

**EXECUTIVE**

**MONDAY  
4<sup>TH</sup> OCTOBER 2010  
AT 1000 HOURS**

**COMMITTEE ROOM  
ONE**

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Sherwood Lodge  
Bolsover  
Derbyshire  
S44 6NF

Date: 24<sup>th</sup> September 2010

Dear Sir or Madam,

You are hereby summoned to attend a meeting of the Executive of the Bolsover District Council to be held in Committee Room One, Sherwood Lodge, Bolsover, on Monday 4<sup>th</sup> October 2010 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 16<sup>th</sup> May 2007. It is a Councillor's duty to familiarise him or herself with the rules of personal conduct by which Councillors must conduct themselves in public life. In addition, Members should review their personal circumstances on a regular basis with these rules in mind and bearing in mind the matters listed on the Agenda for discussion at this meeting.

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

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

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

You will find the contents of the agenda itemised on pages 43 and 44.

Yours faithfully,



Chief Executive Officer  
To: Chairman & 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: 4<sup>TH</sup> OCTOBER 2010

NAME OF MEMBER- \_\_\_\_\_

Levels of Interest            1.    Personal  
   2.    Personal and prejudicial

Nature of Interest \_\_\_\_\_

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AGENDA ITEM	SUBJECT	LEVEL OF INTEREST
Signed		
Dated		

### Note

- Completion of this form is to aid the accurate recording of your interest in the minutes only. This form, duly signed, should be provided to the Clerk at the 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.

## **EXECUTIVE**

Minutes of a meeting of the Executive of Bolsover District Council held in Committee Room One, Sherwood Lodge, Bolsover, on Monday 6<sup>th</sup> September 2010 at 1000 hours.

### **PRESENT:-**

Members:-

Councillor A. F. Tomlinson - In the Chair

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

Officers:-

W. Lumley (Chief Executive Officer), S.E.A. Sternberg (Solicitor to the Council), J. Brooks (Director of Resources), S. Tomlinson (Director of Neighbourhoods), L. Hickin (Head of Leisure) (to minute no. 309), D. Bonsor (Housing Needs Manager) (to minute no. 308), A. Lowery (Street Services Manager) (to minute no. 315), D. Hill (Head of Finance and Revenue) (from minute no. 311 to minute no. 312), M. Broughton (Project Officer (Business Growth)) (from minute no. 311 to minute no. 313), G. Galloway (Building and Contracts Manager) (from minute no. 313 to minute no.317), R. Owen (Senior Valuer) (from minute no. 313 to minute no.316), D. Troop (Housing Strategy and Enabling Manager) (from minute no. 315 to minute no.318), B. Truswell (Head of Shared Procurement) (from minute no.316 to minute no.318) and R. Leadbeater (Democratic Services Officer).

### **302. APOLOGIES**

Apologies for absence were received from Councillors J.E. Bennett and E. Watts.

### **303. URGENT ITEMS OF BUSINESS**

The Chairman had consented to two urgent items of exempt business being considered by the Executive, Site of Yorke House, Creswell and Kerbside Recycling Tender.

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### 304. ORDER OF BUSINESS

The Chairman consented to a change in the order of business to accommodate two urgent items of business. These would be taken as agenda item no. 11 (minute no. 314 refers) and agenda item no. 12 (minute no. 315 refers). The Local Investment Plan would be re-ordered to the penultimate item.

### 305. DECLARATION OF INTEREST

Minute No.	Member	Level of Interest
308.	Councillor D. McGregor	Personal and Prejudicial

### 306. MINUTES – 2<sup>ND</sup> AUGUST 2010

Moved by Councillor B.R. Murray-Carr, seconded by Councillor D. Kelly  
**RESOLVED** that the minutes of a meeting of the Executive held on 2<sup>nd</sup> August 2010 be approved as a true record.

### 307. CHOICE BASED LETTINGS

The Portfolio Holder for Housing Management presented the report to update Members on the feedback from consultations with customers in respect of Choice Based Lettings.

The feedback appeared to suggest that the current housing allocation system was not fully understood and that applicants were interested in having a better understanding of how points were allocated to them and what properties were available. Attendees at the public meetings had not raised any objections to the introduction of the new Choice Based Letting scheme which would enable allocations information to be more easily available.

The new policy was attached to the report for Members' consideration. Particular attention was drawn to items 3 and 4 of the allocations policy which would enable the Council to exercise greater control in respect of applications from households with a history of anti-social behaviour.

The policy had been considered on previous occasions by the Executive, Scrutiny Committee and the Policy and Performance Management Group. Members' attention was drawn to a number of tasks to be completed prior to

## EXECUTIVE

launch including finalising of guidance and application forms and staff training. Copies of the Application Form Guidance and Choice Based Lettings information leaflet were tabled for Members' information. The Director of Neighbourhoods requested that an additional recommendation be included to allow minor amendments to be made to these documents in consultation with the Portfolio Holder.

Members asked further questions with regard to housing for tenants with a history of anti-social behaviour, the points allocated to the homeless and applications for OAP bungalows to which the Housing Tenancy Manager responded. Members commented that it was pleasing that mental health issues had been addressed as part of the new policy.

Moved by Councillor K. Bowman, seconded by Councillor B.R. Murray-Carr

**RESOLVED** that (1) Members note the positive feedback received on the proposed scheme;

(2) the name of Bolsover Lettings is confirmed for the scheme;

(3) the web address is confirmed for the scheme;

(4) Members adopt the draft policy as the Council's allocation policy;

(5) the policy is implemented from the 'go-live' date of the software.

(6) in the meantime the Authority will continue with the existing allocations policy until recommendation 5 occurs.

(7) minor amendments to the Application Form Guidance and Choice Based Lettings information leaflet be delegated to Head of Housing, in consultation with the Director of Neighbourhoods and Portfolio Holder.

**REASON FOR DECISION: To allow the Council to adopt a Choice Based Letting Scheme.**

(Head of Housing)

The Housing Needs Manager left the meeting.

Councillor D. McGregor declared a personal and prejudicial interest in the next item and left the meeting.

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### **308. SECTION 106 FUNDING REQUESTS FOR FORMAL LEISURE/SPORTS PROVISION BY ELMTON WITH CRESWELL PARISH COUNCIL**

The Portfolio Holder for Arts and Leisure presented the report to request that Members agree to release £60,000 of Section 106 funding gained via the Skinner Street development. This funding would be used to provide a cricket pavilion to enhance the newly restored Creswell Cricket Ground.

