

EXECUTIVE

Minutes of a meeting of the Executive of Bolsover District Council held in Committee Room One, Sherwood Lodge, Bolsover, on Monday 5th March 2012 at 1000 hours.

PRESENT:-

Councillor E. Watts – Chair

Members:-

Councillors K. Bowman (from minute no.952), D. Kelly, D. McGregor and A.M. Syrett.

Also in attendance was Councillor M. Dooley (to minute no. 944)

Officers:-

W. Lumley (Chief Executive Officer), K. Hopkinson (Director of Development) (to minute no. 946), B. Mason (Director of Corporate Resources), S. Tomlinson (Director of Neighbourhoods), S.E.A. Sternberg (Solicitor to the Council and Monitoring Officer), S. Chambers (Communications Officer), G. Galloway (Building and Contracts Manager) (to minute no. 946), M. Broughton (Commercial Property and Developments Manager) (to minute no. 946), M. Baker (Principal Building Surveyor) (from minute no. 951), B. Truswell (Head of Shared Procurement) (from minute no. 949) and R. Leadbeater (Democratic Services Officer).

938. CHANGE IN THE ORDER OF BUSINESS

The Chair consented to a change in the Order of Business to facilitate officers needing to leave for later appointments.

939. APOLOGIES

Apologies were received from Councillors K. Bowman and A. F. Tomlinson and from P. Hackett (Director of Health and Well Being).

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940. URGENT ITEMS OF BUSINESS

There were no urgent items of business.

941. DECLARATION OF INTEREST

Minute No.	Councillor	Level of Interest
945.	B.R. Murray-Carr	Personal

942. MINUTES – 6TH FEBRUARY 2012

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

RESOLVED that the minutes of a meeting of the Executive held on 6th February 2012 be agreed as a true record.

943. REPORT FROM THE REVIEW OF YOUTH FACILITIES, OPPORTUNITIES AND PERCEPTIONS OF YOUNG PEOPLE – SAFE AND INCLUSIVE SCRUTINY COMMITTEE

Councillor Dooley, Chair of the Safe and Inclusive Scrutiny Committee, presented the report to inform Executive of the outcome of the review undertaken of youth facilities and to request a response to the Scrutiny Committee's recommendations.

Provision of youth facilities was first identified as an area for review by the Scrutiny Conference in 2011. Issues had also been raised by Youth Council members who were concerned about general perceptions of young people. The review set out to consider current working practices and work of partners with a view to identifying best practice, alternative ways of working and a more co-ordinated approach to services for young people.

Executive noted the report and recommendations included therein. Concerns were raised over the potential impact of proposed changes to the Youth Service announced by Derbyshire County Council. It was added that this was likely to have a major effect in terms of what provision was available. It was noted that the reduction in service provision may influence whether recommendation three of the Scrutiny Committee's report, which suggested that Leisure Services co-ordinate with Derbyshire County Council Youth Services to receive training in the referral process, could be pursued. Members noted some significant variances

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between youth facilities provided by Parish Councils and suggested that further liaison with Parish Councils may be appropriate.

The Director of Neighbourhoods drew Members' attention to the draft response to Derbyshire County Council in relation to the proposed Youth Service cuts that had been previously circulated. Members agreed that this letter should be sent from the Leader of the Council.

Moved by Councillor B.R. Murray Carr, seconded by Councillor D. McGregor
RESOLVED that (1) the draft response to Derbyshire County Council in relation to Youth Service cuts be sent from the Leader of the Council;

(2) the recommendations as set out in the report be noted.

(3) the responses of the Executive be noted by Safe and Inclusive Scrutiny Committee in order that an action plan is drawn up to monitor implementation.

(Chair of Safe and Inclusive Scrutiny Committee)

Councillor Dooley left the meeting.

944. 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 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.

945. PROJECT HORIZON – MARCH 2012 EXEMPT – PARAGRAPH 3

The Director of Development presented the report to inform Members of progress and potential impacts of the proposed sale of the Bolsover Council Offices, acquisition of Clowne College and creation of a new Bolsover mini-hub and to seek delegated authority to enter into associated sale and leasing agreements.

