

The Arc
High Street
Clowne
Derbyshire
S43 4JY

Date: 2 May 2013

Dear Sir or Madam,

You are hereby summoned to attend a meeting of the Executive of Bolsover District Council to be held in Chamber Suites 1 and 2, The Arc, Clowne, on Tuesday 14th May 2013 at 1000 hours.

Register of Members' Interests - Members are reminded that a Member must within 28 days of becoming aware of any changes to their Disclosable Pecuniary Interests provide written notification to the Authority's Monitoring Officer.


You will find the contents of the agenda itemised on pages 2 to 3.

Yours faithfully,

Chief Executive Officer
To: Chairman & Members of the Executive

ACCESS FOR ALL

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INVESTORS IN PEOPLE

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Chief Executive Officer: Wes Lumley, B.Sc., F.C.C.A.
The Arc, High Street, Clowne, Derbyshire, S43 4JY



The Government Standard

EXECUTIVE AGENDA

Tuesday 14th May 2013 at 1000 hours
Council Chamber Suites 1 & 2, The Arc, Clowne

Item No.		Page No.(s)
	PART 1 – OPEN ITEMS	
1.	Apologies for absence	
2.	Urgent Items of Business To note any urgent items of business which the Chairman has consented to being considered under the provisions of Section 100(B) 4(b) of the Local Government Act 1972.	
3.	Declarations of Interest Members should declare the existence and nature of any Disclosable Pecuniary Interest and Non Statutory Interest as defined by the Members' Code of Conduct 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.	
4.	Minutes To approve the Minutes of a meeting of the Executive held on 8 th April 2013.	Previously circulated
5.	Recommended Items From Other Standing Committees Recommended item from Improvement Scrutiny Committee held on 2 April 2013 – Min No 1062 – Contact Centre Recommendations on page 4	4-8
6.	Sustainable Communities Scrutiny Committee Review of Pleasley Vale Mills Recommendations on page 10	9-25
7.	Compliments, Comments and Complaints Quarterly Report (Quarter 4) Recommendation on page 28	26-50

8.	Information Requests - October 2012 to March 2013 <i>Recommendation on page 53</i>	51-83
9.*	Anti Social Behaviour Policy <i>Recommendation on page 85</i>	84-105
10.	East Midlands Declaration on Affordable Housing <i>Recommendation on page 108</i>	106-110
11.	Housing Services - Quarterly Update <i>Recommendation on page 112</i>	111 - 121
12.	Appointment of Planning Consultant to provide support for Local Plan Public Hearing <i>Recommendation on page 124</i>	122-124
13.	Strategic Risk Register <i>Recommendations on page 128</i>	125-133

PART 2 – EXEMPT ITEMS

The Local Government (Access to Information) Act 1985, Local Government Act 1972, Part 1, Schedule 12a.

Paragraph 3

14.*	Tender Evaluation Outcome – Out of Hours Contract	To Follow
15.*	Tender Evaluation Outcome – Minor Works Framework Contract for Surfacing	To Follow
16.*	Tender Evaluation Outcome – Minor Works Framework Contract for Drains Repairs	To Follow

* Denotes Key Decision

Recommended Item from Improvement Scrutiny Committee held on 2nd April 2013

1062. INFORMAL NOTES OF THE IMPROVEMENT SCRUTINY COMMITTEE HELD ON 6TH MARCH 2013

The Scrutiny Officer explained that although the review of Mobile Working had been put on hold until after the installation of the vehicle trackers, there were two recommendations that Members wished to be forwarded to the Executive following the presentation on the role of the Contact Centre Staff.

Members had raised concerns that appointments with Repairs Inspectors were unable to be made through the CRM system by the Customer Service Advisors, even though the system was set up to enable these appointments to be made and that once the job had been passed to Housing, the CRM system listed the job as 'complete' which was misleading to Members and the public when calling for an update. Members were advised at the time that the Customer Service Advisors would simply not advise a customer that their job was 'complete' as this term only referred to the CRM system. It was suggested that 'job with housing' would be a more appropriate phrase to use on the system and would not result in any confusion should a customer request an update on their repair.

Moved by Councillor M.G. Crane and seconded by Councillor R. Turner
RECOMMENDED that (1) the Executive give consideration to allowing Contact Centre Advisors the ability to book appointments with Repairs Inspectors, removing a delay to the customer in receiving details of an appointment.

(2) the Executive give consideration to altering the wording within the system from 'complete' to 'Job with Housing' to avoid confusion.

(Scrutiny Officer/Principal Governance Officer)

Notes of an Informal meeting of the Improvement Scrutiny Committee of the Bolsover District Council held in Chamber Suite 1, The Arc, Clowne, on Wednesday 6th March 2013 at 1030 hours.

PRESENT:-

Members:-

Councillor H. Gilmour in the Chair

Councillors P.M. Bowmer, R. Brooks, J.A. Clifton, T. Cook, R. Heffer, J.E. Smith and R. Turner.

Also in attendance with the permission of the Chair was Councillor K. Bowman.

Officers:-

C. Millington (Scrutiny Officer) and A. Brownsword (Democratic Services Officer)

Also in attendance with the permission of the Chair were A. Westray-Chapman (Assistant Director of Resources) and S. Banner (Contact Centre Manager - Bolsover).

1. REVIEW OF MOBILE WORKING

The Assistant Director of Resources and the Contact Centre Manager - Bolsover gave a presentation which detailed the part of the Contact Centre staff when booking appointments in the Mobile Working system.

The presentation looked at:

Contact Centre/Access options

Contact Centre Activity and it was noted that 31.5% of telephone activity was on behalf of Housing Repairs in 2011/12

Telephone Wrap Up Reasons

Contact Centre Activity, it was noted that it took approximately four minutes to raise an appointment through the system.

The Customer Contact Manager held Annual Review meetings with the relevant department to look at the statement of shared aims and was proactive in ensuring that the scripts were relevant.

Customer Satisfaction, External surveys were held every two years, internal surveys were held and a question had been placed on the satisfaction survey customers were asked to complete on the PDA's when a repair had taken place. The Contact Centres also took part in the National Customer Service Week.

In terms of External Customer Satisfaction, Members noted that the staff were very stretched, due to sickness and annual leave and this had resulted in a reduced level of service in place with the agreement of the Chief Executive Officer, Director of Resources, Leader and Deputy Leader.

Councillor Clifton asked what the External Customer Satisfaction target was and it was explained that the target was in line with the government target of 56.7%, but it was felt that this was very low and Bolsover District Council had higher aspirations and were trying to manage even though under resourced.

Internal Satisfaction figures showed a 90% satisfaction rate and Councillor Brooks asked how it had been achieved in only 4 years. The Assistant Director of Resources attributed the increase in customer satisfaction to the hard work of all the staff and the measures put in place by the Customer Contact Manager, including training and service review meetings.

The Contact Centre Manager - Bolsover noted that time had been taken to build relationships with the departments and to create CRM scripts that worked for the Contact Centre Staff and the departments.

Councillor Smith asked whether there was any follow up through the CRM system to ensure that jobs had been done and the Contact Centre Manager - Bolsover noted that some scripts had a second and third stage.

Councillor Clifton asked whether the wording could be altered as sometimes the CRM system said that a job was complete, when what it actually meant was that the job was complete in the CRM system, not that the job has actually been done. The Director of Resources noted that this could be looked at.

According to the Customer Satisfaction Survey carried out on the Repair Operatives PDA's, the satisfaction rate was 100%, however the figures for the Contact Centre question could not be extrapolated. Members felt it would be useful to get the figures of how many completed the questionnaire and from how many jobs.

In terms of the future, the Assistant Director of Resources explained that there were still issues regarding adequate time for training, skill development and script development. Departments needed to communicate any changes to the Contact Centres to ensure that scripts stayed current. The Contact Centres had limited resources and issues such as Welfare Reforms would impact on these resources.

It would also be good to be able to book appointments for the Repairs Coordinators. The technology was in place, but was not currently done. This could help reduce avoidable contact.

The Contact Centre Manager - Bolsover then gave a demonstration on the systems used to create appointments within the housing repairs system.

The Assistant Director of Resources and the Contact Centre Manager - Bolsover left the meeting.

The Scrutiny Officer explained that although there had been a few more complaints, they were on the same issues as previously. Of the repairs carried out, there had only been complaints regarding 0.3% and asked how much weight should be given to them.

Councillor Heffer felt that Mobile Working had been supposed to cut down on the number of vehicles at properties, but he had recently seen a job where there were three or four vehicles at one property. The review should still take place.

Councillor Clifton noted that the decision to put vehicle trackers on repairs vehicles had only just been made and there would be no meaningful data for at least six months.

The Scrutiny Officer felt that if the review was put on hold until next year, the data from the vehicle trackers could be looked at along with the results of the tenants survey.

Councillor Smith asked whether the review should be put on hold for six months.

The Chair suggested that to avoid repeating the work done so far, a report be submitted to the Executive with a recommendation to enable Contact Centres to make appointments with Repairs Inspectors and to alter the wording of completed jobs in CRM.

2. REVIEW OF VOID PROPERTIES

The Chair asked the meeting whether the review should be begun now.

Councillor Clifton explained that the figures were on PERFORM and it was interesting how the system could be interrogated. He felt that it would be helpful if the Performance and Quality Officer gave a demonstration on the PERFORM system.

The Scrutiny Officer noted that in the Corporate Performance report, the void target was consistently reported as 'on track' to reduce the days left void to 22, but the actual days were much higher. It was asked whether the Housing department should be invited to explain the figures to the Working Group.

Members felt that it would be useful to speak to the Housing Department.

The meeting concluded at 1145 hours.

Committee:	Executive	Agenda Item No.:	6
Date:	14 th May 2013	Category	2
Subject:	Sustainable Communities Scrutiny Committee Review of Pleasley Vale Mills	Status	Open
Report by:	Councillor Karl Reid, Chair of the Sustainable Communities Scrutiny Committee		
Other Officers involved:	Scrutiny Officer		
Directors	Director of Development and Director of Health and Wellbeing		
Relevant Portfolio Holders	Councillor A Tomlinson, Portfolio Member for Regeneration Councillor A Syrett, Portfolio Member for Social Inclusion		

RELEVANT CORPORATE AIMS

Make the District a more attractive place to live, work and visit.

TARGETS

N/A

VALUE FOR MONEY

It is anticipated that the recommendations detailed within the report will provide simplification, a clear direction and a better overall management of the Pleasley Vale site.

THE REPORT

The Sustainable Communities Scrutiny Committee has completed its review on the future of Pleasley Vale Mills.

The aims and objectives of the review were to understand how the site was currently used including take up of rental space, take up of leisure activities/facilities, income and expenditure to the Authority and to understand the historical importance of the site.

A review of Pleasley Vale was suggested at the 2012 Annual Scrutiny Conference.

ISSUES FOR CONSIDERATION

The Sustainable Communities Scrutiny Committee has made seven recommendations based on evidence gathered during the review. The comments of the relevant Portfolio Holders and Directors were sought prior to the final report being approved by the Scrutiny Management Board.

IMPLICATIONS

Financial: None identified
Legal: None identified
Human Resources: None identified

RECOMMENDATION(S)

- 1. That the Executive consider the Sustainable Communities Scrutiny Committee recommendations set out in the report of The Future of Pleasley Vale Mills Scrutiny Review.**
- 2. That the Executive provide a response on the review recommendations within 6 weeks in accordance with the Scrutiny Procedure Rules in order that an improvement plan can be drawn up to monitor implementation of the recommendations.**

ATTACHMENT: Y
FILE REFERENCE:
SOURCE DOCUMENT: ***The future of Pleasley Vale Mills Scrutiny Review Report***

**BOLSOVER DISTRICT
COUNCIL**

**SUSTAINABLE
COMMUNITIES SCRUTINY
COMMITTEE**

**THE FUTURE OF
PLEASLEY VALE MILLS
SCRUTINY REVIEW**

April 2013

Contents

Chair's Foreword

1. Introduction
2. Recommendations
3. Scope of review
4. Method of review
5. Evidence
6. Key findings
7. Conclusions

Foreword by Councillor Karl Reid Chair of the Sustainable Communities Scrutiny Committee

I am pleased to present this report which concludes the Sustainable Communities Scrutiny Committee's review of Pleasley Vale Mills.

Firstly I would like to thank all officers involved from both the Leisure and Regeneration Departments who have attended meetings at short notice and granted our requests for meetings and site visits at Pleasley Vale.

My thanks also go to our Scrutiny Officer and Democratic Services Officer for their support to the Committee throughout the review.

Finally my thanks to the Members of the Sustainable Communities Scrutiny Committee who have dedicated their time and travelled around for meetings where required to ensure that we could gather the evidence required to make our recommendations.

1. Introduction

Pleasley Vale has been the location for industry since at least 1797 and up until 1987 the mills were still in operation.

Bolsover District Council bought the mill buildings in 1992, using compulsory purchase powers. Grant funding was received to convert for use as offices and by light industry. There is 340,000 square feet of floor space across the three mills and provides rental accommodation for a variety of businesses ranging from a call centre, air craft parts and furniture manufacture.

In 2001 the Pleasley Vale Outdoor Activity Centre opened. Using grant funding and sponsorship, the Boathouse was opened in 2002 and was the Centres main operational base until 2009 when the former Greaseworks building was brought back into use using £250,000 funding secured from the New Opportunities Fund and the Coalfields Regeneration Trust. The Greaseworks became the new operational base for the Activity Centre offering a large multi-functional classroom area, changing rooms, office accommodation and storage space. The Outdoor Activity Centre boasts 174 acres of outdoor space.

Prior to this project, the former Greaseworks was an antisocial behaviour hub with drug misuse and vandalism in and around the building. In addition, the building and land posed a very serious contaminated land threat to the Authority. This project meant both of these serious issues would be addressed.

It was for these reasons and the obvious benefits that the centre could deliver on behalf of the Authority that it was agreed that the Greaseworks, pond and boathouse fall outside the remit of the business park and that it would not be included in the parks business planning.