Members were advised that the Section 106 monies would provide the shortfall for a larger Sports and Arts in the Community project established to encourage participation and excellence in sports for young people in the community.

In accordance with Access to Information Procedure Rule 4.2.15 (c) (General Exception), this item which was not included on the Forward Plan was considered by Executive.

Moved by Councillor A. M. Syrett, seconded by Councillor B.R. Murray-Carr  
**RESOLVED** that Executive approves the use of the Section 106 monies gained via the Skinner Street development to the value of £60,000 to support the development of a new cricket pavilion and the wider 'Community Sports and Arts' programme.

**REASON FOR DECISION: To take advantage of the Section 106 funding held by the District Council and determine whether it should be used to help deliver this Parish Council recreation facility.**

(Head of Leisure)

Councillor D. McGregor rejoined the meeting.

The Head of Leisure left the meeting.

### **309. WORKING NEIGHBOURHOODS FUND MONITORING REPORT**

The Portfolio Holder for Regeneration presented the report to update Members on the Working Neighbourhoods Fund. The full Quarter 1 report had been provided for Members' further information.

Members' attention was drawn to a number of matters outlined in the Quarterly Monitoring report. These included a bid to establish a Shirebrook Enterprise Centre for which initial indications were positive and the possibility of a pre apprenticeship pilot scheme to complement the existing Bolsover Apprenticeship Programme.

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In response to questions from Members, the Chief Executive Officer advised that the current Working Neighbourhoods funding allocation was for the period up to March 2011 but there was no requirement for monies to be spent by this date. However, the majority of the funding had now been allocated and it was uncertain whether funding of this nature would continue until the Government had made its budget announcements next month.

Moved by Councillor A.F. Tomlinson, seconded by Councillor B.R. Murray-Carr  
**RESOLVED** that the report be received.

**REASON FOR DECISION: To ensure that Working Neighbourhoods Funding is targeted to be effective.**

### **310. NATIONAL FRAUD INITIATIVE (NFI) 2010/11**

The Portfolio Holder for Resources introduced the report to advise Members of the progress on the National Fraud Initiative.

The Audit Committee had considered the Audit Commission's national report and the Council's assessment against recommended practice. It was added that the Council's Corporate response to this work had not previously been timely and had resulted in criticism in various External Audit Reports.

Members' attention was drawn to the data systems specified by the Audit Commission from which extracts would be sought and the timetable for work to be carried out.

Further to questions, the Director of Resources advised that the self assessment had identified gaps in the processes used. It had also indicated that responses were improved when the work carried out had the clear backing of Senior Management Team and Members. Senior Management Team had been updated on the work carried out to date and it was planned to provide updates to future meetings of the Audit Committee.

Moved by Councillor A. Hodkin, seconded by Councillor D. McGregor  
**RESOLVED** that the Executive note the plan for the National Fraud Initiative 2010/11.

**REASON FOR DECISION: To document and create awareness of arrangements that seek to improve the Council's arrangements, supporting the Strategic Organisational Development objective to continually improve our organisation.**



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The Head of Finance and Revenues and Project Officer (Business Growth) joined the meeting.

### **311. SINGLE PERSONS DISCOUNT REVIEW**

The Portfolio Holder for Resources introduced the report to advise Members of arrangements for a review of the Single Persons Discount.

Members were advised that the 8 District and Borough Councils in Derbyshire together with Derby City Council, had signed a Statement of Intent confirming their participation in the review. Derby City would undertake a formal tender process on behalf of the participating authorities to select a third party company to undertake a review for each authority.

The Head of Finance and Revenues added that some authorities had elected to undertake their own review by writing to all residents in receipt of Single Persons Discount, asking them to reconfirm their entitlement and cross checking with the Electoral Register. This was considered a costly and time consuming method and it had therefore been considered more effective to enter into a third party agreement. The third party companies would have access to a wider variety of databases such as credit records, providing far greater cross checking capabilities. Funding for the review had been approved by the East Midlands Improvement and Efficiency Partnership.

It was estimated that should the claims for Single Persons Discount be reduced by around 5%, Bolsover District Council alone could save in excess of £22,000 per year.

Members' attention was drawn to the table in the report outlining potential costs and savings to all the Derbyshire authorities.

Questions were raised with regard to whether information on the review would be provided to members of staff whose work involved visiting homes around the District and whether they could assist in providing any information. Concerns were also raised that further resources may be required in Contact Centres to accommodate the potential increase in enquiries. The Head of Finance and Revenues noted Members' comments.

Moved by Councillor A.J. Hodkin, seconded by Councillor D. McGregor  
**RESOLVED** that the report be noted.

**REASON FOR DECISION: To improve the efficiency of the Council and to generate savings.**

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(Head of Finance and Revenues)

The Head of Finance and Revenues left the meeting.

### 312. COMMUNITY BRIDGE LOAN

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

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

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

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

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

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

(Director of Resources/Head of Democratic Services)

The Project Officer (Business Growth) left the meeting.

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The Building and Property Contracts Manager, Senior Valuer and Head of Shared Procurement joined the meeting.

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

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

**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.

### **314. SITE OF YORKE HOUSE, CRESWELL EXEMPT - PARAGRAPH 3**

The Senior Valuer presented the report to seek Member approval to extend Welbeck Estate's option to purchase land at the Site of Yorke House, Creswell for a period of 5 years.

In accordance with Access to Information Procedure Rule 4.2.16 (Special Urgency), this item which was not included on the Forward Plan was considered by Executive.

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

**RESOLVED** that (1) in accordance with the Council's Constitution, retrospective approval is given to the Chief Executive Officer's decision to extend the option by 3 months to allow the Executive to consider the matter.

(2) the option to purchase the land by Welbeck Estate for the sum of £350,000 be extended for a period of 5 years at no charge to Welbeck Estate.

**REASON FOR DECISION:** In order to secure a capital receipt for the Council from the sale of an area of land that is surplus to requirements and to contribute to the regeneration of the former Creswell Colliery.

(Senior Valuer/Director of Resources)

## EXECUTIVE

The Housing Enabling Manager joined the meeting.

### **315. KERBSIDE RECYCLING TENDER EXEMPT – PARAGRAPH 3**

The Portfolio Holder for the Environment introduced the report to seek Members' acceptance of tenders received for the provision of the Council's kerbside recyclables waste collection service.

The Street Services Manager advised that two companies had submitted tenders and each had provided several options priced according to the method of collection. These had been considered by a joint evaluation board meeting for the best value for money option.

