

EXECUTIVE

Minutes of a meeting of the Executive of the Bolsover District Council held in the Council Chamber, Sherwood Lodge, Bolsover, on Monday, 2nd November 2009 at 1000 hours.

PRESENT:-

Members:-

E. Watts – Chair

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

Officers:-

W. Lumley (Chief Executive Officer), S.E.A. Sternberg (Solicitor to the Council and Monitoring Officer (to Minute No. 434)), A. Turner (Legal and Standards Officer (from Minute No. 434)), S. Tomlinson (Director of Neighbourhoods), J. Brooks (Director of Resources), K. Drury (Customer Service and Access Officer (to Minute No. 434)), A. Lowery (Street Services Manager (to Minute No. 434)), B. Truswell (Head of Shared Procurement) and A. Bluff (Democratic Services Officer).

425. APOLOGIES

There were no apologies for absence.

426. URGENT ITEM OF BUSINESS

The Chair consented to an urgent item of business to be considered; 'Procurement of Gas and Electricity', which would be discussed after agenda item eleven, Financial Management Performance Quarter 2 in 2009/10.

427. DECLARATION OF INTERESTS

There were no declarations of interest made.

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428. MINUTES – 5TH OCTOBER 2009

Moved by Councillor A.F. Tomlinson, seconded by Councillor J. E. Bennett
RESOLVED that the minutes of a meeting of the Executive held on 5th October 2009 be approved as a true record.

429. CHANGE TO MEMBER ON OUTSIDE BODY – JOINT CREMATORIUM COMMITTEE

Further to the Executive meeting held on 15th June 2009 where Councillor Hodkin had been appointed as the Council's representative on the Chesterfield and District Joint Crematorium Committee; it was now proposed that Councillor Hodkin be replaced by Councillor Bowman and that the Joint Crematorium Committee be notified accordingly.

Moved by Councillor J.E. Bennett, seconded by Councillor B.R. Murray-Carr
RESOLVED that Councillor K. Bowman replaces Councillor A. Hodkin on the Chesterfield and District Joint Crematorium Committee and that the Joint Crematorium Committee be notified accordingly.

(Head of Democratic Services)

430. KEY DECISION NOTICES FROM THE JOINT BOARD HELD ON 15TH SEPTEMBER 2009

The Chair presented the key decision notices from the Joint Board held on 15th September 2009.

Moved by Councillor E. Watts, seconded by Councillor A.F. Tomlinson
RESOLVED that the Key Decision Notices from the Joint Board held on 15th September 2009 be approved.

431. WORKING NEIGHBOURHOODS FUND (WNF)

The Chief Executive Officer presented the report to seek Member endorsement of an agreement made by the Chief Executive Officer in consultation with the Leader of the Council to suspend Contract Standing Orders 4.8.3, 4.8.4, 4.8.5 and 4.8.6, in relation to an initiative that would enable the activities of Chesterfield Law Centre to be extended into the District of Bolsover.

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The project would give people living in the District of Bolsover access to specialist free legal services and clients with enquiries about their employment would be able to access specialist employment advice via a dedicated telephone service.

Moved by Councillor K. Bowman, seconded by Councillor B.R. Murray-Carr
RESOLVED that the decision of the Chief Executive Officer taken in consultation with the Leader of the Council to suspend Contract Standing Orders 4.8.3, 4.8.4, 4.8.5 and 4.8.6 for the reasons given above in relation to Chesterfield Law Centre be endorsed.

(Chief Executive's and Partnership Manager)

Reason for decision: 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.

432. PATCH MANAGEMENT POLICIES – LITTER AND DOG BIN POLICY

The Street Services Manager presented the litter and dog bin policy. The policy had been approved at Scrutiny Committee on 13th October 2009.

Members raised various questions.

In response to a question raised by Councillor McGregor, the Street Services Manager advised Members that some flexibility was needed in the policy as each area had its own unique requirements for emptying of bins; he added that every bin in the District would be identified and monitored to have its own frequency for emptying.

Lengthy discussion took place.

In response to a question raised by Councillor Syrett, the Street Services Manager advised Members that Parish and Town Councils were Litter Authorities in their own right as was Derbyshire County Council; this Authority could empty litter / dog bins on their behalf but a charge would be applied.

The Director of Neighbourhoods added that he had been undertaking a number of 'back to the floor' sessions, including the monitoring of litter bins; he added that litter bins in lay-bys and junctions needed to be targeted and also what the Authority could do in terms of better enforcement and catching litter culprits.

Moved by Councillor D. Kelly, seconded by Councillor B.R. Murray-Carr
RESOLVED that 1) the Patch Management Group ensure that departmental

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procedures are in place to deliver the policy,

2) the litter and dog bin policy be approved and implemented from 1st January 2010.

