

EXECUTIVE

Minutes of a meeting of the Executive of Bolsover District Council held in Committee Room One, Sherwood Lodge, Bolsover, on Monday 12th December 2011 at 1000 hours.

PRESENT:-

Councillor E. Watts – Chair (to Minute No. 691)

Members:-

Councillors K. Bowman, D. McGregor, B.R. Murray-Carr, A.M. Syrett and A.F. Tomlinson.

Councillors M. Dooley and S. Wallis (from Minute No.683 to Minute No. 685).

Officers:-

W. Lumley (Chief Executive Officer), S.E.A. Sternberg (Solicitor to the Council and Monitoring Officer), P. Hackett (Director of Health and Wellbeing), K. Hopkinson (Director of Development) (from Minute No. 689), S. Tomlinson (Director of Neighbourhoods), J. Foley (Head of Customer Service and Performance) (from Minute No. 683 to Minute No. 686), L. Hickin (Head of Leisure) (to Minute No. 682), J. Ritchie (Head of Community and Street Services) B. Truswell (Head of Shared Procurement), (from Minute No. 677 to Minute No. 680 and from Minute No. 686), P. Brown (Chief Executive's and Partnership Manager) (to Minute No. 678), S. Chambers (Communications Officer), G. Galloway (Building and Contracts Manager) (from Minute No. 681 to Minute No. 683), C. Hirst (Arts Development Officer) (to Minute No. 678), D. Troop (Housing Strategy and Enabling Manager) (from Minute No. 689) and R. Leadbeater (Democratic Services Officer).

Visitors:-

T. Witts (Groundwork Creswell, Ashfield and Mansfield), A. Aubrey and P. Steele (Junction Arts).

670. APOLOGY

An apology for absence was received from B. Mason (Director of Corporate Resources).

EXECUTIVE

671. URGENT ITEMS OF BUSINESS

There were no urgent items of business.

672. CHANGE IN THE ORDER OF BUSINESS

The Chair consented to a change in the order of business. The Tarran Bungalow Redevelopment item would be considered as the last item on the agenda and the Permission for the Tender for Street Scene works would be brought forward.

673. DECLARATIONS OF INTEREST

Councillor Tomlinson advised the meeting of his intention to declare a personal and prejudicial interest in the agenda item 'Groundwork Creswell, Ashfield and Mansfield Core Funding, Report on Activities during 2010/11' as a Member of the Board of Groundwork Creswell. He further added that he intended to remain in the meeting for the duration of the presentation but would leave prior to Members taking any decision or before any debate commenced.

Councillor Syrett advised that her Register of Interests did not include Junction Arts and although she attended regular Junction Arts board meetings, this was as an Ex-officio member without voting rights. Therefore she considered that she had no personal interest in the Junction Arts item.

Advice was sought from the Solicitor to the Council who advised that Councillor Tomlinson's declaration and intention to leave the meeting was appropriate. Councillor Syrett had not included Junction Arts on her Register of Interests as she considered she was not a member or in a position of control at Junction Arts and thus her intention to remain in the meeting without making a declaration followed. The Solicitor to the Council added that ultimately, it was an individual Member's own decision as to whether they considered they had a personal or a prejudicial interest to declare.

Minute No.	Member	Level of Interest
680.	K. Bowman	Personal
680.	D. McGregor	Personal
680.	B. Murray-Carr	Personal
680.	D. Kelly	Personal
676.	A. Tomlinson	Personal and Prejudicial
680.	A. Tomlinson	Personal
680.	E. Watts	Personal

EXECUTIVE

674. MINUTES – 7TH NOVEMBER 2011

Moved by Councillor E. Watts, seconded by Councillor A. Tomlinson
RESOLVED that the minutes of a meeting of the Executive held on 7th November 2011 be approved as a true record.

675. RECORD OF DECISION NOTICES FROM THE JOINT BOARD MEETING HELD ON 22ND NOVEMBER 2011

Moved by Councillor E. Watts, seconded by Councillor A. Tomlinson
RESOLVED that the decision notices from the meeting of the Joint Board held on 22nd November 2011 be noted.

676. GROUNDWORK CRESWELL, ASHFIELD AND MANSFIELD CORE FUNDING, REPORT ON ACTIVITIES DURING 2010/11

The Portfolio Holder for Regeneration gave a brief introduction.