Members were provided with a detailed explanation of each of the proposed schemes and considered the recommendations outlined in the report at considerable length.

In accordance with Access to Information Procedure Rule 4.2.16 (Special Urgency), this item which was not included on the Forward Plan was considered by Executive.

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

**RESOLVED** that (1) the contract for the kerbside collection of recyclables be awarded to HW Martin; at rates set out in their bid for a third Wheelie Bin collection system, including the collection of plastics ( Option C).

(2) the contract be awarded for duration of 5 years with an option to extend up to 7 years and with a contract commencement date of 1<sup>st</sup> November 2010.

(3) a legal agreement be made between Bolsover District Council and North East Derbyshire District Council to the effect that each Council agrees to meet costs of the other Council were one Council to withdraw from the contract prior to its natural end date; and that those costs be calculable by way of differential between the Council's individual bid rates and combined Council bid rates.

(4) the Executive agrees that the decision cannot be reasonably deferred and that in accordance with Part 4.2 paragraph 16 the Chair of the Sustainable Communities Scrutiny Committee has agreed that this was the case.

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**REASON FOR DECISION: In order to improve the efficiency and level of service provided to the Council's customers, by appointing a contractor to undertake kerbside collections of recyclable materials.**

(Head of Procurement/Street Services Manager/Solicitor to the Council)

The Senior Valuer and Street Services Manager left the meeting.

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

The Portfolio Holder for Regeneration introduced the report to seek Members' views on the future of the site of the Oxcroft Depot.

The Building and Property Contracts Manager outlined the details of revised proposals received since the previous report presented to Members at the Executive on 5<sup>th</sup> July. Members had declined an offer to sell the land for commercial purposes and had requested that Officers seek to market the site for housing development.

Members were advised that a revised offer had been received that would secure a significant capital receipt with an added agreement to vacate and sell the land within a period of 3 years.

The Building and Property Contracts Manager and Director of Resources further advised Members of the potential costs associated with retention of the site including yearly business rates, insurance and unexpected costs such as fire or flood damage. In addition, the potential advantages of securing a capital receipt of this size to meet other potential costs and generate interest was detailed to Members. It was added that to market the site as land for housing development, significant financial outlay would be needed to clear the site and submit an application for outline planning permission.

Members discussed the issues raised at length and some concerns were noted in respect of the potential loss of future capital receipts as a result of disposing of the land during a period of economic downturn. It was added that there had also been significant public concern over the potential storage of asbestos on the site.

In accordance with Access to Information Procedure Rule 4.2.15 (c) (General Exception), of the Council's Constitution, this item was not included on the Forward Plan and was considered by Executive.

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In accordance with Access to Information Procedure Rule 4.5.16 (Call In and Urgency), this item would not be subject to call in.

Moved by Councillor D. McGregor, seconded by Councillor B. R. Murray-Carr  
**RESOLVED** that (1) Officers investigate and present marketing information at a future Executive on the sale of the Oxcroft Depot and adjoining land for residential use.

(2) meetings take place with the Oxcroft residents to ascertain their views on City Scaffolding's offer not to run any part of their asbestos business from the Oxcroft site.

(3) clarification be provided on the potential financial penalties that could be imposed in relation to the site, in the event that City Scaffolding do not vacate the Oxcroft site within the three year period.

**REASON FOR DECISION: To ensure that the Executive considers the matter in the light of all the relevant facts to make an informed decision.**

Councillors K. Bowman, A.J. Hodkin, and A. M. Syrett requested that their vote against the resolution be recorded.

Councillors D. McGregor D. Kelly, B.R. Murray-Carr and A.F. Tomlinson requested that their vote for the resolution be recorded.

The Building and Property Contracts Manager left the meeting.

### **317. LOCAL INVESTMENT PLAN EXEMPT – PARAGRAPH 3**

The Portfolio Holder for Regeneration introduced the report to request Members' approval of a number of recommended changes to the governance structure for delivery of the Single Conversation, the underpinning evidence bases and scoring matrix and the draft Local Investment Plan

A further recommendation was added to approve the Cabinet Member representative on the Executive Sounding Board.

The Housing Strategy and Enabling Manager drew Members' attention to minor changes to the Local Investment Plan and supporting documentation, including the Corporate Asset Management Strategy and Housing for Vulnerable People.

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Members were advised that the Local Investment Plan priorities were regeneration of Bolsover and Shirebrook Town centres. In response to Members' questions it was confirmed that housing developments would be supported by economic development and creation of employment. It was further added that the HCA had accepted the plans submitted by the Council and were confident these were robust and that the Core Strategy was being delivered.

Moved by Councillor A.F. Tomlinson, seconded by Councillor D. McGregor  
**RESOLVED** that (1) the recommended changes to the governance structure be approved (Appendix C and C1) for the delivery of the Single Conversation, including;

- the Executive Sounding Board would report to the Joint Board
- the Joint Board would ensure representation from Bassetlaw District Council, Derbyshire County Council and Nottinghamshire County Council at its meetings for Single Conversation agenda items
- the Terms of Reference for the Executive Sounding Board are amended to include up to one additional officer from each District Council (where necessary) and one additional Member of the District Council's Cabinet.
- the Terms of Reference are reviewed again in six months time.

(2) the unweighted scoring matrix at Appendix B be approved, which had been approved by the Executive Sounding Board as a way of assessing and prioritising projects and interventions across the HMA.

(3) the draft Local Investment Plan (Appendix A) be noted and the current prioritisation of projects likely to come forward in the next three year period.

(4) the five evidence bases used to underpin vulnerable persons and renewal housing projects within the draft Local Investment Plan (Appendices D1, D2, D3, D4, D5) be approved.

(5) the development of a holistic Corporate Asset Management Strategy reflecting "Total Capital Total Place", leverage and wellbeing considerations as part of the ongoing Local Investment Plan process be supported.

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(6) a further report on the completed Investment Plan for the North Derbyshire and Bassetlaw Housing Market Area be generated in due course.

(7) Councillor D. Kelly be the additional Cabinet Member representative on the Executive Sounding Board.

(Housing Strategy and Enabling Manager/Head of Regeneration)

**REASON FOR DECISION: To ensure that the Council is dealing with housing investment appropriately.**

### **318. TENDER – ELECTRICAL TESTING AND UPGRADES EXEMPT – PARAGRAPH 3**

The Head of Shared Procurement advised Members that 7 tenders for the above contract had been received before the deadline.