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The detailed business case including capital receipts, estimated capital costs, and forecast net revenue gains was displayed in the meeting for Members' information, along with the proposed external and internal layouts for the Sherwood Lodge development, Clowne Campus site and Bolsover mini-hub. Members were reminded that the development of Sherwood Lodge was still subject to planning consent and until the contracts with Chesterfield College and Morrisons are signed the information provided should be considered commercially sensitive. The Bolsover mini-hub was proposed to accommodate the new Bolsover Contact Centre, Police Station and other partners within the town centre.

Councillor Murray-Carr declared a personal interest in this item as a Member of Shirebrook Town Council.

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

RESOLVED that (1) delegated authority is given to the Director of Development in consultation with Chief Executive Officer, Leader and Deputy Leader to enter into an agreement to sell the Sherwood Lodge development site to Morrisons (Optimisation Developments Ltd).

(2) delegated authority is given to the Director of Development in consultation with Chief Executive Officer, Leader and Deputy Leader to enter into any agreement and/or incur expenditure incidental and ancillary to the disposal of Sherwood Lodge, Bolsover Mini-hub and the relocation to the Clowne Campus site.

(3) the existing Clowne Contact Centre be closed at an appropriate date and promoted as lettable space

(4) delegated authority is given to the Director of Development to enter into a lease agreement for the Clowne Contact Centre premises.

(5) surplus space at Clowne Campus be maximised and promoted as lettable space and delegated authority is granted to the Director of Development to enter into a lease agreement for the surplus space.

(6) the ICT investment required to effectively re-locate to Clowne Campus is acknowledged including essential upgrade.

(7) Standing Orders be suspended, for the reasons relating to risk as set out in the report, to enable Optimisation Developments Ltd to construct the Mini-hub and to contract with Race Cottam Associates for the design team activities in relation to the development of the Bolsover Mini-hub

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RECOMMENDED that (8) Council approves the expenditure in accordance with the report and associated presentation, to develop new Council premises in Bolsover, Convert/refurbish Clowne Campus, Partner relocation costs and Council relocation costs.

(Director of Development/Head of Democratic Services)

REASON FOR DECISION: **In order to develop vibrant town centres and flourishing rural communities in this case Bolsover town centre.**

The Director of Development, Building and Contracts Manager and Commercial Property and Developments Manager left the meeting.

PART ONE – OPEN ITEMS

946. ARREARS – IRRECOVERABLE ITEMS OVER £1,000

The Director of Corporate Resources presented the report to request Executive approval to write off irrecoverable items.

Members' were advised that the majority of the amount to be written off was as a result of bankruptcy.

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

RESOLVED that approval is given to write off the irrecoverable items including costs amounting to £134,306.79 with the proviso that should any of the debts become collectable the amounts be re-debited.

REASON FOR DECISION: **In order that outstanding debts be written off.**

(Director of Corporate Resources)

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947. 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 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.

948. ARREARS - IRRECOVERABLE ITEMS OVER £1,000 EXEMPT – PARAGRAPH 3

The Director of Corporate Resources presented the report to request Executive approval to write off irrecoverable items.

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

RESOLVED that approval is given to write off the irrecoverable items including costs amounting to £42,600.97 with the proviso that should any of the debts become collectable the amounts be re-debited.

REASON FOR DECISION: In order that outstanding debts be written off.

(Director of Corporate Resources)

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

949. RETROSPECTIVE APPROVAL FOR THE USE OF THE CHIEF EXECUTIVE OFFICER'S DELEGATED POWERS IN RELATION TO THE PROCUREMENT OF WORKS TO INSTALL A REPLACEMENT JETTY AT PLEASLEY VALE OUTDOOR ACTIVITY CENTRE. EXEMPT – PARAGRAPH 3

The Portfolio Holder for Social Inclusion presented the report to seek retrospective approval of the Chief Executive Officer's decision under delegated powers to approve a scheme to replace the jetty at Pleasley Vale Outdoor Activity Centre. As the funding for the project was subject to a 31st March 2012 completion date, the decision to award the tender to the approved contractor had been taken under the Chief Executive Officer's delegated powers.