Trevor Witts from Groundwork Creswell, Ashfield and Mansfield provided a presentation on activities and achievements for 2010/11 and proposed activity to 2013 to request that Members agree to the release of the payment for 2011/12 totalling £13,900.

Members were advised of a number of projects which were focussed upon engaging young people. A programme targeted at young people excluded from school had a 90% attendance rate. Major programmes undertaken in respect of environmental works, construction and business development were detailed for Members' information.

Members were advised that 29 of the 42 staff currently employed by Groundwork Creswell, Ashfield and Mansfield resided in Bolsover District.

Outputs for 2010/11 and the current year to date were provided. This included the number of unemployed beneficiaries of the various schemes, the number of jobs secured as a result of training and the number of qualifications attained by participants. Through the various programmes, a total of £794,000 had been levered into the district during 2010/11.

The service level agreement was appended to the report for Members' consideration.

EXECUTIVE

Councillor Tomlinson reaffirmed a personal interest and left the room prior to debate and Members' consideration of the recommendations in the report.

Members were pleased to note the outputs reported for the previous year, particularly in relation to youth engagement and ex-offenders and considered that Groundwork Creswell had delivered excellent value for money.

Moved by Councillor D. McGregor, seconded by Councillor D. Kelly
RESOLVED that the payment for 2011/12 totalling £13,900 be released to Groundwork Creswell, Ashfield and Mansfield.

REASON FOR DECISION: **To release the payment to Groundwork Creswell, Ashfield and Mansfield in accordance with the service level agreement.**

(Chief Executive's and Partnership Manager)

T. Witts left the meeting.

Councillor Tomlinson returned to the meeting.

The Head of Shared Procurement joined the meeting during the following item.

677. JUNCTION ARTS COMMUNITY ARTS PROGRAMME – 2ND PAYMENT 2011/12 AND 2012/13 PROPOSED PROGRAMME PLAN

The Portfolio Holder for Social Inclusion introduced the report for Members to consider the release of the 2nd stage payment to Junction Arts.

Paul Steele from Junction Arts provided a presentation to advise Members of the programme of projects provided during 2010/11 and the proposed programme for 2011/12.

A number of projects were targeted at disaffected young people including the 'Response Project' which, aimed to tackle incidences of juvenile arson and youth film and media projects.

The programme for 2011/12 included a proposed community radio project that subject to funding, would work towards introducing a mobile studio covering the whole district culminating in a two week local radio broadcast which would report upon a variety of community issues. Other developments included the 'Make Create' arts and crafts programme that was specifically targeted to the elderly members of the community.

EXECUTIVE

Members raised concerns in respect of this year's restricted Bolsover Lantern Parade which had been contained within the Bolsover Castle grounds. It was added that better communication links to Parish Councils should be put in place and consideration given to the spread of participation of community groups. Further questions were raised in respect of the proposed community radio project to which Mr. Witts responded.

Moved by Councillor A. Syrett, seconded by Councillor D. McGregor
RESOLVED that (1) the 2nd stage payment for 2011/12 totalling £8,000 be approved;

(2) the proposed annual plan for 2012/13 be approved, subject to Council approval of on-going core-funding and a report of Grants to Voluntary Organisations scheduled for January 2012.

REASON FOR DECISION: To release the 2nd stage payment to Junction Arts.

(Head of Leisure)

P. Steele and A. Aubrey (Junction Arts) left the meeting.

The Chief Executive's and Partnership Manager and Arts Development Officer left the meeting.

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

Moved by Councillor E. Watts, seconded by Councillor A. 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 item of business on the grounds that it involves 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.

679. PERMISSION FOR TENDER FOR STREET SCENE WORKS EXEMPT – PARAGRAPH 3

The Head of Community and Street Services provided a presentation to Executive to seek permission to tender for street scene works. These included maintenance of closed churchyards, the assisted garden scheme and backline/frontline weeding. The report recommended that the tender be let to a

EXECUTIVE

not for profit organisation, with the successful tenderer being required to demonstrate the community benefit and added value they could provide, including increasing volunteering opportunities and upskilling local people.

Members welcomed the proposals and asked questions in respect of the various options to be considered, to which the Head of Shared Procurement responded.

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

RESOLVED that (1) tenders be invited to secure a Not for Profit Organisation to carry out the Summer works as specified for the Street Scene service for a period of 5 years with a 2 year option using the non OJEU route (option b) utilising a voluntary transparency notice;

(2) The Director of Neighbourhoods, in consultation with the Chief Executive Officer, Leader, Deputy Leader and Portfolio Holder for the Environment be granted delegated powers to agree the final wording of the Specification for the works and open tenders.