(Street Services Manager / Patch Management Group)

Reason for decision: To improve the way in which the provision of litter and dog bins is dealt with by the Council.

433. COMPLIMENTS, COMMENTS, COMPLAINTS AND FREEDOM OF INFORMATION REQUESTS - 1ST JULY 2009 TO 30TH SEPTEMBER 2009

The Customer Service and Access Officer presented the quarterly report for Compliments, Comments, Complaints and Freedom of Information Requests for the period 1st July 2009 to 30th September 2009.

Members raised questions with regard to various complaints in the report and requested further clarification on some items.

The Customer Service and Access Officer confirmed that if a customer required more detailed information to what had been released in the press, this would have to be a Freedom of Information (FOI) request; she added that as a matter of routine Members would always be informed if the FOI request concerned them.

Discussion took place.

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

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

The Solicitor to the Council, the Customer Service and Access Officer and the Street Services Manager left the meeting at this point.

The Legal and Standards Officer entered the meeting at this point.

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434. CHANGES TO THE IDOX UNIFORM SYSTEM

The Director of Resources presented the report which gave details of changes to the Idox Uniform system.

Idox were proposing that the Council pay a one off cost to purchase the Uniform software of £39,000 and then pay an annual maintenance charge; this would reduce the annual payments making a saving on support and maintenance of £11,773 which would be returned annually to the reserve.

From the end of September 2009, the current version of the Land Charges software would not be supported. The new upgraded version; TLC, would cost £23,450 and it was proposed to fund this partially from the ICT and Office Equipment reserve and partially from the saving for the Idox post.

Implementation of TLC would not take place until the vacant IT post was filled and the officer trained on the Idox system; this was likely to be in the New Year.

Councillor Kelly raised concern that departments who used the Uniform system were currently experiencing problems with it and as there was no longer a dedicated ICT officer to help, this needed to be addressed urgently.

The Director of Resources replied that it was hoped to train two members of staff on the Idox system as well as receiving assistance from the supplier.

Moved by Councillor D. McGregor, seconded by Councillor A.J. Hodkin
RESOLVED that the purchases be approved on the basis outlined in the report.

(Director of Resources)

Reason for decision: **To ensure that the Council's software systems deliver the small saving identified, deliver value for money and that any risk is minimised.**

435. FINANCIAL MANAGEMENT PERFORMANCE QUARTER 2 IN 2009/10

The Director of Resources presented the second financial management report of 2009/10 which gave detailed performance against the budgets set by Members in March 2009.

Five appendices were attached to the report which gave further detailed breakdown of the budgets. The report also took into account the update provided to Members at the end of the first quarter.

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Members asked questions.

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

RESOLVED that 1) the second quarter performance on budgeted income and expenditure for the General Fund, Housing Revenue Account and Capital Programme be noted,

2) the second quarter review of the main areas covered by the Budget Risk Assessment be noted,

3) the report on the Treasury Management activities and Prudential Indicators be received,

4) changes to the HRA budgets be reported to the next Council meeting.

(Director of Resources)

Reason for decision: **The Executive can evidence robust consideration of the details associated with the financial performance of the Council.**

436. FUTURE PROCUREMENT OF GAS AND ELECTRICITY

The Head of Shared Procurement presented the report.

The Council currently participated in a framework set up by Nottinghamshire County Council for the procurement of gas and electricity and paid a fee of approximately £3,000 per annum for the privilege of making use of the framework.

On expiry of the two year contracts on 31st March 2011, Nottinghamshire County Council (NCC) would be placing their energy requirements with Buying Solutions; another central purchasing body, for the delivery of both gas and electricity. Buying Solutions currently supplied energy to all central government departments, (except the Department of Works and Pensions), and around 126 Local Authorities. Following detailed benchmarking, the Buying Solutions framework was the best option for Bolsover District Council.

Members asked questions and discussion took place.

Councillor McGregor queried if parish councils could be involved in the framework. The Head of Shared Procurement replied that the contract was open to any public authority and collectively parish councils would have a usage which would be worth investigating.

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

RESOLVED that 1) the Council join the Buying Solutions energy purchasing framework and the contract be endorsed by the Solicitor to the Council,

2) the contract is carefully monitored by the Property and Estates Manager so that any review periods are dealt with correctly.

(Head of Shared Procurement / Solicitor to the Council / Property and Estates Manager)

Reason for decision: To ensure the Council achieves best value in its purchase of energy in the future.

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

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

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.

438. TENDER FOR THE REPLACEMENT OF 16 No. KITCHENS AT BRIAR CLOSE, SHIREBROOK

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

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

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

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

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

(Head of Shared Procurement)

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

The date for final evaluation of these tenders is 4th November 2009 at 10.00am in the Executive Meeting Room.

The meeting concluded at 1205 hours.