Moved by Councillor A. F. Tomlinson, seconded by Councillor D. Kelly  
**RESOLVED** that (1) the Executive witness the opening of the tenders,

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

(3) once evaluation has been completed, a Report for Information be submitted for Members,

(4) the evaluation meeting to take place on Thursday 9<sup>th</sup> September 2010 at 1000 hours in the Head of Shared Procurement's Office, Sherwood Lodge.

**REASON FOR DECISION: In order to secure the tender which gives the best value for money.**

(Head of Shared Procurement)

The meeting concluded at 1308 hours.



## EXECUTIVE

Minutes of a special meeting of the Executive of Bolsover District Council held in Committee Room One, Sherwood Lodge, Bolsover, on Tuesday 31<sup>st</sup> August 2010 at 0900 hours.

### PRESENT:-

Members:-

Councillor E. Watts - Chair

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

Officers:-

W. Lumley (Chief Executive Officer), J. Brooks (Director of Resources), S. Tomlinson (Director of Neighbourhoods), D. Eccles (Head of Regeneration), J. Fieldsend (Senior Principal Solicitor), D. Troop (Housing Strategy and Enabling Manager), G. Galloway (Building and Contracts Manager) and R. Leadbeater (Democratic Services Officer).

### 286. APOLOGIES

There were no apologies for absence.

### 287. DECLARATIONS OF INTERESTS

Minute No.	Member	Level of Interest
289.	Councillor B. R. Murray Carr	Personal

### 288. 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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### 289. PRACTICAL DELIVERY OF THE SHIREBROOK MASTER PLAN EXEMPT - PARAGRAPH 3

The Head of Regeneration presented the report to advise Members of the current position in respect of delivery of the Shirebrook Master Plan.

The report provided details of ongoing negotiations with Tesco and the siting of a proposed food store within the town centre. A wider partnership agreement with the Town Council was also proposed.

Further detail was provided in respect of consultations carried out on the redevelopment of the Market Close flatted scheme and subsequent re-housing opportunities.

The Head of Regeneration advised Members that consideration of the proposals was required with urgency and an additional recommendation was requested that the call-in procedure as outlined in 4.5.16 of the Council's constitution would not apply.

A draft letter to Tesco was tabled for Members' consideration.

Members asked questions to which the Head of Regeneration responded. Particular concerns were raised as to whether home loss payments would effect housing benefits which the Head of Regeneration agreed to look into.

The Chair requested that thanks to the Head of Regeneration, Building and Property Contracts Manager and Portfolio Holder for Regeneration be recorded for their hard work in respect of these negotiations.

Moved by Councillor A.F. Tomlinson, seconded by Councillor D. McGregor  
**RESOLVED that**

#### **Market Close**

1. The Market Close Flats/houses consultation process with reference to the town centre re-development proposals be approved;
2. The removal of the Right to Buy option for tenants of Market Close flats and houses pending receipt and feeding back of the consultation process be approved;
3. Once approval is given for demolition the affected residents who live in the properties to be demolished should be given additional priority for re-housing which will allow them to be re-housed in appropriate accommodation.

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### **Partnership Agreement**

1. The Head of Regeneration and Deputy Leader be authorised to conclude negotiations on the partnership agreement with Shirebrook Town Council in consultation with the Solicitor to the Council and the Chief Executive Officer and Leader.
2. The Deputy Leader, Councillor Tomlinson is named member representative on the Partnership, along with the Head of Regeneration.

### **Development Agreement**

1. The Head of Regeneration is authorised to send a written response outlining the Council's final position in accordance with the letter attached at Appendix vii. Should the terms be accepted by Tesco, then to proceed to finalise the detailed Heads of Terms.
2. The Head of Regeneration is instructed to engage the services of the District Valuer or suitable property surveyors to prepare the report for submission (subject to further member approval) for the disposal of the identified land to the Secretary of State

### **Urgency**

1. It be noted that the Chairman of the Council has agreed that the call-in procedure as set out in 4.5.16 of the Council's Constitution shall not apply;
2. It be noted that the Executive consider that the above decision is an urgent one.

**REASON FOR DECISION: To ensure the practical delivery of the Shirebrook Master Plan commences.**

(Head of Regeneration/Head of Democratic Services)

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### 290. TARRAN BUNGALOWS REDEVELOPMENT EXEMPT – PARAGRAPH 3

The Portfolio Holder for Regeneration introduced the report which had been updated to reflect the current position.

The Head of Regeneration presented the report in further detail and tabled a map of the development site.

Members asked questions with regard to the arrangements for alternative accommodation for existing tenants to which the Head of Regeneration and Director of Resources responded.

Discussion took place in respect of the financial implications, in particular the Housing Revenue Account and remaining shortfall.

Moved by Councillor A.F. Tomlinson, seconded by Councillor K. Bowman

#### **RECOMMENDATIONS that;**

1. The consultation undertaken with Oxcroft tenants regarding decants, and that the process will continue over the coming weeks be noted;
2. Members support the total investment made (much of it by the HCA) in delivering £5.08 million for the delivery of Oxcroft and Long Lane, and of this total amount the commitment of the Council is in the region of 13%.
3. Members approve serving of the Demolition Notice at the appropriate juncture (once occupants are in their decant property) and pending the outcome of 1 above. This is for legal surety and reduces the Council Tax burden on the project.
4. Members delegate to the Chief Executive Officer the decision as to whether to make an application to the Secretary of State for the disposal of the Tarran bungalow sites at Oxcroft Lane, Bolsover under section 32 of the Housing Act 1985. The decision of the Chief Executive Officer is to be made in consultation with the Leader and Deputy Leader of the Authority and the Housing Management Portfolio Holder and must satisfy s123 Best Value requirements via confirmation from the District Valuer.
5. Members authorise the Chief Executive officer in consultation with the Leader, Deputy Leader, Director of Resources and Solicitor to the Council and Monitoring Officer to the Council to complete current negotiations with the partner bodies involved.

## EXECUTIVE

6. Members approve reprofiling of capital expenditure relating to Homeloss (£70,500) and the capital element of Disturbance (£15,000) within the Capital programme and to explore a further capital contribution of £50,000 in the event that monies are not found from other sources.
7. Members authorise exploring other decanting options such as (buying in of suitable properties for later re-sale) subject to current project budgetary constraints being met.
8. It be noted that the Chairman of the Council has agreed that the call-in procedure as set out in 4.5.16 of the Council's Constitution shall not apply;
9. It be noted that the Executive consider that the above decision is an urgent one.

