subsidy cells
REV2	Head of Revenue Services	Write-off of NNDR which cannot be reclaimed from the National NNDR Pool	Cost to the Council	3	3	9	3	2	6	Mar-09		Re-instatement of links/contacts to identify new/occupied/unoccupied businesses. Problem post now filled which when fully effective will minimise risk. Management checks put in place to ensure adherence to procedures
SR1	SMT	Capacity issues	Insufficient human resources to deliver council services	4	2	8	4	2	8	Quarterly review		Likelihood score reduced to reflect additional capacity provided through, e.g. new Housing Department, recruitment and retention policies, reduced sickness, collaboration, etc. SMT continuing to monitor
SR2	SMT	CAA, LAA, SNR	Loss of funding / trading / other powers Increased inspection regime	4	2	8	4	2	8	Annual Review		Risk re-assessed from CPA to reflect current issues and ongoing uncertainties in new Inspection and assessment regime
SR4	SMT	Single Status	Process may require resources the Council cannot afford	4	4	16	4	3	12	Quarterly review		Implementation Plan in place and being monitored by SMT. Reusits issued - implementation date expected April 2009

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SR5	SMT	Budget / efficiency pressures	Inadequate financial resources to deliver the Council's vision and inability to make efficiencies	4	4	16	4	4	16	Quarterly review	A	Risk score increased to reflect challenges of both budgetary pressure needing £1.1m of savings / efficiencies in 2009/10 and the need to deliver £1.8m of efficiencies following CSR 07. Also includes current unknown and anticipated costs of energy, job evaluation, etc
SR7	SMT	Inadequate Risk and Business Continuity Management	Full or partial loss of services Disruption of essential services	4	2	8	4	2	8	Quarterly review		Scores reduced to reflect how Risk Management and Business Continuity arrangements continue to be embedded
SR8	SMT	Asset management	Long term running costs for assets not budgeted for	4	2	8	4	2	8	Quarterly review		Score reduced to reflect co-ordinated Asset Management Plan approved April 2007 and continual review of new monitoring arrangements for effectiveness. Processes have improved but budget pressures make delivery of AMP difficult to achieve
SR9	SMT	Workforce related issues	Major industrial action to sickness epidemic	4	2	8	4	2	8	Quarterly review		Score reduced as it is accepted that this risk fluctuates dependant upon current issues. At present time likelihood of strikes has reduced. However ongoing risks associated with pay negotiations and continuing BCM arrangements, e.g flu pandemic
SR12	SMT	Services failing to meet customer needs	Services not delivering the appropriate services/not meeting customers needs	3	3	9	3	2	6	Quarterly review		Service standards being developed
SR13	SMT	Failure to meet / deliver corporate requirements / initiatives	e.g. E Government, Change Management, NRF delivery, etc	4	2	8	4	1	4	Quarterly review		Score reduced to reflect recent changes. Continue to monitor with current arrangements and external funding streams
SR16	SMT	Fraud and Corruption	Actual and perceived	4	2	8	4	2	8	Quarterly review		No change to scores but noted that good reports and no specific issues identified by Audit Commission or Internal Audit. Recent results positive - Best Value reviews, Chartermark award. Under performing areas, e.g. rent collection being monitored
SR17	SMT	ICT Disaster recovery	Loss of key communication and technology systems and records due to malicious acts, viruses, loss of building, etc	3	3	9	3	3	9	Quarterly review		Disaster recovery arrangements currently being investigated - revised per AIT/2006/022 - work in progress analysing variety of options working in collaboration with CBC and NEDDC. Site has been identified; operational strategy to be implemented. IT Strategy Group monitoring progress.
SR19	SMT	Health and Safety of Employees	Risk of injury or abuse of staff inside and outside the office environment. Including lone working.	3	3	9	3	2	6	Quarterly review		Risk concerns potential injury or abuse of employees inside or outside the office environment, taking account of lone worker, home working and other protection arrangements being addressed by a number of corporate policies. Monitor to ensure effectiveness and embedding into normal operations.
SR20	SMT	Transport / Council Vehicles	Motor Accident / Failure to provide fleet vehicles.	3	3	9	3	2	6	Quarterly review		Risk concerns motor accidents, failure to provide a fleet of vehicles, damage to vehicles at depots and on site, fuel shortages, etc. Local insurance claim trends currently being investigated by BRG
SR21	SMT	Loss of Manual & Electronic records	Failure to retrieve records	3	3	9	3	2	6	Quarterly review		Score increased to reflect recent national incidents where loss of personal data has occurred. Risk also concerns failure to retrieve manual and other records held in "redundant" IT systems, damage to or loss of paper records, including at Pleasley Mills archive. Specific action being taken to assess arrangements to ensure data quality and safety.