2. Recommendations

- 2.1 Encourage a charity or charities to take up some available space within the Mill complex which will remove the business rate burden on the space that they occupy and result in some savings to the budget.**
- 2.2 A new set of legal documents be drafted which will speed up the process of tenancy agreements to assist tenants in signing up and moving into their accommodation quicker.**
- 2.3 The Regeneration Department be responsible for the management and upkeep of the whole Pleasley Vale site and the Asset Management Plan be updated to add the assets which are not currently included within the Plan, namely the former Greaseworks building and the mill pond.**
- 2.4 When the current security contract expires, the Authority considers whether costs can be saved by bringing the function in-house for future contracts.**
- 2.5 The suggestion of moving security to Mill 1 in order to free up the two lodges for sale be seriously considered, ensuring a security presence closer to the mills and potential income for the authority from the sale of the lodges.**
- 2.6 Marketing and advertising of the Outdoor Activity Centre must be improved in order to maximise participation and income.**
- 2.7 That the provision of residential accommodation within Bolsover District be thoroughly considered in order to attract tourism to the area.**

3. Scope of the review

The aims and objectives of the review were to consider the Business, Leisure and Tourism aspects of the site, to include the historical importance together with the income and expenditure to the Authority.

Members carried out the review with the following key issues in mind,

- Rental space – occupancy levels
- Usage and take up of leisure activities and facilities
- Income and expenditure to the Authority, bills/upkeep, etc

The Committee comprised the following Members,

Councillor Karl Reid (Chair)

Councillor Clare Munks (Vice Chair)

Councillor Toni Bennett

Councillor Rose Bowler

Councillor Steve Fritchley

Councillor Graham Parkin

Councillor Deborah Watson

Councillor Sue Wallis

Councillor George Webster

Councillor Jennifer Wilson

Support to the Committee was provided by the Scrutiny Officer and the Democratic Services Officer.

4. Method of review

The Committee met on five occasions to consider the scope of the review, key issues they wanted to discuss and the people they wished to interview.

The Committee sought written evidence by way of officer presentations, questioning and a site visit to the Mills to consider the business aspects of the site. A meeting was also held at the Greaseworks to consider the leisure aspect of the business together with future plans.

Attached at **Appendix 1** is a list of stakeholders involved in the review.

Equality and Diversity

Within the process of the review, the committee has taken into account the impact of equalities.

No adverse impacts have been identified.

5. Evidence

The following evidence was considered as part of the review:

- Pleasley Park and Vale Conservation area appraisal and management plan
- Site visit - Mills 1, 2 and 3
- Pleasley Vale Outdoor Activity Centre briefing paper
- Report to Executive – 28th May 2012 – repairs to Pleasley Vale Pond
- Site visit/meeting held at the Greaseworks
- Leisure presentation – Business Plan proposals
- Pleasley Vale Outdoor Activity Centre Draft Development plan 2012 to 2017

6. Key findings

General Findings

- There are five Grade II listed buildings within the Conservation Area of Pleasley Vale which include the two lodges at the entrance to the mill complex. The mill buildings are unlisted.

Pleasley Vale Business Centre

- The management of the business centre was brought in house in April 2011 which has resulted in £100k saving for the Authority.
- The business centre creates approximately 400 jobs and provides cheap rental accommodation at a cost of £2 per square foot. Alternative business centres across Derbyshire charge in the region of £15 per square foot.
- As at August 2012, the mills were 85% occupied which, in the current climate was a good achievement.
- The rental accommodation is advertised via an agent on a no win, no fee basis. This ensures that the business centre is advertised in places where the District Council wouldn't be able to advertise such as 'rightmove'. The Director of Development advised that a fee had been negotiated with the agents for 8% of the first years letting for a tenant or £500 for a very small unit. (The average commission would usually be 10%). Rental units are also advertised through the Councils own website, Business Bolsover.
- Tenants on the site are satisfied with the business centre and this is demonstrated by the fact that most of the new business that comes through is existing businesses expanding and requiring additional space.
- Some of the unoccupied space in the mills is used for storage by other council departments including the storage of ballot boxes which would otherwise incur charges for storage elsewhere. The relevant department is recharged for this service.
- Leisure Services have over the years occupied space in the mills that has been previously unlettable and have moved locations as and when new tenants have been sourced. Historically, rent has not been charged for the use of this space but rates have been paid by Leisure.
- In the past, a number of activities have taken place on the site including paintballing and ghost tours. The Authority has listened to the concerns raised by the Pleasley Park and Area Conservation

Committee regarding damage to the conservation area and these activities have stopped.

- The Business Centre is not fully accessible due to the layout of the mill buildings.

Pleasley Vale Outdoor Activity Centre

- The outdoor activity centre is only one of a few facilities in the Country that is fully accessible for disabled people. The former pump house has been transformed into a boat house with a £35,000.00 investment. The refurbishment included a wet room floor and specialised disabled facilities. A new jetty has also been built at a cost of £93,000.00. The new jetty was larger and wider than the previous one with a floating pontoon to enable safe operation with a disabled ramp and hoist.
- The former Greaseworks building was brought back into use in 2009 following a £250,000.00 funding grant and now serves as the operational base of the outdoor activity centre. The Greaseworks provides a venue for meetings and classroom activities is fully internet enabled and has ten laptops. There is a ground source heat pump in the car park which provides heat for the building. Projects taking place include;
 - History and Archaeology
 - Ecology
 - Nature Trails Network
 - Conservation
 - Outdoor Pursuits education
 - Live projects with Chesterfield College which includes repairs to the dry stone walls around the Activity Centre.
- The outdoor activity centre operates and maintains an AALA License (Adventurous Activities Licensing Authority) which only a handful of Local Authorities in the Country have. In order to obtain and retain such a license there are rigorous measures in place that need to be demonstrated including strict operating codes and procedures. This is audited regularly.
- Safety and operation is second to none and every session works on a strict instructor to pupil ratio. Activities are thoroughly risk assessed and the Outdoor Activity Centre is used as an example of best practice across the region.
- The activity areas are managed with rigid systems and procedures. The pond in outdoor recreation terms is a low risk, similarly with the climbing crags and both of these are at opposite ends of the Mill complex away from the businesses. Classroom activities are all

undertaken at the Greaseworks which again is well away from the business centre.

- The outdoor activity centre is largely self financing by generating income through fees and charges which cover the operating costs.
- The activity centre makes use of the woodland surrounding the Greaseworks that would otherwise incur maintenance costs to the Authority.

Areas and Opportunities for Improvement

Pleasley Vale Business Centre

- The mills will require some investment in future in order to keep the assets up to scratch. Members of the Sustainable Communities Scrutiny Committee commented during the site visit that the mills looked in good condition internally but not externally. The Committee was advised that the layout of the buildings caused some difficulties and would never be compliant with the Disability Discrimination Act (DDA). The Council's Asset Management Plan includes a survey of the mills.
- Business rates are still payable on unoccupied units and it was suggested that the Council should identify a Charities to occupy some of this space in order to remove the business rate burden on the Authority.
- Members were advised that the current set of documents used to sign up new tenants could be more efficient and it was suggested that a new set of legal documents be drafted which will speed up the process of tenancy agreements to assist tenants in signing up and moving into their accommodation sooner, resulting in the rental income being received by the Authority quicker.
- Security is provided by an external supplier twenty four hours a day, seven days a week at a cost of approximately £90,000.00 per annum. The contract expired in September 2012 and a new contractor was put in place in April 2013 at a cost of approximately £80,000.00. Members of the Committee questioned whether consideration should be given to bringing this function in house and whether this would create additional savings in future when the new contract expired. All tenants of the business centre pay a service charge which includes the services of maintenance and security.
- In the past, Leisure have offered up labour to clear vacated units in exchange for rent of available units which has resulted in savings to the Authority in clearance by an external company. There is no audit trail for the work undertaken in exchange for rent and Members stressed

the necessity for an audit trail for any future agreements. However, the fact that the teams had come to a mutual agreement and saved money for the Authority was commended.

It was suggested to the Committee that in future, it would be more appropriate for Leisure to lease an appropriate unit with rent payable. This way, Leisure is the same as any other tenant and is protected by a lease agreement.

- Members were advised of a suggestion to move security to Mill 1 and sell the two lodges. This would ensure that there is a security presence closer to the mills and provide an income for the authority with the sale of the lodges.

Pleasley Vale Outdoor Activity Centre

- Marketing and advertising of the Centre needs to be improved in order to maximise participation and income.
- Liaison with School Governors and linking programmes with the National Curriculum were suggested as ways to promote the activity centre. The Youth Council could also be utilised to promote the Centre through schools.
- Future options for the outdoor activity centre include proposals for expanding the business with the purchase of three yurts which would provide residential accommodation for groups. There are also proposals for the extension of activities with the purchase of a linear rope course.

Regeneration staff have raised some concerns regarding children being present on the site twenty four hours a day and the large number of HGV movements during the day.

Leisure staff advised that visitors are transported to the mill pond in the mini bus and the Greaseworks and trails are on the other end of the site away from the business centre. Groups supervised on foot used the top trail which was a public footpath and had no vehicular access. Where possible, leisure activities were kept on the perimeter of the site as far from the business centre as possible.

Although there are some concerns about the safety of people accessing the site for leisure activities, there are public trails running through the site which are used by local people day and night which cannot be closed.

- Leisure on site increases the demand for the area and an extension of leisure activities would be encouraged.

- Presently, the Greaseworks building does not feature on the Council's Asset Management Plan and the Committee expressed concerns on how costs would be covered should anything major happen to the building. It was suggested that the building should be included within the Asset Management Plan and that Regeneration be responsible for the management of the whole site. This would provide Leisure and their facilities with the same protection as any other tenant and ensure appropriate governance of the site.
- Clearly, paying rent on the leisure facilities will affect the income generated from the outdoor activity centre, which is paid directly to the general fund.

7. Conclusions

Throughout the review, Members have received positive comments about the achievement for Bolsover District Council, rescuing the Pleasley Vale site, restoring the historic buildings and bringing back into use the former Greaseworks. This work has raised the profile of the area, created employment opportunities and saved an eyesore. The site is an asset to the Authority and now has the best management of the business centre that it has ever had. The outdoor activity centre provides a unique natural setting for outdoor pursuits and is an ideal venue for people wanting to undertake outdoor activities. The Committee congratulates the departments involved for the successes so far.

The business centre and outdoor activity centre can and do 'co-exist' and by continuing to co-operate and work together, they can build on and improve the outputs that the whole site generates.

There does need to remain some flexibility as eventually the Council will be able to consider the longer term aspirations for Pleasley Vale after the grant payback period has expired. It is difficult for the Scrutiny Committee at this time to make any assumptions on the future of the site and elected Members will need to consider the options available at that time.

It is anticipated that the recommendations detailed within this report will provide simplification, a clear direction and better management of the Pleasley Vale site.

Appendix 1

Stakeholders and Consultees

Councillor Alan Tomlinson	Portfolio Holder for Regeneration
Councillor Ann Syrett	Portfolio Holder for Social Inclusion And Elected Member representative on Pleasley Park and Conservation Area Advisory Committee
Councillor Brian Murray-Carr	Elected Member representative on Pleasley Park and Conservation Area Advisory Committee
Paul Hackett	Director of Health and Well Being
Kevin Hopkinson	Director of Development
David Eccles	Assistant Director of Regeneration
Lee Hicken	Assistant Director of Leisure and Culture
Matt Broughton	Commercial Property and Developments Manager
Colin Matchett	Pleasley Vale Outdoor Activity Centre Manager
Jonathon Tipton	Outdoor Recreation Officer

Committee:	Executive	Agenda Item No.:	7
Date:	14th May 2013	Status	Open
Category	3. Part of the Budget and Policy Framework		
Subject:	Compliments, Comments and Complaints Quarterly Report (Quarter 4)		
Report by:	Support Officer		
Other Officers Involved			
Director	Director of Corporate Resources		
Relevant Portfolio Holder	Councillor E Watts Portfolio Holder for Customer Services		

RELEVANT CORPORATE AIMS

CUSTOMER FOCUSED SERVICES – Providing excellent customer focused services

STRATEGIC ORGANISATIONAL DEVELOPMENT – Continually improving our organisation.

The effective management of complaints and customer requests is central to excellent customer service. It also provides a good source of information which the Council can use to improve services.

TARGETS

Local performance indicators for handling written complaints and Ombudsman complaints.

VALUE FOR MONEY

A centralised complaints service optimises the use of staffing resources as well as ensuring the provision of consistent management information

THE REPORT

To provide information on the number of compliments, comments, complaints, freedom of information and personal data requests for the period 2nd January 2013 to 31st March 2013 together with a summary for 2012/13.

Compliments

Table A shows the number of written compliments received for the period. In total 27 written compliments were received. A good cross section of compliments received from customers appreciating excellent service, including 11 for Streetscene Service.

Comments

Table B shows the number of written comments received for the period. 6 were responded to within standard (20 working days) with one outstanding but within the response timescale. There were no trends for this quarter.

Table C shows the above information by department.

Service Requests

The table below provides a breakdown of service requests expressing dissatisfaction with the waste collection service, made verbally by customers, and handled by Contact Centres by volume for the period 2nd January 2013 to 21st March 2013.

Service Area	01/04/12– 30/06/12	01/07/12– 30/09/12	01/10/12 – 21/12/12	02/1/13 – 31/3/13	Total
Missed clinical waste collection	33 (12)	13 (6)	22 (13)	25 (21)	93 (52)
Missed domestic or green bin collection	377 (327)	270 (235)	161 (142)	241 (215)	1049 (919)
Missed blue box/ burgundy bin collection	112 (98)	151 (138)	103 (96)	202 (186)	568 (518)
Total	522 (437)	434 (379)	286 (251)	468 (422)	1710 (1489)

The figures in brackets show the number of service requests escalated to the department for investigation/ action. For the same period Contact Centres handled 7,005 requests for service in total.

Complaints

Stage one

Table E shows the number of stage one complaints for the period. The customer service standard for responding to Stage one complaints is 3 working days.

Table F shows the above information by department.

Stage two

Table G shows the number of stage two or written complaints received for the period by date order. 17 complaints were received during this period. All were responded to within our customer service standard of 20 working days. 6 complaints were for Streetscene Services.

Table H shows the above information by department.

Stage three

Table I shows the number of stage three complaints received for the period by date order. These are complainants who have already made a stage two complaint and still feel

dissatisfied. During this period 7 stage three complaints were received, all were responded to within standard.

Ombudsman

Table J shows the status of Ombudsman complaints for 2012/13 as of 15th April 2013. During this quarter, two decisions were received in which the Ombudsman decided not to initiate an investigation, one because it is not in jurisdiction and one because there was no maladministration. We have two complaints awaiting a decision from the Ombudsman for the year 2012/13.

Performance

The target of 100% has been achieved for responding to stage two complaints within 20 working days for 2012/13.

ISSUES/OPTIONS FOR CONSIDERATION

None

IMPLICATIONS

Financial: - There are no additional financial implications arising out of this report.