**REASON FOR DECISION: To further the Council's aims of providing affordable housing and providing high quality and energy efficient homes for some of its most vulnerable client group.**

(Head of Regeneration/Solicitor to the Council)

The meeting concluded at 1018 hours.

**LETTER FROM IMPROVEMENT SCRUTINY TO EXECUTIVE  
IN RESPECT OF CONTACT CENTRE CONCERNS**

**On behalf of Improvement Scrutiny Committee**

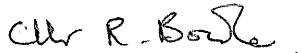
The committee supports concerns raised in the report provided by the portfolio holder for customer services.

The Improvement Scrutiny committee requests the executive give serious consideration for protecting this front line service.

Chair Cllr H Gilmour



Vice Chair Cllr R Bowler



**IMPROVEMENT SCRUTINY COMMITTEE  
28<sup>TH</sup> AUGUST 2010**

**272. UPDATE ON TELEPHONE ABANDONMENT RATES FROM  
COUNCILLOR D. MCGREGOR, PORTFOLIO HOLDER FOR  
CUSTOMER SERVICES**

The Portfolio Holder for Customer Services provided Members with a verbal update on the telephone abandonment rates at the Contact Centres.

Members were advised that a meeting had taken place between the Head of Customer Service and Performance and the Portfolio Holder for Customer Services (Councillor D. McGregor) in respect of concerns over telephone abandonment rates. These had been 14% in June 2010 and 13% in July compared to 9% in 2009. Members were advised that the increase in abandonment rates was largely due to reduced staffing levels in Contact Centres and it had been concluded that improvements were unlikely to occur until the issue of resources was fully addressed.

The Portfolio Holder for Customer Services asked Members to note a number of issues which had significantly contributed to the increase in telephone call abandonment rates:

- A vacant 18½ hour Customer Advisor's post had recently been filled and had an anticipated early September start date. However a training period of approximately two months would need to be undertaken following appointment which would impact on resources.
- A Contact Centre Manager's post was currently vacant due to maternity leave. The service would operate with only 3 Managers to cover the 4 Contact Centres until a temporary appointment could commence in mid September. This would result in a further part time Customer Advisor vacancy which would be covered by existing staff working additional hours. This would in turn increase the overtime budget and reduce the flexibility of the service to cover annual leave, sickness and lunch breaks. Attempts had been made to recruit temporary part time staff but this proved unsuccessful.
- The Meet and Greet position was currently vacant and being covered as far as possible by Customer Advisors. Consideration was being given to recruiting an apprentice to this post, no one would be in post until September 2010 and then several weeks of training would be required.
- A total of 620 hours overtime had been paid out of the 2010/2011 budget to cover vacancies, holidays and sickness. This was compared to 201

hours for the equivalent period last year. A further 230 hours would be submitted for July and 160 hours had already been scheduled for August.

- Most Customer Services Advisors had worked considerable additional hours which would need to be taken as Time Off in Lieu (TOIL). This would cause significant problems in respect of provision of service.
- 100 weeks of outstanding annual leave entitlement was still to be taken by Customer Advisors, again presenting difficulties with service cover.
- The service was expected to be within budget for the current year, taking into account amounts brought forward and transferred from unfilled vacancies.
- By September 2010 the service would be 7 staff down compared to the same period last year.

The Portfolio Holder for Customer Services confirmed that these issues would be raised at Cabinet and Senior Management Team. It was added that Contact Centre staff deserved high praise and had been extremely supportive, regularly swapping shifts and being as flexible as possible to ensure the service was covered.

Members were reminded that on two previous occasions, the Head of Customer Service and Performance had put forward suggestions for new ways of working. These had included a review of the payment strategy and a reduction in opening hours in order to relieve the strain on the service without requiring additional resources. These suggestions were not accepted by Members on either occasion.

The Portfolio Holder for Customer Services continued that Members' concerns in respect of abandonment rates were valid but if significant improvements were to be achieved, resources would need to be considered.

The Head of Housing joined the meeting at this point.

Members were reminded that the Contact Centres had achieved a Customer Excellence Award this year and had been awarded the Charter Mark for the next three years.

Concerns were expressed in respect of allowing this frontline service to decline and it was considered that the Council should do what it could to protect it.

Further concerns were added regarding overtime and TOIL, in particular that staff would be too busy to take the time back that was owed to them. It was added that a proper overtime budget needed to be set up to deal with major staffing



issues when they occurred. The Director of Neighbourhoods confirmed that if staff were owed TOIL then it should normally be taken within three months.

Members commented that the team do an excellent job and this was proven with the Customer Excellence Award.

It was further suggested that the budgets for the service be reviewed following the Spending Review later in the year.

Thanks were extended to Councillor McGregor for highlighting the problems and Members acknowledged the issues raised. Members added that they were unaware of the severity of the strain on staffing and resources at Contact Centres and shared the Portfolio Holder's concerns. It was agreed that these concerns should be conveyed to the Executive.

Moved by Councillor J.E. Smith, seconded by Councillor R. Turner  
**RESOLVED** that the Improvement Scrutiny Committee write to the Executive highlighting the concerns raised in the report provided by the Portfolio Holder for Customer Services, requesting that the Executive gives serious consideration to protecting this front line service.

(Chair of Improvement Scrutiny)

**AGENDA ITEM 6**  
**RECOMMENDED ITEM FROM SUSTAINABLE COMMUNITIES**  
**SCRUTINY COMMITTEE - 28<sup>TH</sup> JULY 2010**

**188. WINTER MAINTENANCE POLICY**

The Head of Housing presented the Winter Maintenance Policy.

The Patch Management Group had reviewed the Winter Maintenance Policy for its effectiveness and for any changes necessary as a result of the prolonged winter weather earlier in the year.

The policy detailed the priorities that would be given to providing salt and grit to Council owned premises and land to ensure the safety of its employees.

The Head of Housing sought the Committee's views on the priority for clearing the access road to Pleasley Vale. Priority 5 was the consensus view.

Councillor Ward queried why Shirebrook Market Place was not included in the policy as it was owned by the Council and attracted members of the public to shop there. The Head of Housing replied that it was not the Council's responsibility if a member of the public slipped on ice. The Senior Principal Solicitor added that there was no legal obligation for a land owner to clear land of snow.

Councillor Crane requested that as the Valley View entrance was on a gradient, and the day centre was used by Social Services and others on Monday's to Friday's, that this be given a higher priority in the policy.