Members were advised that the project was on target for completion.

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

RESOLVED that consideration of the tender evaluation and award of contract under the delegated powers in the Chief Executive Officers' delegation scheme 2 (b) (ii) (of 4.10.1 of the Council's Constitution) be approved.

REASON FOR DECISION: **In order to allow the development of an accessible jetty/floating pontoon at Pleasley Vale Outdoor Activity Centre with grant funding that has been received.**

(Head of Leisure)

950. TENDER EVALUATION OUTCOME – WORK FOR YOURSELF PROGRAMME EXEMPT – PARAGRAPH 3

The Head of Procurement presented the report to advise Members of the outcome of a tender evaluation exercise for the Work for Yourself Programme and to seek approval of the tender award. This project was funded by European Regional Development funding and provided business start up help for people with disabilities.

Two tenders were received before the deadline and were evaluated on a cost and quality basis.

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

RESOLVED that the contract be awarded to Disability Dynamics on the basis of a three year contract with no option to extend.

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

(Head of Shared Procurement)

The Principal Building Surveyor joined the meeting during the following item.

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951. TENDER EVALUATION OUTCOME – SUMMER STREETSCENE WORKS EXEMPT – PARAGRAPH 3

The Head of Shared Procurement presented the report to advise Members of the outcome of a tender evaluation exercise and to seek approval of the tender award. Tenders had been invited for the Summer Street Scene works specifically from third sector organisations that could provide added social benefits when carrying out the service.

Six tenders were received by the due date but only two were fully evaluated on a cost and quality basis and whether the required social benefits could be provided. The remaining four tenders were so much higher than the budget estimate that they could not be considered viable.

The Director of Neighbourhoods drew Members' attention to the bids received. As the lowest priced bid was over the estimated budget available for the project, Members were asked to consider whether there was evidence of sufficient added value to warrant the extra cost. Options to meet the additional cost for the first year were outlined in the report by the Director of Neighbourhoods.

Following discussion, Members requested that the Director of Neighbourhoods consider where the specification could be modified and request revised tenders be submitted to enable the works to be delivered within the estimated budget. Alternatively, the Director of Neighbourhoods already has delegated powers to appoint seasonal workers to undertake the works but if this option was followed, this would result in a slight delay in preparing for the cutting season. Due to time constraints, it was agreed that decision on the award of the contract following the submission of revised bids be delegated to the Director of Neighbourhoods.

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

RESOLVED that the Director of Neighbourhoods, in consultation with the Chief Executive Officer, Leader, Deputy Leader and Portfolio Holder for the Environment, be given delegated powers to award the Summer Street Scene contract to the preferred bidder, following submission of revised tenders.

REASON FOR DECISION: To ensure the cost of the Summer Street Scene works is within the estimated budget.

(Director of Neighbourhoods)

Councillor K. Bowman joined the meeting.

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952. TENDER EVALUATION OUTCOME – WOBURN HOUSE LEGIONELLA WORKS. EXEMPT – PARAGRAPH 3

The Principal Building Surveyor presented the report to advise Members of the outcome of a tender evaluation exercise and to seek approval of the tender award. Tenders had been invited for works to 30 flats requiring alterations due to potential legionella problems from the current water storage method.

Three tenders were received before the deadline and were evaluated on a cost and quality basis. The estimated timescale that the project could be delivered within, the programme of works and the experience of each bidder in this type of work were also taken into consideration in the evaluation process.

Moved by Councillor D. McGregor, seconded by Councillor D. Kelly
RESOLVED that the contract be awarded to Neil Shacklocks Limited.

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

(Principal Building Surveyor/Head of Shared Procurement)

The meeting concluded at 1143 hours.