

## EXECUTIVE

Minutes of a meeting of the Executive of Bolsover District Council held in Committee Room One, Sherwood Lodge, Bolsover, on Monday 5th July 2010 at 1000 hours.

### **PRESENT:-**

Members:-

Councillor E. Watts (to minute no. 136) - in the Chair

Councillors J.E. Bennett, K. Bowman (to minute no. 137), A.J. Hodkin, D. Kelly, D. McGregor, B.R. Murray-Carr, A.M. Syrett and A.F. Tomlinson.

Officers:-

W. Lumley (Chief Executive Officer), K. Drury (Customer Service and Access Officer) (to minute no 133), D. Eccles (Head of Regeneration) (to minute no. 137), G. Galloway (Building and Property Contracts Manager) (to minute no. 137), D. Hill, (Head of Finance and Revenues), J. Ritchie, (Head of Community and Street Services) (to minute no. 134), A. Wylie (Principal Solicitor), and R. Leadbeater (Democratic Services Officer).

### **127. APOLOGIES**

There were no apologies for absence.

### **128. URGENT ITEMS OF BUSINESS**

There were no urgent items of business to consider.

### **129. DECLARATIONS OF INTERESTS**

Minute No.	Member	Level of Interest
136.	Councillor E. Watts	Personal

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### **130. MINUTES OF A MEETING OF THE EXECUTIVE HELD ON 7<sup>TH</sup> JUNE 2010**

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

**RESOLVED** that the minutes of a meeting of the Executive held on 7<sup>th</sup> June 2010 be approved as a true record.

### **131 . RECORD OF DECISION NOTICES FROM THE JOINT BOARD MEETING HELD ON 25<sup>TH</sup> MAY 2010**

Moved by Councillor B.R. Murray-Carr, seconded by Councillor A.F. Tomlinson

**RESOLVED** that the record of Decision Notices from the Joint Board Meeting held on 25<sup>th</sup> May 2010 be noted.

### **132. COMPLIMENTS, COMMENTS, COMPLAINTS AND FREEDOM OF INFORMATION REQUESTS**

The Portfolio Holder for Customer Services introduced the report to advise Members of the number of compliments, comments, complaints, Freedom of Information and personal data requests for the period 2<sup>nd</sup> January to 31<sup>st</sup> March 2010.

Members' attention was drawn to the list of improvements introduced as a result of customer feedback received.

The Customer Service and Access Officer advised Members that 48 compliments and 29 comments had been received during the 4<sup>th</sup> quarter of 2009/10. These had all been responded to within the service standard and were the highest number of compliments and comments received in a single quarter during the 2009/10 year.

A total of 429 Stage 1 complaints had been received and 55 Stage 2. All had been responded to within the service standard. Stage 3 complaints for the period totalled six, four of which had been responded to within the service standard.

Members' attention was drawn to the three Ombudsman complaints, details of which were outlined in the appendices to the report. The annual letter from the Ombudsman would be provided to the next meeting of the Executive for Members' information.

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Details of Freedom of Information requests received by the Council were provided. Discussion took place and Members raised a number of questions to which the Customer Service and Access Officer responded.

Members requested further information in respect of:

- The proportion of Council Tax paid by Direct Debit, Cash, Cheque in 2009/10.
- Details of each department's Code of Practice in relation to retention of information.

Concerns were raised in respect of the amount of officer time potentially spent on Freedom of Information requests. Members commented that it was pleasing that targets for complaints were being exceeded and questioned whether the 20 day target was appropriate. The Customer Service and Access Officer acknowledged that customers would prefer a quicker written response to their complaint and as such response times were closely monitored. The average response time was currently 15 days however, this was as a result of a few complaints being responded to very quickly reducing the average response time. The Customer Service and Access Officer noted that with the volumes of Freedom of Information Requests received it would be difficult to reduce the response times but that it remained an aspiration.

Moved by Councillor D. McGregor, seconded by Councillor J.E. Bennett  
**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.**

(Head of Customer Service & Access Officer/Head of Democratic Services)

The Customer Service and Access Officer left the meeting.

### **133. PATCH MANAGEMENT POLICIES – PROVISION OF DOMESTIC BINS AND BULKY WASTE COLLECTION**

The Portfolio Holder for the Environment introduced the report and policies in respect of domestic bin provision and bulky waste collection. The policies had been considered by Senior Management Team, Policy and Performance Management Group and Scrutiny Committee. Issues were identified by

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Members in respect of items 4.5 and 4.17 of the bulky waste collection policy regarding customer refunds.