The Head of Housing replied that the Council had limited resources and these needed to be used in priority order. He added that Social Services staff should not be treated more favourably than the Council's own staff and each housing scheme was already provided with grit bins and shovels.

Councillor Wallis queried why the buildings itemised in priority 3 were not included under priority 2. The Head of Housing replied that there was a different client group in sheltered schemes and these tended to be more vulnerable than people living in bungalows.

Councillor Morley left the meeting at this point.

Moved by Councillor R.A. Heffer, seconded by Councillor H. Ward  
**RESOLVED** that the Winter Maintenance Policy be approved.

Committee:	Sustainable Communities Scrutiny Committee	Agenda Item No.:	8.
Date:	28 <sup>th</sup> July 2010	Category	3
Subject:	Winter Maintenance Policy	Status	Open
Report by:	Director of Neighbourhoods		
Other Officers involved:	Patch Management Group Senior Management Team		
Director	Neighbourhoods		
Relevant Portfolio Holder	Councillor D. Kelly, Portfolio Holder for Environment		

### **RELEVANT CORPORATE AIMS**

ENVIRONMENT – Promoting and enhancing a clean and sustainable environment  
 STRATEGIC ORGANISATIONAL DEVELOPMENT – Continually improving our organisation.

### **TARGETS**

To protect, enhance and improve the natural and built environment in a sustainable way

- Increase the standard of street cleanliness (litter and detritus) to 95% by March 2011
- Remove all fly tipping within 24 hours of being reported

To continue to monitor, review and improve the economy, efficiency and effectiveness of all Council Services

- Increase 'Value for Money' on the services we deliver by achieving our efficiency target of £2.471 million by March 2011

### **VALUE FOR MONEY**

The proposals contained in this report clarify the arrangements for winter gritting which should reduce the need for additional one-off work and secure savings through prompt response to service demands.

### **THE REPORT**

Members will recall that on 4<sup>th</sup> January 2010 (minute number 600) Executive approved the Winter Maintenance Policy which details the priority that will be given to providing salt and grit to Council owned premises and land to ensure the safety of our employees. It does not contain any provision for other types of winter maintenance.

Immediately prior to and during the time when this Policy was being considered for adoption, we suffered one of the worst periods of prolonged winter weather for over 30 years. As a result, the Patch Management Group reviewed the Winter Maintenance Policy for its effectiveness and for any changes that may be necessary as a result of the experiences during the winter months.

It is pleasing to note that the Council's services responded exceptionally well to a range of problems during this challenging period and that the Winter Maintenance Policy provided guidance in how to respond to the need for salt and grit. Based upon the experience it is considered that the Winter Maintenance Policy will benefit from some minor amendments to incorporate the lessons learnt.

Attached as an Appendix, is the Winter Maintenance Policy, with proposed changes highlighted in bold italics for Members ease of reference. Broadly, the changes propose that the car parks of the Council's Leisure Centres be added to Priority 3 and that in the event of prolonged winter weather the exact extent of salting and gritting be reviewed to reflect the circumstances and needs of the time under Business Continuity arrangements.

### **ISSUES FOR CONSIDERATION**

Members are requested to consider and approve the proposed changes to the Policy.

### **IMPLICATIONS**

Financial : None

Legal : None

Human Resources : None

### **RECOMMENDATION**

**That Members approve the proposed amendments to the Winter Maintenance Policy as outlined in the report.**

### **REASON FOR DECISION**

To assist the Council in ensuring that our employees are able to access Council owned premises during winter weather.

ATTACHMENT: Winter Maintenance Policy  
FILE REFERENCE: Director of Neighbourhoods file  
SOURCE DOCUMENT: Winter Maintenance Policy

# BOLSOVER DISTRICT COUNCIL

## Winter Maintenance Policy

July 2009



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



COMMUNITY  
SAFETY



CUSTOMER &  
SUPPLIER SERVICES



ENVIRONMENT



REGENERATION



SOCIAL INCLUSION



STRATEGIC ORGANISATIONAL  
DEVELOPMENT

**Bolsover District Council Equalities Statement**

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

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

This document is available in large print and other formats from any of the Council offices or by contacting the Chief Executives Directorate on 01246 242323. Please bear in mind we will need a few days to arrange this facility.

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

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

Minicom: 01246 242450  
Fax: 01246 242423

## CONTROL SHEET

Details of Document	Comments / Confirmation
Title	Winter Maintenance Policy
Document type – i.e. draft or final version	Draft
Location of Policy	
Author of Policy	Head of Housing
Member route for Approval & Cabinet Member concerned	Patch Management
Reviewed by SMT	5 <sup>th</sup> November 2009
Date Risk Assessment completed	
Date Equality Impact Assessment approved	
Partnership Involvement (if applicable)	
Date added to the Forward Plan	
Policy Approved by	
Date Approved	
Policy Review Date	
Date forwarded to CSPD (to include on Intranet and Internet if applicable to the public)	

Version 1.0 – First draft

Version 1.1 – With comments from ‘gritting group’

Version 1.2 – Comments from PMWG August 2009

Version 1.4 – With comments from SMT

# CONTENTS

## 1. The Introduction

The policy is concerned with gritting and the clearance of snow and ice within the Bolsover District Council area.

During periods of snow and freezing weather the Council receives an increased demand for services where people want snow and ice clearing. The Council does not have the capacity to fully meet this demand. The purpose of this policy is to clarify which areas are viewed as a priority for clearance, and which officer has responsibility for each area.

## 2. The Scope of the Policy.

This policy applies to land and buildings owned and/or operated by Bolsover District Council. This includes office buildings, housing schemes, leisure facilities and commercial property.

## 3. The Principles of the Policy.

The main responsibility for clearing ice and snow within the District lies with Derbyshire County Council. (The Highways Act 1980 Sections 41 and 58 as amended).

There is no legislation that places any specific responsibility on the District Council in this way. However, the Health and Safety at Work etc. Act 1974 emphasises the need for access to and egress from places of work to be kept "safe and without such risks", while the Workplace (Health, Safety and Welfare) Regulations specifically mentions keeping floors free from any substance that could cause a person to slip, trip or fall, "as far as is reasonably practicable".

In areas where the Council own pathways, there is a legal duty under the Occupiers Liability Act to take such care as is reasonably possible to ensure that the premises are safe to use. This will apply especially to sheltered housing schemes where tenants are more vulnerable.