Legal: - There are no additional legal implications arising out of this report.

HR & Payroll: - There are no additional HR implications arising out of this report.

RECOMMENDATION(S)

That the report be noted.

REASON FOR DECISION TO BE GIVEN IN ACCORDANCE WITH THE CONSTITUTION

To keep Members informed of volumes and trends regarding compliments, comments, complaints.

ATTACHMENTS: Y

Table A: Compliments summary for the period 02/01/13 – 31/3/13

Table B: Compliments summary by department 2012/13

Table C: Comments summary for the period 02/01/13 – 31/3/13

Table D: Comments summary by department 2012/13

Table E: Stage one complaints summary for the period 02/01/13 – 31/3/13

Table F: Stage one complaints summary by department 2012/13

Table G: Stage two complaints summary for the period 02/01/13– 31/3/13

Table H: Stage two complaints summary by department 2012/13

Table I: Stage three complaints summary for the period 02/01/13 – 31/3/13

Table J: Ombudsman complaints summary for 2012/13

FILE REFERENCE: - N/A

SOURCE DOCUMENT: - N/A

Summary for 2012/13

The following tables provide a summary of performance for compliments, comments, complaints and freedom of information requests for 2012/13.

Volume and Performance

Volume by type	Q1	Q2	Q3	Q4	2012/13 Total	2011/12 Total	2010/11 Total	2009/10 Total
Compliments	20	42	38	27	127	153	173	129
Comments	31	12	6	7	56	93	78	64
Stage 2 Complaints	36	73	38	17	164	124	79	115
Stage 3 Complaints	10	9	9	7	35	23	25	22
Total	97	136	91	58	382	393	355	330
Stage 1 Complaints	52	31	16	44	143	No comparative data – this information has been collated from April 2012		
% Comments responded to within standard	100%	100%	100%	100%	100%	100%	100%	100%
Average response in days	16	14	14	11	14	15	12	12
% Stage 2 responded to within standard	97%	100%	100%	100%	100%	100%	99%	98%
Average response in days	13	15	15	14	15	15	14	15
% Stage 3 responded to within standard	100%	100%	100%	100%	100%	100%	87%	92%
Average response in days	14	17	15	15	15	17	16	15

When comparing 2012/13 to the previous year of 2011/12, the following is noted:

- Received more stage two complaints, an increase of 40 (32%).
- Received more stage stage three complaints, an increase of 12 (52%).
- Received fewer written comments, a decrease of 37 (39%).
- Received fewer written compliments (17%).
- Responses to customer requests within standard - written comments, stage two complaints remained at 100%.

Customer Feedback

The following change has been made as a result of customer feedback obtained through written comments and complaints:

- Customer Contact Manager reviewing procedures at the Repairs Section Service Review to ensure repeat contact is monitored.

Table A: COMPLIMENTS SUMMARY 02/01/13 – 31/3/13

Date Received	Area	Summary of Compliment	Departments Involved
02/01/13	South Normanton	Please pass on thanks to refuse operatives who are working throughout the Christmas break	Streetscene Services
15/01/13	Clowne	Appreciate information provided in relation to small business funding	Regeneration
15/01/13	Shirebrook	Helpful information in relation to Youth Club service provision	Regeneration
16/01/13	Bolsover	Helpful Officers in relation to Council Tax refund, helped during a stressful time	Finance & Revenues
17/01/13	Hodthorpe	Thank you for Handy Man service - did a great job and happy to have him in their home	Environmental Health
18/01/13	Bolsover	Refuse operatives helped a resident rescue a lady fallen in the snow	Streetscene Services
22/01/13	Bolsover	Please pass on thanks to Officers for kindness during bad weather	Streetscene Services
23/01/13	Shirebrook	Pass on thanks to everyone involved in getting the shower working	Customer Services (Contact Centres) Housing
23/01/13	Creswell	Please pass on thanks to refuse operatives who are working throughout the bad weather	Streetscene Services
24/01/13	Pleasley	Please pass on thanks to refuse operatives who are working throughout the bad weather	Streetscene Services
05/02/13	Palterton	Please pass on thanks to Officers for kindness when had an incident in her car during bad weather	Streetscene Services
07/02/13	Shirebrook	Litter picker has done a fantastic job - everywhere is clean and tidy	Streetscene Services
08/02/13	Unknown	Pass on thanks to everyone involved in getting the shower installed	Housing
19/02/13	Unknown	Thanks to Housing for tidying up a tenanted property, it is unrecognisable	Housing
19/02/13	Doe Lea	Thank you to Benefit Staff in way dealt with when oversight of a private pension came to light	Finance & Revenues
25/02/13	Clowne	Compliments to grounds maintenance workers	Streetscene Services
25/02/12	Clowne	Thank you to Customer Service Advisors for excellent service in relation to benefits advice, they have gone the extra mile	Customer Services (Contact Centres)
27/02/13	Bolsover	Thank you for the removal of flytipping, area is much more pleasant	Customer Services (Contact Centres) Streetscene Services
05/03/13	Shirebrook	Resident please with prompt and efficient service from the Engineers when she had a blocked drain	Regeneration

Table A: COMPLIMENTS SUMMARY 02/01/13 – 31/3/13

Date Received	Area	Summary of Compliment	Departments Involved
06/03/13	Bolsover	Excellent response from the Regeneration team in relation to an enquiry about business funding	Regeneration
07/03/13	Creswell	Problem area cleared of rubbish	Environmental Health
08/03/13	Bolsover	Repairs team (plumbers) pleasant and courteous	Housing
14/03/13	Bolsover	Resident really impressed with how the Dog Warden dealt with a stray dog	Environmental Health
20/03/13	Unknown	Prompt action from Environmental Health team in relation to a burger van	Environmental Health
21/03/13	Barlborough	Action by Streetscene Services in relation to overgrown trees	Streetscene Services
20/03/13	South Normanton	Contact from Streetscene Services in relation to green bin collection	Streetscene Services
28/03/13	Clacton-on-Sea	Helpful, professional service from Customer Advisor	Customer Services (Contact Centres)

Table B: Compliments Summary by Department 2012/13

Department/Section	01/04/12 – 30/06/12	01/07/12 – 30/09/12	01/10/12– 31/12/12	02/01/13 – 31/03/13	Total
	No. of Compliments	No. of Compliments	No. of Compliments	No. of Compliments	No. of Compliments
Customer Services	3	5	3	4	15
Community Services		1			1
Democratic Services					
Environmental Health	6	6	5	4	21
Finance & Revenues		1	3	2	6
Housing	6	7	10	4	27
Legal					
Leisure	1	14	9		24
Planning	1	1	3		5
Regeneration	2	2	3	4	11
Strategy & Performance		2	1		3
Streetscene Services	2	7	3	11	23
Totals	21	46	40	29	136

Table C: SUMMARY OF COMMENTS 02/01/13 – 31/3/13

Date Received	Area	Summary of Comment	Departments Involved	Date Response Sent	No of work days	Summary of Response
07/01/13	South Normanton	Would like an on-line facility to show council tax balance	Finance & Revenues	14/01/13	5	No resources to facilitate at the moment
06/02/13	Bolsover	Planning website difficult to negotiate	Planning	15/02/13	7	Directions given to documents on Portal
07/02/2013 19/3/13	Pinxton	Nomination for vacancy received late because of move of Council headquarters from Bolsover to Clowne	Regeneration	04/03/2013 9/4/13	17	Nomination invalid for several reasons , but should have been sent to address advised in Notice of Election
08/03/13	Creswell	Wants a men only swim session at Creswell Leisure Centre	Leisure	05/04/13	19	Ladies only swim session introduced because of demand, no one previously has requested a male only swim. Service to be reviewed to ascertain demand for both ladies and men only swim sessions
18/03/2013 28/3/13	Glapwell	Does not agree with 'bedroom tax'	Housing Finance & Revenues	28/03/13	8	New legislation is not a charge on rent but a cut in benefit as per Government legislation
25/03/13	Bolsover	Enquiries regarding Coalite site	Regeneration	12/04/13	10	New owners in discussions with Council but no Planning Application received as yet
27/03/13	Bolsover	Not happy with increased rent charges	Housing			Not responded to but within timescale

Table D: Comments Summary by Department 2012/13

Department/Section	01/04/12 – 30/06/12			01/07/12 – 30/09/12			01/10/12– 31/12/12			04/01/13 – 31/03/13			Total		
	No. of Comments	No. Responded to in time	No. responded to out of time	No. of Comments	No. Responded to in time	No. responded to out of time	No. of Comments	No. Responded to in time	No. responded to out of time	No. of Comments	No. Responded to in time	No. responded to out of time	No. of Comments	No. Responded to in time	No. responded to out of time
Customer Services	2	2											2	2	
Community Services				1	1								1	1	
Democratic Services				1	1		1	1					2	2	
Environmental Health															
Finance & Revenues	2	2		2	2					2	2		6	6	
Housing	3	3		3	3		1	1		2	2		9	9	
Legal	1	1					1	1					2	2	
Leisure	3	3		1	1		2	2		1	1		7	7	
Planning	4	4								1	1		5	5	
Regeneration	7	7		3	3		1	1		2	2		13	13	
Strategy & Performance	5	5											5	5	
Streetscene Services	14	14		2	2								16	16	
Total	41	41		13	13		6	6		8	8		68	68	

Table E: Summary of Stage One Complaints 02/1/13 – 31/3/13

07/01/13 & 08/01/13	Whitwell	Customer complaining that the burgundy bin had gone missing and was told they need to pay for new bin	Refuse	Resolved by Service Area 08/01/13	1	Refuse Co-ordinator agreed to replace bin on this occasion
09/01/13	South Normanton	Complaint with regard to bin lorry driving over grass verge.	Refuse	Resolved by Service Area 10/01/13	1	Refuse Team visited customer and resolved issue by talking to the bin crew.
09/01/13	South Normanton	Complaint with regard to length of time taken to assess benefit claim	Benefits	Resolved by Service Area 10/01/13	1	Benefits telephoned customer and explained the delay in assessment.
15/01/13	Creswell	Customer complaining with regard to planning issue.	Planning	Resolved by Service Area 15/01/13	0	Customer contacted and matter resolved with regard to the Planning issue.
15/01/13	Langwith	Customer complaining that replacement green bin has not yet been delivered	Refuse	Resolved by Service Area 16/1/13	1	Re ordered green bin, informed customer that bin will be delivered within 10 working days.
18/01/13	Whitwell	Customer complaint with regard to the burgundy bin collection	Refuse	Resolved by Contact Centre Manager 24/01/13	4	Informed customer that the problem with the burgundy bin had been due to the icy weather conditions and explained when the next collection would be carried out
23/01/13	Clowne	Customer complaint regarding the snow on the car park at the Arc	Property Services	Resolved by Service Area 23/1/13	0	Property Services contacted customer and explained what action would be undertaken
23/01/13	South Normanton	Complaint regarding the repair carried out to external door	Repair 485556	Resolved by Service Area 11/2/13	11	Visited 24th January resolved rear door issue - condensation

24/1/13	South Normanton	Complaint regarding inspection and remarks about humidity in house	Repair 485352	Resolved by Service Area 24/1/13	0	Customer contacted by Emergency & Responsive Manager who advised about humidity in property
24/01/13	Pleasley	Customer complaint with regard to the black bin collection	Refuse	Resolved by Contact Centre Manager 24/01/13	0	Informed customer that the problem with the black bin had been due to the icy weather conditions and explained when the next collection would be carried out
25/01/13	Carr Vale	Customer complaint with regard to the black bin collection	Refuse	Resolved by Contact Centre Manager 25/01/13	0	Informed customer that the problem with the black bin had been due to the icy weather conditions and explained when the next collection would be carried out
29/01/13	South Normanton	Customer complaining that the recycling rubbish was being left on front garden every time the bin was emptied	Refuse	Resolved by Contact Centre Manager 29/01/13	0	Crew returned and removed rubbish from garden
29/01/13	South Normanton	Customer complaining that the recycling rubbish was being left on front garden every time the bin was emptied	Refuse	Resolved by Contact Centre Manager 29/01/13	0	Crew returned and removed rubbish from garden
29/01/13	Blackwell	Customer complaint with regard to the burgundy bin collection	Refuse	Resolved by Service Area 14/02/13	12	Customer advised of burgundy bin collection - crew to empty next collection
30/01/13	Whitwell	Complaint regarding missed green bin	Refuse	Resolved by Service Area	12	Refuse contacted customer and arranged for the bin to be

		collection		15/02/13		emptied. Customer happy with response
30/01/13	Whitwell	Complaint with regard to repair to roof	Repair 486421	Resolved by Service Area 4/2/13	3	Work completed w/c 4/2/13 Tenant informed to contact repairs when plaster work is dry
01/02/13	South Normanton	Complaint with regard to receiving wrong information with regard to missed bins due to icy weather conditions	Refuse	Resolved by Service Area 14/02/13	8	Refuse contacted customer with regard to problem and customer happy with the explanation
01/02/13	Barlborough	Customer complaint with regard to the burgundy bin collection	Refuse	Resolved by Service Area 12/02/13	7	Apology given to customer and crew notified.
01/02/13	Bolsover	Complaint regarding missed green bin collection	Refuse	Resolved by Service Area 12/02/13	7	Crew returned and emptied bin
01/02/13	Bolsover	Complaint regarding missed green bin collection	Refuse	Resolved by Service Area 12/02/13	7	Apology given to customer and crew returned.
05/02/11	Shirebrook	Complaint with regard to repairs which have been stated complete by workmen but still outstanding	Repair 483222	Resolved by Service Area 12/4/13	46	Work arranged and carried out in April 2013
07/02/13	Shirebrook	Customer complaint with regard to the burgundy bin collection	Refuse	Resolved by Service Area 20/02/13	9	Recycling officer visited and explained the problem customer placed wrong items in recycling bin complaint resolved
08/02/13	Shirebrook	Complaint with regard to lack of central heating - customer not happy with timescale for repair	Repair 487556	Resolved by Service Area 12/4/13	43	Work arranged and carried out in March 2013