It was suggested that the Bulky Waste Collection Policy be deferred to the next meeting of the Executive pending submission of a report by the Chief Executive Officer detailing the discussions and committee route that the policy had previously taken.

Moved by Councillor D. McGregor, seconded by Councillor J. E. Bennett

**RESOLVED** that (1) the Bulky Waste Collection Policy be deferred to the next meeting of the Executive to enable a report to be submitted by the Chief Executive Officer giving full details of the timetable and path of this policy from first being debated by all relevant participant groups to date and their recommendations. Also, details of any decision relating to this policy that has been taken and implemented before receiving agreement by the Executive.

**Reason for Decision: To enable further information to be provided to Members before implementation of the policy is agreed.**

(Chief Executive Officer/Head of Democratic Services)

Moved by Councillor D. Kelly, seconded by Councillor D. McGregor

**RESOLVED** that (2) Patch Management Group ensure that appropriate departmental procedures are in place to deliver the Replacement Domestic Bin policy

(3) the Replacement Domestic Bin Policy be adopted and implemented from 1<sup>st</sup> August 2010.

**Reason for Decision: To improve the way in which replacement of domestic bins are dealt with by the Authority.**

The Head of Community and Street Services left the meeting.

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### 134. WORKING NEIGHBOURHOODS FUND MONITORING REPORT

The Leader of the Council introduced the report and 2009/10 End of Year Monitoring Report in respect of Working Neighbourhoods Funding. The Working Neighbourhoods Fund (WNF) provided resources to local authorities to tackle worklessness and low levels of skills in their most deprived areas.

The Chief Executive Officer drew Members' attention to the proportion of WNF allocated to Bolsover of £7,067,898 for 2010/11. This was a reduction of 2%, equating to £198,000.

The full End of Year Report was included in the agenda for Member's information.

Moved by Councillor E. Watts, seconded by Councillor J.E. Bennett  
**RESOLVED** that the report be received.

**Reason for Decision: To ensure that WNF is targeted to best effect.**

### 135. THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Moved by Councillor D. Kelly, 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.

The Leader of the Council declared a personal interest and left the meeting.

Councillor A. F. Tomlinson in the Chair

### 136. DISPOSAL OF OXCROFT DEPOT AND ADJOINING LAND EXEMPT – PARAGRAPH 3

The Deputy Leader of the Council introduced the report to seek Member's approval to dispose of the former Council Depot and adjoining land on Oxcroft Lane.

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It had originally been envisaged that the land would be sold for residential development but due to the economic downturn, securing a sale of this type had proven difficult.

The Council had been approached by a commercial business who had identified the site as suitable for their purpose, subject to relevant planning permissions.

The site had been valued by the District Valuer and provisional terms had been agreed. These provisionally agreed terms were in line with the Councils Acquisitions and Disposals Strategy.

The Head of Regeneration provided Members with a copy of a letter received from local residents raising concerns that asbestos may be stored on the site by the proposed purchaser.

The Head of Regeneration and Building and Property Contracts Manager provided further information and responded to Members' questions.

The Head of Finance and Revenues responded to Members' questions with regard to the use of the capital receipt.

Members debated the issue at considerable length, taking into account the information provided by Officers of the Council and letters received from local residents. The Head of Regeneration had recommended that the former depot and adjoining land be sold for commercial purposes, however following discussions Members proposed an alternative resolution.

Moved by Councillor K. Bowman, seconded by Councillor A. Hodkin  
**RESOLVED** that the sale of the former depot site to the prospective buyer be refused and that relevant Officers be requested to actively seek a purchaser for residential development of the site.

Councillors J.E. Bennett, K. Bowman and A. Hodkin requested that their vote in support of the amended resolution be recorded.

(Head of Regeneration)

**Reason for Decision: Further information was required and the desire to see the land made available for Housing.**

Councillor K. Bowman left the meeting.

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### 137. TENDER – PUBLIC ART CONSULTANCY EXEMPT – PARAGRAPH 3

The Portfolio Holder for Arts and Leisure and Head of Shared Procurement provided an explanation to Members in respect of the use of Section 106 funding.

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

Moved by Councillor A. F. Tomlinson, seconded by Councillor A. Syrett  
**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,

4) the evaluation meeting to take place on Friday 9<sup>th</sup> July 2010 at 0900 hours at the Riverside Depot.

**Reason for decision: In order to secure the tender which gives the best value for money.**

(Head of Shared Procurement)

The meeting concluded at 1150 hours