## 4. The Policy Statement

**a. Triggers:** This policy will be triggered by one of two events.

Firstly, if we are aware from Derbyshire County Council that the weather conditions are such that they have started 'pre-emptive' gritting, and this is during normal working hours we will consider gritting priority one areas marked \* only



Secondly, if there is snow and/or ice on the ground, and the weather forecast is that temperatures will remain below freezing for the next 24 hours we will aim to grit priority one areas, and if resources allow continue onto priority two, three, four and then five areas. However gritting and snow clearing activities will be limited to normal working hours, and only when resources allow.

In periods of prolonged cold weather, where there is snow and/or ice present, and the weather forecast suggests that the temperature will remain below freezing for 5 days or more, Senior Management Team may decide to increase resources available by recruitment of Agency staff. This would be funded from reserves or contingencies.

#### **b. Priorities:**

It is difficult to give a list of absolute priorities. Periods of bad weather may not lead to an even amount of snowfall or freezing across the District with some areas affected more than others. Similarly, the poor weather is likely to mean that not all employees are able to access their normal workplace, and may not be able to make alternative working arrangements.

Priority has been given to properties where the Council has specific legal responsibilities and/or to allow access to employees, some of whom will be involved in winter maintenance on other areas.

Priority will be given to areas that have previously been cleared where there is a risk of freezing, rather than prioritising clearing snow.

Maps of each area will be included in the appendix, and will focus on entrances and exits from each building.

Bolsover District Council will only clear snow or ice from areas listed below and not from any other area. .

#### **Priority One: (usually within 3 hours)**

- Riverside Depot \*
- Sherwood Lodge \*
- Shirebrook Contact Centre
- Clowne Contact Centre
- South Normanton Contact Centre
- Kissingate Leisure Centre (Leisure services staff to clear)
- Creswell Leisure Centre (Leisure services staff to clear)

(areas marked \* are the only areas where the Council will consider 'pre-emptive' gritting)

**Priority Two: (target within 1 working days)**

Sheltered Housing Schemes (where elderly residents live in flats or bedsits in one building that also has communal facilities) – main entrance and fire exits only

- Parkfields, Clowne
- Valley View, Hillstown
- Ashbourne Court, Shirebrook
- Woburn House, Blackwell
- Victoria House Creswell
- Jubilee Court, Pinxtton
- Alder House, Shirebrook

**Priority Three: (target within 3 working days)**

Sheltered Housing Schemes (other than those above) – entrances and exits to communal facilities only

- Queens Court, Creswell
- Park View, Barlborough
- Recreation Close, Clowne
- Mill Lane, Whitwell

Community Houses

- 41 Hyndley Road, Bolsover
- 77 Eastfield Drive, South Normanton
- Rotherham Road, New Houghton
  
- Pleasley Mills – fire escapes (following inspection)
  
- Pleasley Mills, main entrance only

***Leisure Centres***

- ***Car parks to Kissinggate and Creswell Leisure Centres***

**Priority Four: (no target – when resources allow)**

- Council Owned Car parks (entrances only, not individual bays, and not including garage sites)
  
- Pathways to sheltered housing schemes not covered above

**Priority Five: (no target – when resources all and other priorities are completed)**

- Pathways across Council owed land (including housing estates) that provides residents with access to facilities such as shops or bus-stops.

**Note:** No other work or clearances will be carried out  
***During prolonged periods of bad weather the areas in need of winter maintenance will be reviewed and resources diverted as necessary following consideration of requests under the Council's business continuity arrangements.***

### **c. Equipment**

Responsible Heads of Service will ensure that sufficient equipment is available on each site to allow for winter maintenance. Street Services will check grit bins and ensure that in each November each bin is reasonably full and will top up bins when requested.

<b>Building</b>	<b>No. Grit Bins</b>	<b>No. Snow Shovels</b>	<b>Responsibility for equipment</b>
Riverside Depot	2	2	Head of Regeneration
Sherwood Lodge	2	2	Head of Regeneration
Shirebrook CC	1	1	Head of Regeneration
Clowne CC	1	1	Head of Regeneration
South Normanton CC	1	1	Head of Regeneration
Kissinggate Leisure Centre	1	2	Head of Leisure
Creswell Leisure Centre	1	2	Head of Leisure
Parkfields, Clowne	1	1	Head of Housing
Valley View, Hillstown	1	1	Head of Housing
Ashbourne Court, Shirebrook	1	1	Head of Housing
Woburn House, Blackwell	1	1	Head of Housing
Victoria House Creswell	1	1	Head of Housing
Jubilee Court, Pinxton	1	1	Head of Housing
Alder House, Shirebrook	1	1	Head of Housing
Queens Court, Cresswell	1	1	Head of Housing
Park View, Barlborough	1	1	Head of Housing
Recreation Close, Clowne	1	1	Head of Housing
Mill Lane, Whitwell	1	1	Head of Housing
41 Hyndley Road, Bolsover	1	1	Head of Street and Community Services
77 Eastfield Drive, South Normanton	1	1	Head of Street and Community Services
Pleasley Mills	X	X	Head of Regeneration
Rotherham Road, New Houghton	1	1	Head of Street and Community Services

#### **d. Other issues**

The Council will remind commercial tenants of their responsibilities to their employees under Health and Safety legislation to ensure that that the entrances and exits of the leased property are kept clear.

#### **5. Responsibility for implementing the Policy**

The responsibility for equipment is shown on the table above.

Responsibility for co-ordinating clearance of ice and snow lies with the Head of Community Services & Street Services with the exception of Leisure Sites (responsibility with Head of Leisure), Sherwood Lodge (Responsibility of Head of Regeneration) and Pleasley Mills (Responsibility of Head of Regeneration). If these officers are not available responsibility will fall on the next tier of management.

In severe weather SMT may decide to close Council facilities, this may be for a number of reasons, these include: where accesses to the building are dangerous; or when there are insufficient numbers of staff to operate the facility safely. Such cases are covered within departmental business continuity plans.

#### **6. Any Target Groups and Key Areas, if applicable**

As covered in Section 4, the Council has a legal responsibility for the Health and safety of employees – the Council will therefore prioritise properties where employees work.

Similarly, priority will also be given to ‘schemes’ where the Council has responsibility for the access paths and additional priority will be given to schemes that are occupied by people who are unable to carry out gritting themselves (e.g. sheltered housing schemes).

In other areas the Council will advise residents of Derbyshire County Council’s responsibilities and provide copies or links to the current County Council guidance.