08/02/13	Stanfree	Customer complaint with regard to the black bin collection	Refuse	Resolved by Service Area 14/02/13	4	Message left on customer answer phone to ask to contact Refuse if there was still a problem. No contact made by customer
11/02/13	Hilcote	Customer complaining with regard to mould problem	Repair 479946	Resolved by Service Area 11/02/13	0	Visit took place with Contractors to assess the damp/mould stated due to condensation and advised the customer
15/02/13	Tibshelf	Customer complaint with regard to land purchase	Housing	Resolved by Service Area 15/02/13	0	Customer referred to Head of Housing for advice
19/02/13	Glapwell	Customer complaint with regard to Council Tax liability	Council Tax	Resolved by Service Area 21/02/13	3	Customer contacted with regard to the Recovery Acton and no further action to be taken
27/02/13	Hilcote	Customer complaining with regard to mould problem	Repair 479946	Resolved by Service Area 27/02/13	0	Emergency & Responsive Manager visited - problem was due to condensation
01/03/13	Whaley	Customer complaining that the 2 jobs for litter pick have not been done within timescale	Grounds Maintenance			Awaiting update from department
01/03/13	Bolsover	Customer complaining that the green bin has been missed again	Refuse	Resolved by Contact Centre Manager 01/03/13	0	Refuse team to go back and empty the green bin. Apology given to customer
04/03/13	Creswell	Customer complaining that the grounds maintenance request had not been actioned within timescales	Grounds Maintenance	Resolved by Contact Centre Manager 04/03/13	0	Informed customer that Grounds Maintenance apologise and they will action the job today 4.3.13 Also put in request for no dog fouling signs
11/03/13	Langwith Junction	Complaint regarding the fitting of combi boiler	Repair 490178	Resolved by Service Area 12/04/13	22	Co-ordinator visited property spoke to tenant and arranged for carpet to be dried out after fitting of boiler

12/03/13	Tibshelf	Customer complaining that the refuse lorry tipping equipment was faulty and leaving debris on the road	Refuse	Resolved by Service Area 20/03/13	6	Refuse Co-ordinator spoke to crew and stated that they must make sure any debris is cleared from road
13/03/13	Shirebrook	Complaint with regard to external doors not being replaced	Repair 487940	Resolved by Service Area 13/3/13	0	External doors to be fitted as soon as possible
18/03/13	Bolsover	Customer wants a refund on the bulky refuse request	Refuse	Resolved by Service Area 19/03/13	1	Refund given by Refuse Section
18/03/13	Whitwell	Complaint with regard to the parking of cars directly outside the Arc	Property Services	Resolved by Service Area 18/03/13	0	Instruction sent to staff and members with regard to parking cars directly outside office buildings
18/03/13	Creswell	Complaint regarding the usage of the swimming pool and not enough time between swimming lessons	Leisure	Resolved by Service Area 18/03/13	0	Leisure contacted customer and advised with regard to swimming lesson times
18/03/13	New Houghton	Complaint with regard to electric storage heaters in property	Repair 489376	Resolved by Service Area 12/04/13	17	Co-ordinated visited property spoke to tenant with regard to cost of heating. Explained situation with regard to electric storage heating and manual provided. Letter sent from Head of Housing to confirm what is going to happen with regard to the heating.
19/03/13	Barlborough	Complaint with regard to missed burgundy bin due to breakdown	Refuse	Resolved by Service Area 20/03/13	1	Customer contacted and Refuse collection arranged as a one off collection the following day

21/03/13	Langwith Junction	Complaint regarding timescales for repair	Repair 487204	Resolved by Service Area 12/04/13	15	Workmen have been out to measure outhouse door, co-ordinator informed customer of the timescale for repair
26/03/13	Scarcliffe	Customer complaining with regard to missed burgundy bin	Refuse	Resolved by Service Area 05/04/13	6	Refuse Manager endeavoured to contact customer but no response to telephone call
27/03/13	Barlborough	Complaint with regard to Grounds Maintenance request not being carried out	Grounds Maintenance			Awaiting update from department
27/03/13	Shirebrook	Complaint with regard to the way burgundy bins are emptied	Refuse	Resolved by Contact Centre Manager 10/04/13	8	Refuse Co-ordinator informed crew with regard to the burgundy bin collection
28/03/13	Hodthorpe	Complaint with regard to timescale for repair	Repair 487448	Resolved by Service Area 12/04/13	9	Explained to tenant that the door is not a standard door and has had to be ordered therefore delay in fitting

Table F: Stage One Complaints Summary by Department 2012/13

Department/Section	01/04/12 – 30/06/12			01/07/12 – 30/09/12			01/10/12– 21/12/12			02/01/13 – 31/03/13			Total		
	No. of Stage One Complaints	No. Responded to in time	No. responded to out of time	No. of Stage One Complaints	No. Responded to in time	No. responded to out of time	No. of Stage One Complaints	No. Responded to in time	No. responded to out of time	No. of Stage One Complaints	No. Responded to in time	No. responded to out of time	No. of Stage One Complaints	No. Responded to in time	No. responded to out of time
Customer Services	1	1											1	1	
Community Services															
Democratic Services															
Environmental Health															
Finance & Revenues				2	2					2	2		4	4	
Housing	22	17	5	7	3	4	4	2	2	13	6	7	46	28	18
Legal															
Leisure										1	1		1	1	
Planning										1	1		1	1	
Regeneration	1	1		1	1					2	2		4	4	
Strategy & Performance															
Streetscene Services	28	21	7	21	13	8	12	8	4	25	11	14	86	53	33
Total	52	40	12	31	19	12	16	10	6	44	23	21	143	92	51

Table G: Summary of Stage Two Complaints 02/01/13 – 31/3/13

Date Received	Area	Summary of Complaint	Departments Involved	Date Response Sent	No of work days	Remedy
04/01/13	Bolsover	Does not agree with development plans for Bolsover	Planning Regeneration	01/02/13	20	Information regarding development and decisions given
08/01/13	Pinxton	Ongoing neighbour dispute	Housing	04/02/13	19	Intermittent problem will investigate when occurs
08/01/13	Creswell	Boiler stopped working over Christmas period - CAN Ranger sent out to mend	Housing	04/02/13	19	Heating working at time of visit - thermostat replaced within 2 days of return to work
08/01/13	Unknown	Unable to carry out personal search when visited the offices	Legal ICT	28/01/13	12	Apology for inconvenience caused because keyboard/ PC was missing due to office move
15/01/13	Creswell	Unauthorised development and time taken to enforce against it	Planning	12/02/13	20	Explanation of Planning Enforcement process
17/01/13	Shuttlewood	Ongoing repairs at property	Housing	12/02/13	18	Work ordered - problems related to condensation
01/02/13	Tibshelf	Bins not emptied and no response to letter	Streetscene Services	15/02/13	10	Collections missed due to cars parked on street
31/01/13	Clowne	Does not agree with development plans for Clowne	Planning	15/02/13	11	Explanation of Planning process
21/02/13	Belph	Flytipping in Belph - no verbal update as promised	Streetscene Services	15/03/13	16	Apology and explanation
18/02/13	Elmton	Green bin not emptied, waste composting in bin and will not empty fully now	Streetscene Services	15/03/13	19	Apology for inconvenience and explanation of problems caused by inclement weather
22/02/13	Langwith	Rocket bands abraded son's waist, who is now upset and will not go swimming again	Leisure	08/03/13	10	Apology for negative experience - the red marks witnessed by staff consistent with marks produced by swimming goggles

Table G: Summary of Stage Two Complaints 02/01/13 – 31/3/13

Date Received	Area	Summary of Complaint	Departments Involved	Date Response Sent	No of work days	Remedy
19/02/13	Hodthorpe	Burgundy bin not being collected from rear of property	Streetscene Services	15/03/13	13	Apology for contractors not being aware of collection point
21/02/13	South Normanton	Refund not paid immediately and not dealt with respectfully	Finance & Revenues	01/03/13	4	Dealt with professionally, refund processed within timeframe
27/02/13	Shirebrook	Not happy with flytipping in area and how Council are dealing with it	Streetscene Services Customer Services Environmental Health	15/03/13	12	Explanation of actions taken and what is within the jurisdiction of the Council
13/03/13	Creswell	Problems with newly fitted front door - contractors have made three appointments but cancelled them all	Housing	10/4/13	17	Replacement door fitted, explanation of procedure when contract work carried out apology for length of time to resolve
20/03/13	Bolsover	Not happy with development plans for Bolsover	Planning	02/04/13	5	Explanation of planning process
27/03/13	Bolsover	Not happy with response regarding missed bin collections	Streetscene Services	12/04/13	10	Explanation of problems caused by inclement weather

Table H - Complaints (Stage 2) Summary by Department 2012/13

Department/Section	01/04/12– 30/06/12			01/07/12– 30/09/12			01/10/12 31/12/12			04/01/13– 31/03/13			Total 2012/13		
	No. of Complaints	No. Responded to in time	No. responded to out of time	No. of Complaints	No. Responded to in time	No. responded to out of time	No. of Complaints	No. Responded to in time	No. responded to out of time	No. of Complaints	No. Responded to in time	No. responded to out of time	No. of Complaints	No. Responded to in time	No. responded to out of time
Customer Services	4	4		5	5		8	8		1	1		18	18	
Community Services	2	2											2	2	
Democratic Services										1	1		1	1	
Environmental Health	2	2		4	4		9	9		1	1		16	16	
Finance & Revenues	6	6		17	17		8	8		1	1		32	32	
Housing	12	12		12	12		7	7		4	4		35	35	
ICT										1	1		1	1	
Legal	2	1	1*	2	2		2	2					6	5	1*
Leisure	2	2		2	2		1	1		1	1		6	6	
Planning	3	3		24	24		4	4		4	4		35	35	
Procurement	1	1											1	1	
Regeneration	3	3		4	4		3	3		1	1		11	11	
Strategy & Performance	2	2		2	2								4	4	
Streetscene Services	8	8		11	11		3	3		6	6		28	28	
Total	47	46	1*	83	83		45	45		21	21		196	195	1*

* Holding letter sent to allow consideration by the Legal Department

Table I: Summary of Stage Three Complaints 02/01/13 – 31/3/13

Date Received	Area	Summary of Complaint	Departments Involved	Date Response Sent	No of work days	Remedy
03/01/13	Bolsover	Parking in Bolsover if Planning Application is approved	Planning	23/01/13	14	Planning Regulations state that the Planning Department must make determination on planning application before them
11/01/13	Bolsover	Benefit application not resolved	Finance & Revenues	30/01/13	10	Being dealt with by Tribunal
11/01/13	Creswell	Not happy about Planning decision	Planning	07/02/13	19	Complaint not about matters which can be considered by Planning - civil dispute
11/01/13	Clowne	Not happy with stage two apology for delay in response from Legal (no statutory timescale)	Legal	07/02/13	19	Complaints have all been dealt with previously through corporate complaints/ Officer complaint/ Ombudsman complaints (3). Elected Member complaint ongoing and being addressed
29/01/13	Bolsover	Landlord still unhappy benefit payment not made direct to them	Revenues	12/02/13	10	Benefit Tribunal action superseded complaints process. Information in letter from Benefit Section addresses the issues raised
25/02/13	Pinxton	Still not happy that children are playing on grass outside flat	Housing	18/03/13	15	Housing to monitor and liaise with tenant
12/03/13	Langwith Junction	Not happy with response regarding rocket bands	Leisure	09/04/13	18	Advice given in stage two is still accurate

Table J: Summary of Ombudsman Complaints 2012/13

Date Received	Area	LGO's Summary of Complaint	Departments Involved	Date Response sent	No. of Calendar Days	Date Decision Letter Received	Ombudsman's Decision
22/12/11	Clowne	Says council refusing to re-house him as he has arrears from former tenancy. But tenant denies this as says he paid in full when he handed his keys in	Housing	20/01/12 & 28/03/12	22	22/05/12	To discontinue investigation as there is no outstanding injustice
09/03/12	Clowne	Questions in relation to Disability Facilities Grant	Environmental Health	20/03/12	11	22/06/12	Not to initiate an investigation (formerly Ombudsman's Discretion) - finds no evidence of maladministration by the council
13/03/12	Shirebrook	Feels BDC have failed to take action to prevent flooding on his street. Claims BDC and DCC are trying to lay responsibility with the other	Regeneration	23/03/12 12/6/12 5/9/12	10	19/10/12	To discontinue investigation as although the District and County Council do not agree on the cause of the flooding the Ombudsman cannot be critical on how the District Council reached its decision. Noted future liaising between Councils
17/01/12	Whitwell	Complaint against council's failure either to adapt former flat or move him somewhere more appropriate within a reasonable timescale	Housing	15/02/2012 22/5/12	29	03/10/12	To discontinue investigation on the grounds that the Council did adapt the flat as requested and any failure to move the tenant was not because of any fault by the Council
08/06/12	Barlborough	Council Tax arrears led to resident facing bankruptcy	Finance & Revenues	02/07/12	24	09/10/12	To discontinue investigation on the grounds that there is insufficient evidence that the resident has suffered injustice as a consequence of any maladministration by the Council

Table J: Summary of Ombudsman Complaints 2012/13

Date Received	Area	LGO's Summary of Complaint	Departments Involved	Date Response sent	No. of Calendar Days	Date Decision Letter Received	Ombudsman's Decision
14/06/12	Bolsover	Would like compensation for taking a day off work to await contractor to carry out repair	Housing	09/07/12	23	28/08/12	To discontinue investigation injustice remedied
02/07/12	Bolsover	Wants compensation for loss of heating and increased fuel bill (district heating)	Housing	26/07/12	24	22/08/12	To discontinue investigation on the grounds that there is insufficient evidence that the tenant has suffered injustice as a consequence of any maladministration by the Council
23/08/12	Clowne	Says council should not suspend his housing application due to bankruptcy wiping out arrears from former tenancy	Housing	03/09/12	11	22/01/13	To discontinue investigation because the Council's decision about the housing application was made without fault
23/08/12	Bolsover	Alleges contracted workmen arrived to carry out work and had permission to gain entry	Housing	06/09/12	14	14/11/12	To discontinue investigation on the grounds that there is insufficient evidence of maladministration
11/09/12	Bolsover	Informal Grasscutting to open plan area to rear of property not being carried out due to obstruction by neighbour's sheds	Housing Street Services			11/09/12	Local settlement - alternative arrangements in place
25/09/12	Clowne	Says Council did not properly consider his case for continuation of Discretionary Housing Allowance	Finance & Revenues	19/10/12	24	22/11/12	To discontinue investigation on the grounds that there is no evidence of maladministration