REASON FOR DECISION: To enable the tender process for Street Scene works to be commenced.

(Head of Community and Street Services)

Moved by Councillor D. McGregor, seconded by Councillor B.R. Murray-Carr
RESOLVED that the meeting return to open business.

The Head of Shared Procurement left the meeting.

OPEN ITEMS

Councillors K. Bowman, D. Kelly, D. McGregor, B.R. Murray-Carr, A. Tomlinson and E. Watts declared a personal interest in the following item.

680. LIMESTONE JOURNEYS PARTNERSHIP AGREEMENT

The Portfolio Holder for Social Inclusion introduced the report to seek Executive agreement to sign up to the Limestone Journeys Partnership Agreement.

Members were advised that the Limestone Journeys Partnership, led by the Creswell Heritage Trust and supported by the Heritage Lottery Fund, was seeking in kind match funding from the Authority for works associated with

EXECUTIVE

landscape and interpretation projects. The Authority had been approached to sign up and commit to a formal joint working arrangement with a number of partner organisations. Following revisions to the original proposed terms Members were advised that any financial risks to the Authority associated with the proposals were now significantly reduced. Proposed projects to be delivered by Bolsover District Council Leisure Officers were outlined in the report including the in kind contribution that the Authority would be required to provide.

Moved by Councillor A. Syrett, seconded by E. Watts

RESOLVED that the Chief Executive Officer, on behalf of the Council, signs up to the agreement to help ensure the aims and objectives of the partnership and scheme are realised for the benefit of the communities within Bolsover District.

REASON FOR DECISION: **To help improve the access to the District's landscape heritage in an inclusive, relevant and enjoyable way which will assist with the economic and social regeneration in an area with high levels of multiple deprivation.**

(Chief Executive Officer/Head of Leisure Services)

The Building and Contracts Manager joined the meeting during the following item.

681. AIMING HIGH CAPITAL GRANT – REPLACEMENT JETTY AT PLEASLEY VALE OUTDOOR ACTIVITY CENTRE

The Portfolio Holder for Social Inclusion introduced the report to seek Executive approval to accept an Aiming High for Disabled Children Grant and to seek agreement to tender for a replacement jetty and associated works at Pleasley Vale Outdoor Activity Centre.

The Director of Health and Wellbeing advised Members that a grant of £93,500 had been offered by Derbyshire County Council for Aiming High for Disabled Children which provided funding for projects designed for disabled children and their families. The proposed scheme would provide better disabled access for water based activities, including the construction of a new jetty and associated works. Subject to planning approval, contracts were required to be let and works completed by the end of March 2012 to comply with the terms of the funding.

Members raised concerns in respect of the timeframe for planning permissions to be granted. The Director of Health and Well Being responded that a planning

EXECUTIVE

application had been submitted and whilst the time restrictions were tight, the deadline could be achieved.

A further report would be provided to Members in respect of repairs and re-watering of the mill pond.

Moved by Councillor A. Syrett, seconded by Councillor D. McGregor

RESOLVED that (1) the offer of a £93,000 Aiming High for Disabled Children Grant be accepted;

(2) the tender process be streamlined to allow works to proceed without undue delay in accordance with contract standing orders;

(3) should planning permission and other consents not be granted in time for the project to be completed by 31st March 2012 that authority be given to the Director of Health and Wellbeing to decline the offer of funding;

(4) delegated powers be granted to the Head of Leisure to amend the scheme as necessary to deal with other risks such as weather and increased costs.

REASON FOR DECISION: In order to allow the development of an accessible jetty/floating pontoon at Pleasley Vale Outdoor Activity Centre.

(Director of Health and Well Being/Head of Leisure)

The Head of Leisure left the meeting at this point.

682. DISPOSAL OF GOODS AND OFFICE FURNITURE

The Portfolio Holder for Regeneration introduced the report which sought Members' approval to dispose of spare items of furniture.

The Building and Contracts Manager added that approval was also sought for the clearing of commercial premises where tenants had been evicted for non payment of rent.

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

RESOLVED that Executive give Authority to allow furniture and commercial property clearance items to be sent to auction for disposal.