(The web address of the Derbyshire County Council website page about gritting is shown below. However, this may change during the life of this policy)

[http://www.derbyshire.gov.uk/transport\\_roads/roads\\_traffic/road\\_maintenance/gritting/](http://www.derbyshire.gov.uk/transport_roads/roads_traffic/road_maintenance/gritting/)

Committee:	Executive	Agenda Item No.:	7.
Date:	4th October 2010	Status	Open
Category	1. Key Decision included in the Forward Plan 2. Decision within the functions of Executive		
Subject:	Working Neighbourhoods Fund - Suspension of Contract Standing Orders		
Report by:	Partnership Consultant Programme Manager		
Other Officers Involved	Chief Executive's and Partnership Manager Head of Shared Procurement		
Director	Chief Executive Officer		
Relevant Portfolio Holder	Councillor A. Tomlinson, Portfolio Holder for Regeneration Councillor E. Watts, Leader of the Council		

#### **RELEVANT CORPORATE AIMS**

REGENERATION – Developing healthy, prosperous and sustainable communities. The use of Working Neighbourhoods Fund will affect the wider determinants of Worklessness by commissioning activity that takes account of the effects upon the wellbeing of residents in local communities in respect of their health, wealth and secure employment; all of which contributes to building sustainable communities in the district."

#### **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 had agreed a holding target with the LAA of reducing the out of work claimant rate within the worst performing neighbourhoods from 28.7% to 25.7% by March 2011. This target has now been revised, to take into account the impact of the economic downturn, to reflect an average benefit claimant rate in the NI 153 areas that is 1.5% lower in Bolsover than in the East Midlands.

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 in 2008 (Minute No. 886 refers). The WNF was introduced as part of the Local Government Finance Settlement and is one element of the 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 £7,067,897 for the period 2008-11.
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 (£3m over three years)

### **Suspending Contract Standing Orders**

4. In February 2010, Executive Members endorsed the suspension of Contract Standing Orders 4.8.3, 4.8.4, 4.8.5 and 4.8.6 in relation to Derbyshire County Primary Care Trust (PCT). The intervention to be commissioned through the Local Strategic Partnership's WNF allocation was the development and delivery of an education programme within schools which encompasses a preventative model for teenage pregnancy, with a defined focus on

relationships and self-esteem. The proposed intervention had been informed by the findings of a pilot project which was supported by the PCT earlier this year.

5. The intended management arrangements for this intervention involved the PCT being the lead commissioner with responsibility for overseeing and commissioning delivery through sub-contracting arrangements with SNAP (South Normanton and Pinxton) Development Project. Since then a number of factors have hindered progress with this approach and, in order for the project to proceed and to minimise further delays, it is proposed that the LSP (through BDC as the accountable body for the WNF) contracts directly with SNAP Development Project to deliver the intervention. Although the PCT will no longer be contractually responsible to the LSP to deliver the intervention, the PCT's Health Improvement Manager for Parenting, Families and Children will have an active role in overseeing project delivery through a Service Level Agreement with the LSP in order to ensure strategic alignment with the PCT's Public Health role as a commissioner of teenage pregnancy interventions.
6. Endorsement from the Executive is now being sought to suspend Contract Standing Orders in relation to SNAP Development Project on the basis that SNAP delivered the initial six month pilot successfully and there are not considered to be any savings to be gained from tendering for project delivery through competitive procedures. SNAP has a proven track record with local knowledge and engagement with the target audience and, crucially, is in a position to commence delivery immediately, which is a critical factor in achieving greatest impact within the parameters of time limited funding and academic school years. Furthermore, the Council would be promoting Voluntary and Community Sector involvement through the use of a third sector organisation to deliver a service.
7. The value of the contract is estimated to be approximately £121,535 to September 2011 with the potential to extend dependent upon performance. This value is less than the financial threshold which would require the tender to be published in the Official Journal of the European Union (OJEU).
8. These reasons have been discussed and are supported by the Head of Shared Procurement, the Chief Executive Officer, Leader and Deputy Leader of the Council.

### **ISSUES/OPTIONS FOR CONSIDERATION**

Whether to agree the suspension of Contract Standing Orders 4.8.3, 4.8.4, 4.8.5 and 4.8.6 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 paragraphs 4 to 8, as a tendering process would usually be required for WNF commissioned interventions under the Local Authority's Procurement procedures.

Human Resources: None

## **RECOMMENDATION that;**

**Executive suspends Contract Standing Orders 4.8.3, 4.8.4, 4.8.5 and 4.8.6 for the reasons given above in relation to SNAP Development Project.**

## **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:



## **EXECUTIVE AGENDA**

**Monday 4<sup>th</sup> October 2010 at 1000 hours**

<b>Item No.</b>		<b>Page No.(s)</b>
	<b>PART 1 – OPEN ITEMS</b>	
1.	To receive apologies for absence, if any.	
2.	Members should declare the existence and nature of any personal and prejudicial interests in respect of:  a) any business on the agenda b) any urgent additional items to be considered c) any matters arising out of those items  and if appropriate, withdraw from the meeting at the relevant time.	3
3.	To approve the Minutes of a meeting of the Executive held on 6 <sup>th</sup> September 2010.	4 to 16
4.	To approve the Minutes of a Special Meeting of the Executive held on 31 <sup>st</sup> August 2010.	17 to 21
5.	Letter from Improvement Scrutiny to Executive in respect of Contact Centre concerns (Minute No. 272 refers)	22 to 25
6.	Recommended Item from Sustainable Communities Scrutiny Committee – Winter Maintenance Policy. <b><i>Recommendation on page 28</i></b>	26 to 36
*7.	Working Neighbourhoods Fund – Suspension of Contract Standing Orders <b><i>Recommendation on page 40</i></b>	37 to 40
	<b>PART 2 – EXEMPT ITEMS</b> <i>The Local Government (Access to Information) Act 1985, Local Government Act 1972, Part 1, Schedule 12a.</i>	
	<u>Exempt Paragraph 2</u>	
8.	Outcome of Review to Look at the Rangers Working Week.	To Follow

Exempt Paragraph 3

- |      |   |        |
|------|---|--------|
| *9.  | Practical Delivery of the Shirebrook Master Plan - Update   | Verbal |
| *10. | Tender - Employer's Agent For Shirebrook Enterprise Centre<br><b><i>Recommendation on page 41</i></b> | 41     |
| *11. | Tender – Solid Fuel Replacement Services Framework<br><b><i>Recommendation on page 42</i></b>         | 42     |

**\*Denotes Key Decision on Forward Plan**