Table J: Summary of Ombudsman Complaints 2012/13

Date Received	Area	LGO's Summary of Complaint	Departments Involved	Date Response sent	No. of Calendar Days	Date Decision Letter Received	Ombudsman's Decision
12/10/12	Bolsover	The Council decided the land at Sherwood Lodge was surplus to requirements and could be used for development; it took the decision to appropriate the land for development in private	Legal	09/11/12 05/12/12	28		Awaiting decision
31/10/12	Clowne	Noise nuisance from bikes on Network Rail/ spare land	Legal Environmental Health Community Safety	23/11/12	26	26/11/12	To discontinue investigation as there has been no fault by the Council in its handling of the complaint
28/11/12	Hilcote	Informal Noise nuisance from lorries on road	Environmental Health Planning			28/11/12	Not to investigate the complaint because it is late and there are no grounds to exercise discretion to investigate it
11/12/12	Creswell	Informal Benefit not paid, but appealed against decision	Finance & Revenues			11/12/12	Not to investigate the complaint because it is not in jurisdiction & discretion not exercised (complainant had a right of appeal which she used)
13/12/12	Stanfree	Unhappy with Bolsover District Council Planning Department and Committee deciding on proposed development	Planning	17/12/12	2		Awaiting decision
17/12/12	Shirebrook	Unhappy with Town Council precept for Council Tax	Finance & Revenues			17/12/12	Not to investigate the complaint because it is not in jurisdiction

Table J: Summary of Ombudsman Complaints 2012/13

Date Received	Area	LGO's Summary of Complaint	Departments Involved	Date Response sent	No. of Calendar Days	Date Decision Letter Received	Ombudsman's Decision
20/2/13	Bolsover	Complains about the Council's decision to erect a two storey office block on the site of a car park in the centre of Bolsover and another site would have been preferable.	Planning			13/03/13	Not to initiate investigation
05/03/13	Bolsover	Unhappy with tribunal decision and how dealt with regarding housing benefit	Finance & Revenues			21/03/13	Not to investigate the complaint because it is not in jurisdiction (as the customer appealed to the housing benefit tribunal)

Committee:	Executive	Agenda Item No.:	8
Date:	14 th May 2013	Status	Open
Category	3. Part of the Budget and Policy Framework		
Subject:	Information Requests - October 2012 to March 2013		
Report by:	Information & Engagement Manager		
Other Officers Involved	Information Assistant		
Director	Chief Executive		
Relevant Portfolio Holder	Councillor E Watts, Leader of the Council		

RELEVANT CORPORATE AIMS

CUSTOMER FOCUSED SERVICES – Providing excellent customer focused services

STRATEGIC ORGANISATIONAL DEVELOPMENT – Continually improving our organisation.

The effective management of requests for information made under the Freedom of Information Act 2000 provides requesters with a customer focused service and ensures compliance with the Act.

TARGETS

Local performance indicator for replying to requests within standard.

VALUE FOR MONEY

A centrally administered information requests service enables a large number of requests to be administered by a small team. It also enables effective co-ordination of information and application of knowledge.

THE REPORT

To provide information on requests made under the Freedom of Information Act 2000, Environmental Information Regulations 2004 and Data Protection Act 1998 for the period 1st October 2012 to 31st March 2013 and a summary for 2012/13.

Freedom of Information and Environmental Information Requests

Volumes

- 177 Freedom of information (FOI) requests
- 28 Environmental information requests (EIR)
- 205 Requests received in total for processing

Table A provides a graphical breakdown by month for FOI/EIR volumes for 2012/13.

Table B provides a breakdown of requests by department. Please note that some requests are sent to more than one department so the volumes will not tally with the number of actual requests above.

Performance

Target: 100% of requests to be responded to within 20 working days.

- Whilst some requests were still open at the time of compiling this report, it is expected that all requests (205) for this period will be responded to within 20 working days. An update will be provided at the meeting.

Other Information

Table C provides a summary of the FOI requests received by date order.

For this period we have received multiple requests for information on the 'bedroom tax' and its implications (7 requests) and compromise agreements (3 requests). Other multiple requests have concerned information we regularly publish on our website – details of public health funerals, business rate accounts in credit and empty commercial properties.

Table D provides a summary of the EIR requests received by date order. Please note that the summary does not contain the 20 requests for Con 29 questions i.e. property search information.

2012/13 Summary

For the year we received 362 FOI requests and 59 EIR requests making a total of 421 requests for 2012/13. This represents an increase of 4.7% when compared to 2011/12 (402 requests received).

Overall, it is expected that 99% (417 requests) will be responded to within standard. An update will be provided at the meeting.

Data Protection Requests

We receive requests from individuals seeking their own personal data (subject access requests) and requests from third parties seeking personal data under one of the subject access exemptions listed under the Data Protection Act 1998.

Volumes

- 6 Subject Access requests received
- 11 Third party requests received for personal data held

Performance

- All responded to within 40 calendar days – the prescribed timescale within the Act

2012/13 Summary

For 2012/13 we received 26 requests in total – 8 Subject Access requests and 18 Personal Data requests. This represents a similar level to 2011/12 (27 requests). All were responded to within the statutory timescale.

ISSUES/OPTIONS FOR CONSIDERATION

None

IMPLICATIONS

Financial: None
Legal: None
Human Resources: None

RECOMMENDATION(S)

That the report be noted.

REASON FOR DECISION TO BE GIVEN IN ACCORDANCE WITH THE CONSTITUTION

To keep Members informed of volumes and trends regarding information requests.

ATTACHMENTS: Y
FILE REFERENCE: N/A
SOURCE DOCUMENT: N/A

Table A – Information Requests by Monthly Volume for 2012/13

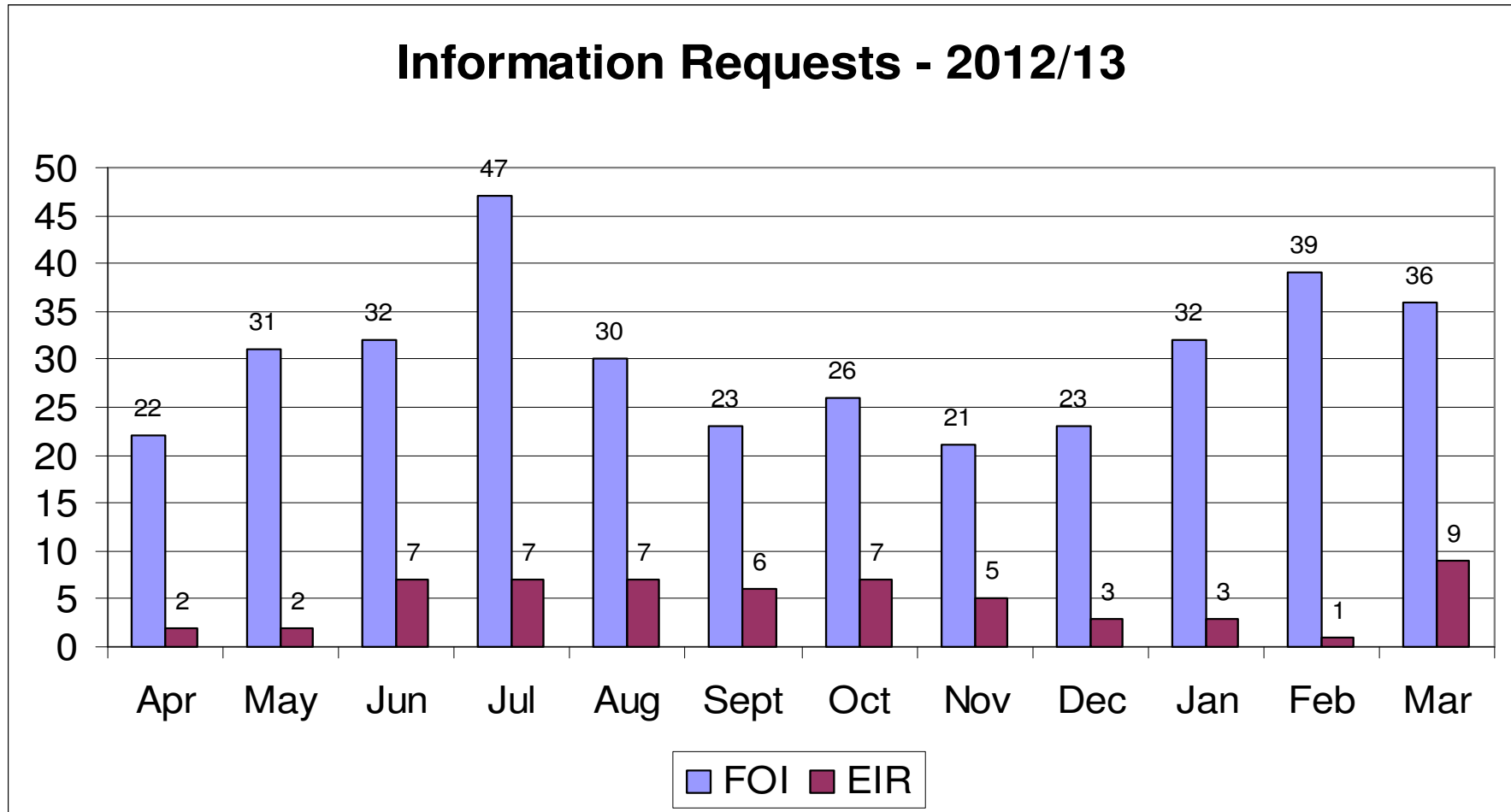


Table B: Information Requests by Department October to March 2013

Department/Section	October 2012 to March 2013			
	No. of requests	Freedom of Information	Data Protection	Environmental Information
Chief Executive and Partnership Team	3	3	0	0
Human Resources & Payroll	18	18	0	0
Legal	16	15	0	1
Democratic Services	6	4	2	0
Strategy & Performance	12	11	1	0
Financial Services	24	24	0	0
Contact Centres	5	2	3	0
Revenues & Benefits	46	38	8	0
Shared Procurement Unit	8	8	0	0
Shared ICT	7	7	0	0
Regeneration	23	21	1	1
Planning	42	18	1	23
Environmental Health	51	32	1	18
Leisure	7	7	0	0
Streetscene Services	7	7	0	0
Community Safety	7	6	0	1
Housing	30	20	10	0
Internal Audit	1	1	0	0
BCN (Building Control)	23	3	0	20
Totals	336	245	27	64

Table C: Freedom of Information Requests Summary October to March 2013

Date Received	Reference	Summary of Request	Departments Request Sent to	No of work days	Information released
01/10/12	F/205/1213	Current amount outstanding for unpaid Council Tax and NDR rates and year by year breakdown starting from 01/01/92 up until 12/09/12	Revenues	8	Yes
03/10/12	F/206/1213	Careline system maintenance	Housing	7	No information held
03/10/12	F/207/1213	Declarations held in relation to all chief officers serving since January 1st 2010	H/R & Payroll	19	Yes
05/10/12	F/208/1213	Information on allegations of internal fraud, theft and corruption	Legal, H/R & Payroll	9	No information held
05/10/12	F/200A/1213	Further information in relation to F/200/1213 council tax benefit and local council tax support	Revenues	5	Yes
08/10/12	F/209/1213	Information on temporary accommodation	Housing	19	Partially -some not held
08/10/12	F/210/1213	Information on councillors allowances and expenses	H/R & Payroll	3	No -Exempt Section 21- available by other means - on website
08/10/12	F/211/1213	Information on HD CCTV cameras in the last 3 years	Leisure, Environmental Health, Regeneration, Community Safety, Streetscene Services, Finance	16	Partially - some not held

Table C: Freedom of Information Requests Summary October to March 2013

Date Received	Reference	Summary of Request	Departments Request Sent to	No of work days	Information released
10/10/12	F/212/1213	Copies of all reports including but not limited to monthly, quarterly and annual audit progress reports produced by internal audit team detailing investigation into allegations of internal fraud, corruption and or theft for 09/10, 10/11 and 11/12	Internal Audit	20	Partially, some information provided, some exempt Section 40 Personal information
11/10/12	F/213/1213	Information on BDC's Asset Management Strategy	Housing	18	No – Exempt Section 22 information intended for future publication
12/10/12	F/214/1213	Information on a property in Bolsover acquired under compulsory purchase in last 4 years	Environmental Health (Commercial), Planning, Legal		Clock stopped – clarification sought
11/10/12	F/215/1213	Information on non-self-drive cars owned or leased by council for purpose of driving/chauffeuring elected members and/or council staff	Finance, CEPT, Democratic Services	13	Partially, some not held
12/10/12	F/216 1213	How many times pest controllers have been called into local authority run primary and secondary schools within past year	Environmental Health (Residential)	2	No information held
15/10/12	F/217/1213	Information on number of cemeteries and burial grounds that facilitate the burial of Muslim citizens	Environmental Health (Residential)	1	No information held but given link to parish council page

Table C: Freedom of Information Requests Summary October to March 2013

Date Received	Reference	Summary of Request	Departments Request Sent to	No of work days	Information released
16/10/12	F/218/1213	How many public health funerals have been carried out since 1st July 2012	Environmental Health (Residential)	2	No - exempt Section 21 available by other means - on website
18/10/12	F/219/1213	List of Scrap Metal dealers currently registered to Bolsover District Council	Environmental Health (Commercial)	7	Partially, some not held
19/10/12	F/220/1213	Details of incident at Pleasley Vale Mills on 08/10/12	Regeneration	11	Yes
19/10/12	F/221/1213	Information on waste collection service	Streetscene Services	8	Partially, some not held
22/10/12	F/222/1213	Information on green spaces	Legal, Regeneration, Leisure	20	Partially, some exempt Section 43 - Commercial Interests
24/10/12	F/223/1213	Information on efficiencies and savings since April 2009	Finance, Strategy & Performance	20	Partially, some not held, some exempt Section 12 exceeds appropriate limit and Section 21 available by other means
23/10/12	F/224/1213	Number of public health funerals and whether deceased owned their own home or lived in council property, housing association or nursing home	Environmental Health (Residential)	11	No - exempt Section 21 available by other means - on website

Table C: Freedom of Information Requests Summary October to March 2013

Date Received	Reference	Summary of Request	Departments Request Sent to	No of work days	Information released
24/10/12	F/225/1213	Information on staff who have been moved from weekly pay to monthly	H/R & Payroll, Finance	10	Partially, some not held
25/10/12	F/226/1213	Detailed structure of Legal Department including job titles and names	Strategy & Performance	3	No - Section 21 available by other means - on website
29/10/12	F/227/1213	Information in relation to HR and Payroll solution/service	H/R & Payroll	7	Partially, some not held
29/10/12	F/228/1213	List of all live business rates accounts with a 2010 list Rateable Value greater than or equal to £25,000	Revenues	7	Partially, some not held, some exempt Section 12 exceeds appropriate limit
31/10/12	F/229/1213	Information on Housing needs for 16 and 17 year olds	Housing	16	No information held - given DCC contact details
31/10/12	F/230/1213	Information on pet shops in district	Environmental Health (Commercial)	16	Partially, some not held
01/11/12	F/231/1213	Request for commissioning an external organisation, for instance a private investigator to undertake surveillance	Legal, Revenues	16	No information held
01/11/12	F/232/1213	Green belt boundaries	Planning	6	No information held
07/11/12	F/233/1213	Questions on street cleansing	Streetscene Services	13	Yes