EXECUTIVE

REASON FOR DECISION: In order to make best use of surplus Council resources.

(Building and Contracts Manager)

The Building and Contracts Manager left the meeting.

Councillors Dooley and Wallis and the Head of Customer Service and Performance joined the meeting during the following item.

683. RECOMMENDED ITEM FROM SAFE AND INCLUSIVE SCRUTINY COMMITTEE – PATCH MANAGEMENT POLICIES – RUNNING A BUSINESS FROM HOME AND ILLEGAL OCCUPIERS

The Director of Neighbourhoods presented the report to seek Executive approval of the Running a Business from Home policy, which sought to clarify when permission to work from a council property would be withheld. The Illegal Occupiers policy was concerned with the process for removal of squatters in Council properties.

Members raised concerns that there was no provision built into the policy for local ward councillors to be notified of any issues. The Director of Neighbourhoods agreed to include notification of Members in the policy.

Moved by Councillor E. Watts, seconded by Councillor D. McGregor
RESOLVED that (1) the Illegal Occupiers policy be adopted;

(2) the Working from Home Policy be adopted.

REASON FOR DECISION: To implement policies in respect of Illegal Occupiers and Working from Home.

(Head of Housing)

684. SHARED SERVICES SCRUTINY

Councillor Dooley, Chair of Scrutiny Management Board, introduced the report and handed to Councillor Wallis for an update. The report considered future scrutiny arrangements for the three shared services of Building Control, Procurement and Internal Audit following the pilot.

Members asked questions to which Councillor Wallis responded.

EXECUTIVE

Moved by Councillor D. McGregor, seconded by Councillor A. Syrett

RESOLVED that the Executive note the intention to formalise the pilot arrangements for the Shared Services Scrutiny Panel to scrutinise the provision of joint services between the three councils, Bolsover District Council, Chesterfield Borough Council and North East Derbyshire District Council.

REASON FOR DECISION: **Consideration and noting of a Scrutiny report to formalise the joint scrutiny arrangements across the 3 Councils.**

Councillors Dooley and Wallis left the meeting.

685. CHANNEL STRATEGY 2011-2013

The Head of Customer Service and Performance presented the report to seek Executive approval of the Channel Strategy 2011-2013.

The implementation of the Channel Strategy by December 2011 had been a Corporate Plan Target and whilst there was no legal requirement its implementation was considered good practice.

Considerable consultation had been undertaken. The purpose of the strategy was not to replace provision of face to face contact but to identify the most cost effective channels for customers to contact the council and offer a variety of communication channels and choice.

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

RESOLVED that the Channel Strategy 2011-2013 be approved.

REASON FOR DECISION: **Decision within the function of Executive.**

(Head of Customer Service and Performance)

The Head of Customer Service and Performance left the meeting.

The Head of Shared Procurement joined the meeting during the following minute.

EXECUTIVE

686. ICT INVESTMENT PLANS

The Portfolio Holder for Corporate Efficiency presented the report to seek Executive approval of essential investments and proposed expenditure requirements to 2015 in respect of the Council's ICT. The Portfolio Holder for Corporate Efficiency noted that the report had not been previously provided to him prior to its submission to the Executive.

Members raised concerns regarding the programme of laptop replacements for Councillors not before a period of 4 years and software that would be unsupported by 2014. The Portfolio Holder for Corporate Efficiencies was requested to relay Members' concerns to the Head of Shared ICT.

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

RESOLVED that (1) the essential investments detailed in the appendix to the report in respect of 2011-12 be approved;

(2) proposed expenditure requirements for years 2012-13 through to 2014-15 are noted and options for funding be considered as part of the development of the Council's Medium Term Financial Plan.

(3) Executive receive an annual report on expenditure along with any revisions to the 5 year investment plan.

REASON FOR DECISION: To ensure that the Council has the ICT tools needed.

(Head of Shared ICT)

687. WORKING NEIGHBOURHOODS FUND MONITORING REPORT – QUARTER 2 UPDATE

The Chair presented the report to provide information to Members on quarter 2 of the Working Neighbourhoods Fund.

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

RESOLVED that the report be received.

REASON FOR DECISION: To ensure that WNF is targeted to best effect.

(Chief Executive's and Partnership Manager)

EXECUTIVE

688. 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 item 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 Director of Development and Housing Strategy and Enabling Manager joined the meeting during the following item.