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SR23	SMT	Legionella found in Council Buildings	Outbreak of Legionella due to inadequate controls & inspection regime	4	2	8	4	1	4	Quarterly review			Implement inspection regime at all properties. Annual super chlorination of domestic water systems. Monthly de-scale of shower heads – via monitoring sheet. Daily shower flushes – via daily operational checklist. Monitoring of temperatures of water storage vessels – via Elyo monthly inspections. Chemical dosing system if persistent problem. Undertake Legionella risk assessment and respond promptly to recommended actions. Situation continues to be monitored by Legionella Working Group.
SR25	SMT	Third party claims resulting from Slips Trips & Falls	Injury to person and/or property	4	2	8	4	1	4	Quarterly review			Review of local claims trend analysis recently undertaken and follow up investigation ongoing
SR 28	SMT	Contractor Failure	In view of the current economic crisis, monitoring arrangements have been established for regular review of the credit worthiness and ability of Contractors undertaking work for the Council to complete their obligations	3	3	9	3	3	9	Quarterly review		N	Monitoring is currently being undertaken by the Procurement Section
Total number of risks 79													

Committee:	Executive	Agenda Item No.:	10
Date:	6 th April 2009	Status	Open
Category	3. Part of the Budget and Policy Framework		
Subject:	Arrears – Irrecoverable Items over £1,000		
Report by:	Head of Revenue Services		
Other Officers Involved			
Director	Director of Resources		
Relevant Portfolio Holder	Social Inclusion		

RELEVANT CORPORATE AIMS

STRATEGIC ORGANISATIONAL DEVELOPMENT – Continually improving our organisation.

To maintain sound Financial Management and continue to seek efficiency savings. As part of sound financial management it is necessary to recognise and deal with money owed where no further effective steps can be taken for recovery. This also goes to providing efficient Council services.

TARGETS

Does not apply to this report.

VALUE FOR MONEY

Ensuring that the limited resources are concentrated on recovery of debt that is collectable. Under current Council guidance, it has been considered not cost-effective to spend more money on outside agencies to take further action.

THE REPORT

IRRECOVERABLE ITEMS

Executive is requested to approve the write off of the under-mentioned irrecoverable items including costs amounting to £35,231.41 as itemised on the attached schedules.

Bankruptcy/ Liquidation		
No of Accounts	Type of Account	
4	Business Rates	£32,710.24
1	Council Tax	£1,010.98
	Total	£33,721.22

No Trace		
No of Accounts	Type of Account	
1	Business Rates	£1,510.19
	Total	£1,510.19

Where debtors leave the property without forwarding addresses extensive efforts are made to trace them. In addition to departmental checks, statutory undertakers and other agencies are contacted, enquiries are made of neighbours and family or employers where known. Where it is known that a person has moved to another area contact is made with the relevant local authority to alert them and request reciprocal information.

ISSUES/OPTIONS FOR CONSIDERATION

Writing off the outstanding debts in respect of persons unable to trace / bankrupt or Companies in liquidation.