Table C: Freedom of Information Requests Summary October to March 2013

Date Received	Reference	Summary of Request	Departments Request Sent to	No of work days	Information released
07/11/12	F/234/1213	Questions regarding information from the Land Registry which shows BDC applied to acquire a piece of roadway which runs between Dykes Field and Sherwood Lodge	Legal	5	Partially, some not held
08/11/12	F/235/1213	Persons who have died with no known next of kin from 01/06/12 to date	Environmental Health (Residential)	1	No -exempt Section 21 available by other means - on website
08/11/12	F/236/1213	Total amount of revenue raised in Empty Property Rates	Revenues	4	Yes
12/11/12	F/237/1213	Information on fleet size	Streetscene Services	10	Yes
12/11/12	F/238/1213	Number and nature of complaints about burial services	Strategy & Performance	2	No –directed to Parish Councils
13/11/12	F/239/1213	Up to date list of unclaimed business rates credits	Revenues	1	No - exempt Section 21 available by other means - on website
13/11/12	F/240/1213	Information on empty homes	Environmental Health (Residential), Finance	11	Yes
14/11/12	F/241/1213	List of CCTV cameras in South Normanton and who owns them	Community Safety	14	Partially, some not held
14/11/12	F/242/1213	Copy of March 2012 Standing Building Survey (with report) as mentioned on Page 5 of Sept 2012 supporting document written by SLR Consultants re planning application to demolish original Sherwood Lodge House	Regeneration, Planning	8	No information held

Table C: Freedom of Information Requests Summary October to March 2013

Date Received	Reference	Summary of Request	Departments Request Sent to	No of work days	Information released
15/11/12	F/243/1213	Information on Energy Performance Building Directive which covers Display Energy , Energy Performance Certificates and Air Conditioning Inspections	Regeneration	7	Partially, some not held
19/11/12	F/244/1213	Information on council tax arrears enforcement	Revenues	5	Partially, some not held
20/11/12	F/245/1213	Information on Business Rates credits since 1990	Revenues	2	No - exempt Section 21 available by other means - on website
23/11/12	F/246/1213	Information on Business Rates credits	Revenues	1	No - exempt Section 21 available by other means - on website
23/11/12	F/247/1213	How much was spent providing foreign language translation services for written communications, verbal communications and in total for 2009/10, 2010/11 and 2011/12	Strategy & Performance	4	Partially, some not held
26/11/12	F/248/1213	Information on workforce profile statistics	H/R & Payroll	3	Yes
26/11/12	F/249/1213	Schedule of ratepayers who are receiving 80% mandatory charitable rate relief under Sections 43-48 Local Government Finance Act 1988 and address of property relief relates to	Revenues	3	Yes

Table C: Freedom of Information Requests Summary October to March 2013

Date Received	Reference	Summary of Request	Departments Request Sent to	No of work days	Information released
29/11/12	F/250/1213	How many public health funerals have been carried out by authority since September 2012	Environmental Health (Residential)	1	No - exempt Section 21 available by other means - on website
29/11/12	F/251/1213	List of currently licensed Private Hire Taxi Operators along with company name, company address, customer booking phone numbers, company email, latest tariff card on record	Environmental Health (Licensing)	8	Partially, some not held
03/12/12	F/252/1213	Information of spend on Christmas trees for 10/11, 11/12 and 12/13	Finance	4	No information held
03/12/12	F/253/1213	Information of spend on Christmas trees/decorations, chauffeurs, taxis, publicity, stationary, office refreshments, overseas trips	Finance		Clock stopped - clarification sought
04/12/12	F/254/1213	Information on Councillors remuneration	Democratic Services	1	No - exempt Section 21 available by other means - on website
06/12/12	F/255/1213	Spend on cycling infrastructure, cycle lanes, cycle parking, storage etc for 2010,2011, 2012 and expected spend in 2013	Regeneration, Leisure	3	No information held
07/12/12	F/256/1213	Information on hazardous substances content issued by the council	Planning	1	No - exempt Section 21 available by other means - Publication Scheme

Table C: Freedom of Information Requests Summary October to March 2013

Date Received	Reference	Summary of Request	Departments Request Sent to	No of work days	Information released
07/12/12	F/257/1213	How many contracts were awarded without going through the correct tendering processes	Procurement	15	No - exempt Section 21 available by other means - on website
10/12/12	F/258/1213	Information for a survey relating to planning permissions for the current 5 year period 2012 to 2017	Planning	3	Yes
06/12/12	F/259/1213	Written record of meeting which took place at BDC on 06/08/12	Community Safety	8	No information held
12/12/12	F/260/1213	How many housing developments has planning approved against the flood-related advice of the Environment Agency since 2002	Planning	4	No information held
13/12/12	F/261/1213	Information on Grounds Maintenance and Street Cleansing contracts	Procurement, Streetscene Services	13	Partially, some not held
17/12/12	F/262/1213	Information on domestic boiler installations for period 1st Jan 2009 to date	BCN	3	No - refused Section 12 exceeds limit
14/12/12	F/263/1213	Information on services provided by Common Purpose	Finance	4	No information held
18/12/12	F/264/1213	Information on business rates (empty and occupied)	Revenues	18	Partially, some exempt Section 21 available by other means - on website
18/12/12	F/265/1213	Information on Waste collection contract	Streetscene Services	15	Partially, some not held

Table C: Freedom of Information Requests Summary October to March 2013

Date Received	Reference	Summary of Request	Departments Request Sent to	No of work days	Information released
18/12/12	F/266/1213	Public Health funerals which have taken place from July 2012 to date	Environmental Health (Residential)	2	No - exempt Section 21 available by other means - on website
19/12/12	F/267/1213	Public Health funerals which have taken place with no known next of kin from July 2012 to date	Environmental Health	1	No - exempt Section 21 available by other means - on website
19/12/12	F/268/1213	Information on wind farm appeals	Planning	14	No information held
20/12/12	F/269/1213	Information on purchase card spending by councillors, senior council officers and other council staff	Finance	18	Partially, some not held
21/12/12	F/270/1213	Election for results for Barlborough ward over 1987 to 2003	Democratic Services	14	No information held
21/12/12	F/271/1213	Information on Neighbourhood planning	CEPT, Planning	12	No information held
31/12/12	F/272/1213	Information on Homing In magazine	Housing	10	Yes
31/12/12	F/273/1213	Date council tax banding changed from C to B for 126 Wharf Road, Pinxton and whether it was due to an appeal or were other properties on the road re-banded and how many have been re-banded since 2002	Revenues	8	Partially, some exempt Section 21 available by other means - on website
31/12/12	F/274/1213	Information on social housing	Housing	19	Partially, some not held

Table C: Freedom of Information Requests Summary October to March 2013

Date Received	Reference	Summary of Request	Departments Request Sent to	No of work days	Information released
31/12/12	F/275/1213	Salary payments to non-UK banks	H/R & Payroll	8	No information held
03/01/13	F/276/1213	Information on non domestic rates	Strategy & Performance (Revenues)	0	No - exempt Section 21 available by other means - on website
04/01/13	F/277/1213	Information on council workforce	H/R & Payroll	5	Partially, some not held
07/01/13	F/278/1213	Information on allotments and waiting lists	Regeneration	14	Partially, some not held
08/01/13	F/279/1213	Information on impact of 'bedroom tax'	Benefits	16	Partially, some not held
08/01/13	F/280/1213	Information on empty commercial premises	Strategy & Performance (Revenues)	1	No - exempt Section 21 available by other means - on website
08/01/13	F/281/1213	Information on persons who have died with no known next of kin since 01/08/2012 to date	Strategy & Performance (Environmental Health - Residential)	2	No - exempt Section 21 available by other means - on website
10/01/13	F/282/1213	Information on Business Rates relief (mandatory, discretionary or both)	Revenues	3	Yes with redactions
11/01/13	F/283/1213	Information on benefit fraud investigations in the last three years	Benefits	10	Yes

Table C: Freedom of Information Requests Summary October to March 2013

Date Received	Reference	Summary of Request	Departments Request Sent to	No of work days	Information released
11/01/13	F/284/1213	Average weekly council housing rent for each of last three years for a one bed flat and a two bed flat	Housing	10	Yes
11/01/13	F/285/1213	Details of who has died with no known next of kin from 01/09/12 to date	Strategy & Performance (Environmental Health - Residential)	2	No - exempt Section 21 available by other means - on website
11/01/13	F/286/1213	Contact details for events manager, lottery funding, charity and voluntary, procurement. Housing and council tax benefit form and disabled bus form	Strategy & Performance	3	Partially, some not held
14/01/13	F/287/1213	Average number of weeks it took to re-house households on council waiting list for 9/10, 10/11, 11/12 and 12/13	Housing	9	No – refused Section 12 exceeds limit
14/01/13	F/288/1213	Total number of FOI requests and complaints received for 10,11 and 12 and Leader and CEO's salaries	Strategy & Performance, Customer Service	13	Partially, some exempt Section 21 available by other means - on website
16/01/13	F/289/1213	Information on New Homes Bonus used to fund or support housing development	Housing, Planning	8	Partially, some not held
16/01/13	F/290/1213	Credits held on business rates system	Strategy & Performance (Revenues)	2	No - exempt Section 21 available by other means - on website

Table C: Freedom of Information Requests Summary October to March 2013

Date Received	Reference	Summary of Request	Departments Request Sent to	No of work days	Information released
16/01/13	F/291/1213	Information on whether BDC has paid RADA in Business for local authority training classes during past four years	H/R & Payroll, Finance	8	No information held
21/01/13	F/292/1213	Forecast on council tax arrears under Council Tax Support	Revenues and Benefits	12	Partially, some not held
22/01/13	F/293/1213	Applications for boiler installations	BCN	4	Yes
24/01/13	F/294/1213	All recorded details of complaints and or enquiries made to Planning over last 20 years concerning Woodlands Farm Fisheries and or Woodlands Farm	Planning	15	Partially, some exempt Section 21 available by other means - on website and Section 12 – exceeds limit
24/01/13	F/295/1213	From February 2012 how many public health funerals have we performed	Strategy & Performance (Environmental Health - Residential)	1	No - exempt Section 21 available by other means - on website
25/01/13	F/296/1213	The lead Criminal Records Bureau Countersignatory	H/R & Payroll	14	Partially, some exempt Section 31 (1)(a) Law Enforcement
25/01/13	F/297/1213	Information on the use of powers of entry laws by officials from the council	H/R & Payroll, Legal, Community Safety, Environmental Health, Planning	16	Partially, some not held
25/01/13	F/298/1213	Information on bedroom tax under-occupancy	Revenues and Benefits	14	Yes

Table C: Freedom of Information Requests Summary October to March 2013

Date Received	Reference	Summary of Request	Departments Request Sent to	No of work days	Information released
28/01/13	F/299/1213	Information on Leisure Centres, sports parks and fields between 2005-2013	Finance, Leisure	15	Partially, some not held
28/01/13	F/300/1213	Information on prosecutions of builders/construction companies for work related offences	Regeneration, Housing, Environmental Health Legal, BCN	13	Partially, some not held
29/01/13	F/301/1213	All limited companies in area who have recently or about to have liability orders made against them for non-payment of business rates	Revenues	12	Partially, some exempt Section 31 (1)(d) Law Enforcement
28/01/13	F/302/1213	Further questions in relation to bedroom tax	Revenues and Benefits, Housing	19	Partially, some exempt Section 21 - available by other means - on website
29/01/13	F/303/1213	Various questions pertaining to suite of council financial services (transactional banking and investment)	Finance	12	Partially, some exempt Section 21 - available by other means - on website
29/01/13	F/304/1213	Full list of commercial properties which are responsible for any business rates liability from Dec 2012	Strategy & Performance (Revenues)	3	Yes with redactions

Table C: Freedom of Information Requests Summary October to March 2013

Date Received	Reference	Summary of Request	Departments Request Sent to	No of work days	Information released
29/01/13	F/305/1213	List of remaining credits and credits that have been written off in respect of Business Rates as at 01/01/13 for companies as far back as records allow	Revenues	13	Partially, some exempt Section 21 - available by other means - on website
31/01/13	F/306/1213	The start date, duration and annual value and name of supplier of any council wide facilities management contracts held	Strategy & Performance (Procurement)	1	No - exempt Section 21 available by other means - on website
31/01/13	F/307/1213	Information on households being subject to the under-occupation housing benefit reduction/ rent arrears	Benefits, Housing	11	Partially, some not held
01/02/13	F/308/1213	Information on cost of unauthorised Gypsy, Traveller or van dweller sites	Environmental Health (Residential), Finance	16	Partially, some not held
01/02/13	F/309/1213	Information on bedroom tax under occupancy	Benefits	12	Yes
04/02/13	F/310/1213	Information on items bought on council purchase card, p card, council credit card that was later found to be a fraudulent activity or misuse over the last five years	Finance, Human Resources/Payroll	11	No information held
04/02/13	F/311/1213	Has BDC carried out a compulsory purchase order on any properties in last 4 years	Legal	11	No information held
04/02/13	F/312/1213	Information relating to 10% cut in council tax benefit scheme and the localisation of council tax support schemes	Benefits	12	Partially, some not held

Table C: Freedom of Information Requests Summary October to March 2013

Date Received	Reference	Summary of Request	Departments Request Sent to	No of work days	Information released
04/02/13	F/313/1213	Information relating to cuts to council tax benefits (council tax support schemes)	Benefits	12	Partially, some not held
04/02/13	F/314/1213	Copies of BDC new regulations/policies/criteria regarding spare bedroom that will reduce housing benefit	Revenues, Benefits	12	Partially, some exempt Section 21 - available by other means - on website
04/02/13	F/315/1213	Information regarding statutory rights over Housing Association tenants especially disabled ones, for repairs that have been passed but not completed	Environmental Health (Residential)	13	Yes
04/02/13	F/316/1213	Copies of receipts for all expenses claims for council leader and Chief Executive Officer for the past 3 years	Human Resources/Payroll	18	Yes (with redactions for personal data)
05/02/13	F/317/1213	How many incidents of anti social behaviour were recorded between January 1st 2012 and December 31st 2012	Community Safety	12	Yes
05/02/13	F/318/1213	How much money is spent on contractors outside of Bolsover community with BDC for construction and anything else over the past 5 years	Procurement, Finance,	12	Partially, some exempt Section 21 - available by other means - on website and Section 12 exceeds appropriate limit