689. SHARED PROCUREMENT UNIT – TENDERS UPDATE EXEMPT – PARAGRAPH 3

The Head of Shared Procurement presented the report to seek Members' approval of historical tenders.

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

RESOLVED that (1) the entering of a contract with Octavian Continental for Pleasley Vale Mills Security Services, as shown at 2.0 of the report be approved;

(2) the entering of a contract with Elite Cleaning and Environmental Services for cleaning of communal areas at Pleasley Vale Mills, as shown at 3.0 of the report be approved;

(3) the entering of a contract with Security Plus for security carrier services, as shown at 4.0 of the report be approved;

(4) the entering of a contract with Dark Scaffolding for scaffolding services, as shown at 5.0 of the report be approved.

REASON FOR DECISION: To secure best value on a cost and quality basis.

(Head of Shared Procurement)

EXECUTIVE

690. CCTV MONITORING AND HARDWARE TENDER EXEMPT – PARAGRAPH 3

The Portfolio Holder for Community Safety presented the report to seek approval to commence a tendering process for the supply of CCTV hardware and monitoring services.

The Head of Community and Street Services advised Members of current CCTV arrangements at Council premises and future proposals. Bolsover and Bassetlaw Councils would meet shortly to discuss the joint tender.

Members discussed the value for money and potential crime prevention advantages and disadvantages of CCTV.

Moved by Councillor B.R. Murray-Carr, seconded by Councillor D. McGregor
RESOLVED that (1) OJEU tender for the supply of CCTV Hardware and Monitoring Services is commenced;

(2) the OJEU advert is worded so that other local authorities can access the concluded contract either immediately or at a later date;

(3) Transition Grant funding is provided for the new cameras at Clowne and Doe Lea Depot (Riverside);

(4) it be agreed to monitor the Tibshelf cameras within the Partnership, if the Parish continue with the purchase, but on condition that the annual service charge which Tibshelf Parish Council saves by doing this, is paid to the Council. (Circa £1,500);

(5) Delegated powers be granted to the Director of Neighbourhoods in consultation with the Chief Executive Officer, Leader and Deputy Leader of the Council and Portfolio Holder for Community Safety to make any changes to the procurement to ensure value for money.

REASON FOR DECISION: To ensure that the Council has a modern, fit for purpose, value for money CCTV system in areas where ASB is worst.

(Head of Community and Street Services)

Councillor Watts left the meeting.

EXECUTIVE

Councillor A. Tomlinson in the Chair

691. TARRAN BUNGALOW REDEVELOPMENT EXEMPT – PARAGRAPH 3

The Housing Strategy and Enabling Manager presented the report to update Members on the Tarran bungalow redevelopment proposals and to seek Members' approval to make an application to the Secretary of State to release HRA land at Langwith Junction.

The Portfolio Holder for Housing Management commented that consultation and decant arrangements for previous schemes had been excellent with positive feedback being received from residents.

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

RESOLVED that (1) an application to the Secretary of State for Communities and Local Government under section 32 of the Housing Act 1985 for the disposal of the land at Langwith Junction shown at Appendix D be made;

(2) delegated powers be given to the Chief Executive Officer in consultation with the Deputy Leader and Portfolio Holder for Housing Management to enter into any agreement and/or incur expenditure incidental and ancillary to the development of the Tarran bungalow sites;

(3) 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 on the basis that the Landlord Service is losing rent on vacant decant properties and Kier Partnership Homes receive 75% HCA grant up front for start on sites before March 31st 2012 - thereby assisting with the Council's own cash flow and in terms of contract payments;

(4) the purchase of 21 bungalows on the Langwith Junction site using HRA monies be approved;

(5) surplus Oxcroft Tarran decant budget totalling £39,000 for use at Langwith Junction be approved;

(6) payment of £4,700 Homeloss and Disturbance to one householder agreeing to move to Shirebrook Town Centre be approved;

EXECUTIVE

(7) gifting of Haddon Place access identified at Appendix C and valued at £1,750 at Appendix E to owner occupier at 10 Haddon Place be approved, subject to approval of a stopping up order;

(8) the appointment of employer's agent as outlined in the report be approved.

(9) the transfer of housing land shown hatched on Appendix D to Kier Partnership Homes as described in the report be approved.

REASON FOR DECISION: **to enable the Tarran Bungalow
Redevelopment at Langwith Junction to
proceed.**

(Director of Development)

The meeting concluded at 1310 hours.