IMPLICATIONS

Financial: None
 Legal: None
 Human Resources: None

RECOMMENDATION(S)

That approval is given to write off the irrecoverable items including costs amounting to £35,231.41 with the proviso that should any of the debts become collectable the amounts be re-debited.

REASON FOR DECISION TO BE GIVEN IN ACCORDANCE WITH THE CONSTITUTION

In order that outstanding debts can be written off.

ATTACHMENTS: Y

SOURCE DOCUMENT: Official Receiver/ Internal records.

BUSINESS RATES: ACCOUNTS FOR WRITE OFF - LIQUIDATION

	<u>Account Reference</u>	<u>Lead Liable Name</u>	<u>Address</u>	<u>Account Balance</u>	<u>Liabile From</u>	<u>Liabile To</u>	<u>Bill Balance</u>
1	800123337	MR KIM WILLIAMS	THE BADGER RECREATION ROAD SHIREBROOK	£ 13,925.31	16/05/2005	01/04/2006	£ 4,438.40
					01/04/2006	01/04/2007	£ 5,019.50
					01/04/2007	12/02/2008	£ 4,467.41
2	800122707	MR KIM WILLIAMS	NEW DRUM MARKET STREET SHIREBROOK	£ 5,665.36	21/04/2005	01/04/2006	£ 4,778.34
					01/04/2006	08/06/2006	£ 887.02
3	800103987	MR KIM WILLIAMS	ANCHOR INN 15 MARKET PLACE BOLSOVER	£ 3,528.95	01/04/2004	01/04/2005	£ 896.00
					01/04/2005	01/04/2006	£ 1,898.96
					01/04/2006	09/08/2006	£ 733.99
4	800020612	MR M SMITH	VAN DYKE HOTEL WORKSOP ROAD CLOWNE	£ 9,590.62	01/04/2008	22/10/2008	£ 9,590.62
				£ 32,710.24			

COUNCIL TAX: AMOUNTS FOR WRITE OFF - BANKRUPTCY

	<u>Account Reference</u>	<u>Lead Liable Name</u>	<u>Address</u>	<u>Account Balance</u>	<u>Liable From</u>	<u>Liable To</u>	<u>Bill Balance</u>
1	90121772X	SMITH,MR MICHAEL PHILIP	BADGER RECREATION ROAD SHIREBROOK NG20 8JY	£ 1,010.98	16/05/2005 01/04/2006	01/04/2006 01/04/2007	£474.74 £536.24
				£ 1,010.98			

BUSINESS RATES: ACCOUNTS FOR WRITE OFF - NO TRACE

	<u>Account Reference</u>	<u>Lead Liabile Name</u>	<u>Address</u>	<u>Account Balance</u>	<u>Liabile From</u>	<u>Liabile To</u>	<u>Bill Balance</u>
1	800142621	DCC (UK) LTD	THE MINERS ARMS CHURCH STREET WEST PINXTON	£ 1,510.19	29/05/2008	18/11/2008	£ 1,510.19
				<u>£ 1,510.19</u>			

EXECUTIVE AGENDA

Monday 6th April 2009 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.	3
4.	To approve the minutes of a meeting held on 16 th March 2009.	4 to 9
5.	Working Neighbourhoods Fund Monitoring Report and Family Employment Initiative. <i>(This item will include a presentation by Meg Hankinson from Coalfields Regeneration Trust).</i>	10 to 19
6.	A Public Art Strategy for Brook Park, Shirebrook, and the Bolsover District. <i>(This item will include a presentation by Alan Humberstone from Cultural Consortium Ltd).</i>	20 to 25
NB: The Public Art Strategy document is bound separately to the agenda.		
7.	Rent Arrears – verbal update.	Verbal Report
8.	Representation on the Derby and Derbyshire Economic Partnership.	26 to 29
9.	Risk Management.	30 to 41
10.	Arrears – Irrecoverable Items over £1,000	42 to 46
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>		
11.	Arrears – Irrecoverable Items over £1,000	47 to 50