Table C: Freedom of Information Requests Summary October to March 2013

Date Received	Reference	Summary of Request	Departments Request Sent to	No of work days	Information released
05/02/13	F/319/1213	Procurement information on budget spent on goods and services from suppliers and providers in the area	Procurement	14	Partially, some refused Section 12 - appropriate limit
07/02/13	F/320/1213	Documents requested that fell outside the scope of his previous subject access request in relation to all communications between BDC and builder for regeneration work on property	Strategy & Performance (Environmental Health, Customer Service, Regeneration, Planning)	11	Yes (with redactions for personal information)
11/02/13	F/321/1213	Information on a grant to be used to offset the impact of the rising level of vacant premises in town centre	Regeneration (Economic Development), Finance	11	Partially, some not held
11/02/13	F/322/1213	Information relating to the procurement and maintenance of Tablet devices	ICT	10	Partially, some not held
11/02/13	F/323/1213	Full address details of any property within your authority which does not have a current DEC as required by the EPBD regulations	Regeneration	11	Partially, some not held
12/02/13	F/324/1213	How many public space CCTV cameras have been in operation for 2010,2011, 2012 and 2013	Community & Street Services, Environmental Health, Regeneration, Leisure	12	Yes
12/02/13	F/325/1213	Information on postal services and expenditure	Finance, Democratic Services	16	Partially, some not held
14/02/13	F/326/1213	Council spending over £500 in csv format	Finance	15	Yes
1502/13	F/327/1213	Information on bailiff/debt recovery contractors	Revenues, Regeneration	19	Partially, some not held

Table C: Freedom of Information Requests Summary October to March 2013

Date Received	Reference	Summary of Request	Departments Request Sent to	No of work days	Information released
15/02/13	F/328/1213	Information relating to Bolsover District Council Planning Committee meeting held on 18th January 2013	CEPT, Planning, Legal, Democratic Services	20	Partially, some exempt Reg 12(5)(b) course of justice and inquiries exception and Reg 13 personal data
18/02/13	F/329/1213	Information on deaths reported to Treasury Solicitor since 1st August 2012	Strategy & Performance (Environmental Health - Residential)	2	No - exempt Section 21 available by other means - on website
18/02/13	F/330/1213	Information on legal fees spending	Legal	9	Partially, some exempt Section 21 available by other means – on website
19/02/13	F/331/1213	Information on council spend on contract advertising in the OJEU for the last 5 years	Procurement	8	No information held
19/02/13	F/332/1213	Information on rental arrears from 2007 to present	Housing	18	Partially, some not held
19/02/13	F/333/1213	Further information in relation to BDC having to tender in the OJEU in the last 5 years	Procurement	17	Partially, some not held

Table C: Freedom of Information Requests Summary October to March 2013

Date Received	Reference	Summary of Request	Departments Request Sent to	No of work days	Information released
20/02/13	F/334/1213	Information on public or welfare funerals and persons who have died with no known next of kin since 01/11/12 to date	Strategy & Performance (Environmental Health - Residential)	3	No - exempt Section 21 available by other means - on website
25/02/13	F/335/1213	Information on child benefits and the influx of Romanian and Bulgarian civilians looking to settle in the area	Strategy & Performance	4	No information held
25/02/13	F/336/1213	How much has BDC spent on funding family intervention projects in last 3 years	Housing	14	No information held
19/02/13	F/337/1213	Further information on Sherwood Lodge development by Morrisons	Regeneration, Legal, Planning	20	No information held & some available on website (Section 21)
26/02/13	F/338/1213	Information on expenditure on alcohol licensing	Environmental Health (Licensing)	15	Partially, some not held
26/02/13	F/339/1213	List of 29 hazards referred to in previous F/315/1213 and further information on Housing Health Safety Rating System	Environmental Health (Residential)	15	Yes
27/02/13	F/340/1213	Total income for BDC per year for last 3 financial years	Finance	2	Yes
27/02/13	F/341/1213	Discretionary rate relief policy for Community Sports Clubs	Revenues	15	Yes
27/02/13	F/342/1213	Information on advertising/sponsorship on lamp posts	Strategy & Performance (Communications), Regeneration	15	No information held

Table C: Freedom of Information Requests Summary October to March 2013

Date Received	Reference	Summary of Request	Departments Request Sent to	No of work days	Information released
27/02/13	F/343/1213	Various questions on Urban Green Space	Leisure, Planning Policy, Streetscene Services, Finance, Regeneration	20	Partially, some not held
27/02/13	F/344/1213	Information on mobile phones, ipads and number of employees in the council	Human Resources, ICT	16	No information held
28/02/13	F/345/1213	Breakdown of hardware and maintenance costs within ICT	ICT	10	Yes
28/02/13	F/346/1213	Information on expenditure for printing and postage	Finance	18	Yes
28/02/13	F/347/1213	How much supported housing does authority operate or commission by individual property and how many are monitored dry accommodation	Housing	15	No information held
01/03/13	F/348/1213	Information on laptops/usb devices	ICT	17	Yes
01/03/13	F/349/1213	Information on debts owed to the council in relation to council tax, rents, NNDR, sundry debts, housing benefit overpayments	Revenues, Housing, Finance	19	Partially, some not held
01/03/13	F/350/1213	Forecast on bedroom tax arrears	Benefits, Housing	16	Partially, some not held
05/03/13	F/351/1213	Public health funerals carried out since November 2012 when no known next of kin can be found	Strategy & Performance (Environmental Health - Residential)	2	No - exempt Section 21 available by other means - on website
05/03/13	F/352/1213	Information on private bailiffs being instructed to enforce debts owed to the council	Revenues, Housing, Regeneration	16	Yes

Table C: Freedom of Information Requests Summary October to March 2013

Date Received	Reference	Summary of Request	Departments Request Sent to	No of work days	Information released
05/03/13	F/353/1213	Information showing properties included in the Schedule of Monuments compiled under the Ancient Monuments and Archaeological Areas Act (1979)	Planning	16	Yes
07/03/13	F/354/1213	Information on ICT software provider	ICT	18	Partially, some not held
07/03/13	F/355/1213	Information on disclosure and compromise agreements for 2010, 2011 and 2012	Human Resources	19	Partially, some not held and some exempt Section 40 (personal information)
08/03/13	F/356/1213	Information on equal pay claims or potential equal pay claims	Legal, Finance	18	Partially, some exempt on website (Section 21)
08/03/13	F/357/1213	Contact details of officer responsible for providing information to Treasury Solicitor on public health funerals	Strategy & Performance (Environmental Health - Residential)	3	Yes
11/03/13	F/358/1213	Information on compromise agreements directly related to the resolving of disputes, grievances, internal and external investigations from 2007 to date	Human Resources	18	Partially, some not held and some exempt Section 40 (personal information)
12/03/13	F/359/1213	Information on Benefit fraudsters over the last 5 years	Benefits	17	Partially, some not held
12/03/13	F/360/1213	Information concerning an investigation	Legal	20	Yes

Table C: Freedom of Information Requests Summary October to March 2013

Date Received	Reference	Summary of Request	Departments Request Sent to	No of work days	Information released
14/03/13	F/361/1213	Information on charges for abandoned supermarket trolleys under the EVPA1990 and Clean Neighborhood Act 2005	Streetscene Services	16	No information held
15/03/13	F/362/1213	Information on planning applications in which Section 106's are currently being renegotiated	Planning	15	Partially, some not held
15/03/13	F/363/1213	Information regarding payroll service/solution	Human Resources & Payroll, ICT	15	Partially, some not held
15/03/13	F/364/1213	Information on all properties on which HP Enterprise Services UK Ltd pays business rates in local authority area	Revenues	16	No information held
15/03/13	F/365/1213	How many employees and former employees have signed compromise agreements in 2012/13 so far and past five years	Human Resources & Payroll, Legal	16	Partially, some not held and some exempt Section 40 (personal information)
18/03/13	F/366/1213	Information on Energy Management Systems	Regeneration	16	Partially, some not held
18/03/13	F/367/1213	Information on printers, scanners, copiers within organisation	Strategy & Performance (Communications), ICT	19	Partially, some not held
18/03/13	F/368/1213	Information on one bedroom dwellings	Housing	18	Yes
12/03/13	F/369/1213	Information on council owned Business, Innovation, Enterprise and Incubation Centres	Regeneration (Economic Development)	17	Yes
19/03/13	F/370/1213	Information on the Intranet	Strategy & Performance (Communications)	17	Partially, some not held

Table C: Freedom of Information Requests Summary October to March 2013

Date Received	Reference	Summary of Request	Departments Request Sent to	No of work days	Information released
19/03/13	F/371/1213	Information on contract, spend and product details on various telecom services	ICT		
20/03/13	F/372/1213	Details of anyone dying with no known next of kin from 01/10/12 to date	Strategy & Performance (Environmental Health - Residential)	3	No - exempt Section 21 available by other means - on website
20/03/13	F/373/1213	Information on Troubled Families Programme	Housing	4	No information held
21/03/13	F/374/1213	Information on allotment costs	Regeneration		
21/03/13	F/375/1213	Archaeological report showing full conclusions after analysis of the material found and dating carried out in relation to Middle Street, Bolsover	Planning		
21/03/13	F/376/1213	Copy of winning bid document for procurement of Source Derbyshire	Procurement	15	No information held
26/03/13	F/377/1213	Information on Primates licences issued under the Dangerous Wild Animals Act 1976	Environmental Health (Commercial)		
26/03/13	F/378/1213	Total number of employees who have returned to work in a new position who have previously been made redundant - over past 5 years	Human Resources & Payroll		
26/03/13	F/379/1213	Information in relation to BDC funding Junction Arts Ltd for 10/11, 11/12, 12/13, 13/14 and 14/15	Leisure, Finance		
26/03/13	F/380/1213	Further questions relating to the Housing Health Safety Rating System	Environmental Health (Residential)		
27/03/13	F/381/1213	Historic data regarding council tax banding in Shirebrook	Revenues		

Table C: Freedom of Information Requests Summary October to March 2013

Date Received	Reference	Summary of Request	Departments Request Sent to	No of work days	Information released
27/03/13	F/382/1213	List of all credit balances owing to incorporated companies in respect of NNDR	Strategy & Performance (Revenues)	2	No - exempt Section 21 available by other means - on website
28/03/13	F/383/1213	Information on gas and electric providers	Regeneration		

**Table D: Environmental Information Regulations Requests Summary
October to March 2013**

Date Received	Reference	Summary of Request	Departments Request Sent To	No of work days	Information released
21/01/13	E/047/1213	Full voice recording of discussions held during meeting of Losk Lane Wind Farm 10/00463/FULEA	Democratic Services	5	Yes
22/01/13	E/048/1213	Access to LQM's findings in relation to Coalite Works Bolsover	Environmental Health (Commercial)	18	Yes (one appendix exempt – confidentiality of commercial or industrial information)
24/01/13	E/049/1213	Copy of the notes taken by the officer at the meeting regarding Losk Lane Wind Farm	Democratic Services	5	Partially (officer notes released, draft notes not produced)
20/02/13	E/050/1213	Information in relation to noise nuisance complaints	Environmental Health	12	Yes
05/03/13	E/052/1213	Information on all Compulsory Purchase Orders BDC have conducted over last 15 years	Legal	15	Partially, some not held
12/03/13	E/054/1213	Information sought in relation to Woodlands Farm Fisheries and or Woodland Farm at Ward Lane Barlborough	Planning	20	Partially, some exempt – personal data (Regulation 13)
21/03/13	E/055/1213	Details of meetings between officers and developers in relation to proposed development Langwith Road and Mooracre Lane	Planning		

**Table D: Environmental Information Regulations Requests Summary
October to March 2013**

Date Received	Reference	Summary of Request	Departments Request Sent To	No of work days	Information released
29/03/13	E/059/1213	Letters, minutes of meetings regarding Markland Campus site redevelopment pertaining to planning gain from Ben Bailey/Gladedale	Planning		

Committee:	Executive	Agenda Item No.:	9
Date:	14 th May 2013	Status	Open
Category	3. Part of the Budget and Policy Framework		
Subject:	Anti Social Behaviour Policy		
Report by:	Housing Enforcement Manager		
Other Officers Involved	Patch Management Group		
Director	Director of Neighbourhoods		
Relevant Portfolio Holders	Councillor K. Bowman, Portfolio Holder for Housing Management Councillor B.R. Murray-Carr Portfolio Holder for Community Safety		

RELEVANT CORPORATE AIMS

This policy contributes to the following aims.

COMMUNITY SAFETY – Tackling anti social behaviour and its causes. Assisting everyone in feeling safe and secure at home and outdoors,

CUSTOMER FOCUSED SERVICES –Continue to improve the quality and consistency of services received by customers

TARGETS

Increase percentage of successful Anti-Social Behaviour Contracts (ABCs) to 90%.

VALUE FOR MONEY

Please describe how the proposals deliver value for money for the Council and its customers. This section needs completing

THE REPORT

The 2003 Anti Social Behaviour Act required all social landlords, including local authorities as landlords, to produce and make available their policies on Anti Social Behaviour (ASB).

This report proposes that the Anti Social Behaviour Policy of 2008 is updated and the revised policy attached, is adopted as the new policy and to meet this requirement.

The revised policy has been reviewed through the Patch Management group and includes a number of changes to build on the success of the previous version of the document. The document also reflects improvements in working relationships with the police.

The main change within the document is an increased focus on the victims of ASB. This reflects a more general national shift in emphasis partially arising from the Pilkington case in Leicester, and the need to learn from the mistakes made in that case.

The other main changes within the documents are:

- a. To update legislation
- b. To clarify how vulnerability is assessed.
- c. To introduce Risk Assessments for vulnerable people as part of the policy, and
- d. Include more detail on information sharing with Derbyshire County Council.

The revised policy will be placed on the internet and be available to customers and other agencies.

ISSUES/OPTIONS FOR CONSIDERATION

The adoption of the revised Anti Social Behaviour Policy.

IMPLICATIONS

Financial: Not directly

Legal: The policy does cover how the Council deal with issues of Anti Social behaviour which may include taking legal action against perpetrators. It is a legal requirement to have a policy and to make this available.

Human Resources: Not directly.

RECOMMENDATION

That the attached Anti Social Behaviour Policy be adopted.

REASON FOR DECISION TO BE GIVEN IN ACCORDANCE WITH THE CONSTITUTION

To ensure the Council has an up to date Anti Social Behaviour policy in place.

ATTACHMENTS: **Y – Anti Social Behaviour Policy**
FILE REFERENCE:
SOURCE DOCUMENT:

BOLSOVER DISTRICT COUNCIL

Anti Social Behaviour Policy

June 2008
Revised February 2013



This Policy addresses the following Corporate Aims :



COMMUNITY
SAFETY



CUSTOMER
FOCUSED SERVICES



ENVIRONMENT



SOCIAL INCLUSION

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 it's 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 Diversity Officer can be contacted via [Email](#) or by telephoning 01246 242407.

Minicom: 01246 242450

Fax: 01246 242423

CONTROL SHEET FOR ANTI SOCIAL BEHAVIOUR POLICY

Policy Details	Comments / Confirmation (To be updated as the document progresses)
Policy title	Anti Social Behaviour Policy
Current status – i.e. first draft, version 2 or final version	Draft
Policy author	Housing Enforcement Manager
Location of policy – i.e. L-drive, shared drive	L drive
Member route for approval	Portfolio holder for Community Safety
Cabinet Member (if applicable)	Councillor Murray Carr
Equality Impact Assessment approval date	
Partnership involvement (if applicable)	Community Safety Partnership, Environmental Health Department
Final policy approval route i.e. Executive/ Council /Planning Committee	
Date policy approved	
Date policy due for review (maximum three years)	
Date policy forwarded to Strategy and Performance (to include on Intranet and Internet if applicable to the public)	

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Introduction

The Anti Social Behaviour Act 2003 requires Social Landlords to publish a statement of policies and procedures with regard to anti social behaviour for all residents throughout the district. This document meets this legal requirement and is designed to give a clear statement of our approach to Anti Social Behaviour (ASB) including our commitment to eradicate anti-social behaviour, support witnesses and use available legal remedies

This Policy has been developed in line with the Derbyshire wide ASB Protocol which sets out the principles and broad processes of multi- agency working to tackle ASB.

Scope

The purpose of this policy is to ensure Bolsover has fair, transparent and consistent standards in relation to addressing Anti Social Behaviour that occurs within the District. It aims to be comprehensive, clear and accessible to all, so that it is clear how we will deal with all complaints of ASB. It also sets out the standard of behaviour expected of tenants, their households and any visitors to their home.

The Policy also ensures that the victim is at the heart of the approach in tackling ASB

Multi- agency working

The Council is already familiar with multi-agency working to take enforcement action against perpetrators of Anti Social Behaviour. Agencies with responsibilities for tackling ASB and agencies responsible for supporting victims and witnesses of ASB, need to work together to identify and then reduce the risk of harm for all victims and witnesses of ASB but particularly the most vulnerable.

To achieve this Bolsover District Council is involved in the ASB Victims First Project. The purpose of this project is to build on our strong partnership working to:-

- Ensure the victim is at the heart of our approach to tackling ASB
- Provide a consistent multi agency approach to the identification of vulnerable and repeat ASB victims
- Improve the service for ASB victims, especially the most vulnerable
- Improve ASB case management for victims and offenders through ICT

The Council believes that effective solutions to Anti Social Behaviour are not the responsibility of a single agency or organisation. The Council is committed to work with partners to address anti-social behaviour. These partners include but not limited to;

- The Community Safety Partnership and its statutory partners
- Town and Parish Councils
- Multi Agency Teams
- Residents and tenants
- The Police
- Social Services
- Schools
- Community Groups
- Local businesses
- Victims and witnesses
- Youth Offending Teams
- Leisure Services
- Parenting Practitioner
- County Council
- Registered Social Landlords
- Private Landlords

The Law

In addition to the Housing Acts and Anti Social Behaviour Act 2003, a number of legislative powers have been introduced that have impacted on the way local authorities should deal with anti-social behaviour. This document is designed to be compatible with those legal requirements affecting the Council, including but not limited to:

- Children Act 1989
- Environmental Protection Act 1990
- Noise Act 1996
- Regulation of Investigatory Powers Act 2000
- Homelessness Act 2002
- Local Government Act 2000
- Data Protection Act 1998
- Crime and Disorder Act 1998
- Human Rights Act 1998
- Equality Act 2010
- Clean Neighbourhoods and Environment Act 2005
- Violent Crime Act 2006
- The BERR Statutory Regulators' Compliance Code
- Criminal Justice and Immigration Act 2008
- Crime and Security Act 2010

Definitions

A legal definition of behaving in an anti-social manner is found in Section 1(1) of the Crime and Disorder Act 1998. It defines ASB as:

'acting in an anti-social manner as a manner that caused or was likely to cause harassment, alarm or distress to one or more persons not of the same household as the complainant'.

For the purpose of our duties under the 1996 Housing Act (s.218A), ASB is any conduct which:

Behaviour which is capable of causing nuisance or annoyance to any person and which directly or indirectly relates to or affects the housing management functions of a relevant landlord.

Behaviour which is capable of causing nuisance or annoyance to any of the following:

- 1. A person residing in housing accommodation owned or managed by the relevant landlord.*
- 2. A person visiting the housing accommodation or otherwise engaged in lawful activity in or in the locality of the housing accommodation.*
- 3. A person employed by the relevant landlord wholly or partly in connection with its housing management functions.*

In these definitions:

A 'relevant landlord' could be a local authority, registered social landlord, or housing action trust.

The housing management function of the landlord covers any activity that the landlord would undertake in the day to day running and strategic management of their properties. This could include:

- Maintenance and repairs
- Rent collection
- Estate management

Matters that might 'indirectly' affect the housing management function include environmental clearance and refuse collection and other services that enable the efficient operation of the housing service.

It is also important to note that the anti-social behaviour could be either:

- by a tenant of a relevant landlord, affecting other tenants, owners, or others lawfully using a property or facilities in the local area
- by an owner of a property, or tenant of another landlord, in the local

area, affecting tenants of a relevant landlord

Anti-social behaviour may or may not constitute criminal activity. The key factor in deciding whether particular behaviour is anti-social or not, should be the impact of that behaviour on others.

Common forms of anti-social behaviour and neighbour nuisance include, but is not limited to:

- Noise nuisance
- Intimidation and harassment
- Aggressive and threatening language and behaviour
- Actual violence
- Hate behaviour that targets members of identified groups because of their perceived differences
- Using housing accommodation to sell drugs, or for other unlawful purposes
- Damage or threats of damage to someone else's property
- Interfering with the right of someone else to live in their home

Principles

Bolsover District Council is committed to tackling Anti Social Behaviour. Anti Social Behaviour has been given a high priority by the Council which is reflected in both the vision and the Corporate Aims of the Council, the vision states:

“To enhance and improve the wealth profile, well-being and quality of life for the communities of Bolsover district”.

The Community Safety aim states:

“Ensuring that communities are safe and secure”.

The Policy reflects that the Council is working with its partners to deliver the Corporate Aims which support this vision

Bolsover District Council believes that individuals have the right to live the way they want to as long as it doesn't affect the quality of life of other people around them. This means being tolerant and accepting, and respecting the needs and choices of other people.

To deliver this the Council will:

- Encourage and help individuals to solve their differences wherever possible. This is often the easiest way to solving a problem, as often people do not realise they are causing a nuisance. We will get involved and work with people and other agencies to tackle anti-social

behaviour quickly and efficiently.

- Deal firmly but fairly with anti-social behaviour, to discourage such behaviour and to encourage and support others to come forward as witnesses.
- Where possible try to ensure that troublesome families or individuals receive support to help them to modify their behaviour and then to act against those families or individuals who continue to cause a nuisance.
- Commit to making sure our neighbourhoods are peaceful, safe and secure places to live. Recognising that anti-social behaviour can have a severe effect and accept our responsibility to help tackle any problems in a timely manner.
- Take appropriate and prompt actions within our powers when dealing with any disruptive tenants and other people causing a nuisance or harassment in our neighbourhoods and homes.

Policy Statement

Policy Aims

The Council will:

- Allow residents to have quiet enjoyment of their home and communities
- Take all reasonable steps to ensure that all our tenants fully comply with their obligations under the terms and conditions of their tenancy
- Respect confidentiality
- Respond to requests, normally within 10 working days, in an effective, sensitive and consistent way
- Investigate thoroughly and take timely, effective action if required
- Encourage customers to help themselves where this is appropriate
- Maintain regular contact with complainants and work with other agencies to provide support packages if necessary
- Not tolerate unlawful discrimination and harassment
- Deal with all cases of harassment in a sensitive and professional manner always taking a victim-centred approach.
- Create the environment where people feel able to report incidents which are racially motivated
- Ensure staff are trained to deal with anti-social behaviour
- Work effectively with partners in dealing with and preventing anti-social behaviour.

Obligations of Council Tenants

When tenants sign their tenancy agreement, they agree to the conditions contained within the agreement. The standards of behaviour which are expected, not only from the tenant but any other people who occupy or visit the property, are detailed in the agreement.

Where appropriate, the action taken could result in tenants losing their security of tenure, their home, or being subject to an injunction which might

lead to their arrest or even imprisonment. However, in many cases such action may not be appropriate and other measures will be considered.

The major conditions relating to anti-social behaviour contained within the tenancy agreement upon which tenants are managed, are:

- Nuisance
- Nuisance by family and visitors
- Harassment
- Damage to property
- Theft and illegal use of premises.

Vulnerable Perpetrators

Issues of vulnerability, for example disability, mental health problems or drug and alcohol abuse, will always be considered. In such cases the relevant provisions of the Equality Act 2010 and other relevant legislation will be applied, seeking the intervention and support of partner agencies as appropriate.

For the ASB Policy, the definition of vulnerable is:-

“a victim of ASB is vulnerable if the conduct in question causes an adverse impact on their quality of life. Adverse impact includes the risk of harm; deterioration of their health, mental and or emotional wellbeing; or an inability to carry out normal day-to-day routine through fear and intimidation”.

Juvenile Perpetrators

The Council will always ensure that actions taken against juvenile perpetrators are compliant with our responsibilities under the Children Act and other legislation. It will seek to provide support and intervention in liaison through Derbyshire County Council Children’s Services and other relevant youth services and the District’s Senior Parenting Practitioner.

Receiving Anti Social Behaviour Complaints

For the purposes of this policy a complaint is a request for service made to the Council to deal with the actions or situation of tenants and residents of Bolsover District Council, members of their households and visitors to tenant’s homes.

Complaints will be accepted from:

- Neighbours
- Families or friends of neighbour

- Local Councillors
- Tenant representatives
- Other staff from the authority.
- Members of Parliament
- Advice agencies such as the Citizens Advice Bureau
- Solicitors
- Other partner agencies working in the District.

Anti Social Behaviour complaints may be made by letter, in person, by telephone or by email. There is no requirement for a complaint to be put into writing.

Reporting Progress

The Council will agree with the complainant the stage at which they wish to be kept informed. This could be on a weekly or monthly basis. Even if there is nothing to tell the complainant, contact will still be made with them to give them an update until the case is closed. This contact may be verbal or written, depending upon the case or needs of the complainant.

The complainant will also receive the name and contact details for the case officer who is dealing with the ASB complaint.

Support Package

The Council will offer and undertake referrals to other agencies who can deal with specialist issues such as domestic violence, victim support and home security.

Support will be provided at every significant stage. This support could be when legal papers are served on the perpetrator, giving advice and assistance if the local press are involved, and escorting the witness to court so they feel as safe as possible throughout the process.

The support package will be tailored to meet the needs of the case and the individual.

‘Vulnerable Victims and Witnesses’.

The Council will undertake a victims and witness assessment to ensure that victims and witnesses are fully supported in line with ASB Victims First Multi Agency Guidance. To do this we will use a risk assessment matrix tool (RAM) which will enable agencies to identify the most vulnerable, or those suffering the most harm as a result of ASB.

The RAM is designed to be used as a guide to indicate vulnerability, or risk of harm and should be considered alongside Officer’s professional judgement. The RAM does not remove the obligation for the agency receiving the report

of ASB to take appropriate action, in accordance with their existing ASB policy and procedures.

Support to witnesses and victims

The level of fear and intimidation that victims and witnesses are living with cannot be underestimated. To work effectively trust and confidence must be established. This support is needed to ensure successful prosecutions.

Victims will be advised of the self referral process of support available from Victim Support Derbyshire.

The safety of victims and witnesses will always come first. The Council will endeavour to ensure that no witness is left exposed and has been protected through any enforcement action being taken.

The RAM gives an indication of the level of risk of harm or the victim's susceptibility to harm. The package of support will vary from case to case, depending on the level of risk and the individual's personal circumstances. All elements of a support plan should be communicated to and agreed with the victim at all stages of the process, as this will provide both protection and reassurance. Likewise the victim should be regularly updated about any action taken against the perpetrators.

After investigating a case, the ASB Team may decide that legal action is necessary. All cases where legal action is decided will be referred to an "Orders Group Meeting".

Orders Group Meeting

Upon instruction from the ASB Team, the meeting is called to discuss the case, which has been designated in need of legal action. This will include, but is not limited to all Anti Social Behaviour Order applications and ASB Injunction applications.

Any agency involved with the proposed recipient of legal action will be invited to attend the meeting to contribute their views. A consensus will be taken at the meeting in regard to progressing legal action and the quality and strength of evidence presented. Records of the meeting will be kept and stored accordingly. All publicity relating to legal action regarding ASB will be agreed by the Orders Group.

Publicity

It is important to ensure that any publicity relating to Anti Social Behaviour is necessary, appropriate, proportionate and contemporaneous. A decision regarding the publicising of Anti Social Behaviour Orders and Injunctions will

be made at the Orders Group meeting. The group will agree the type, distribution and timescales of the publicity.

All publicity will be approved by the Council's Communications Officer.

Recording Equipment

The Council recognises that it may be necessary to use recording equipment to gather evidence of Anti Social Behaviour. Wherever possible all requests for cameras and other recording equipment to gather evidence for ASB should be referred to the ASB team, who will make the decision on the necessity and priority of the deployment of the equipment. However, in relation to the investigation of alleged noise nuisance under the Environmental Protection Act 1990 the Council's Environmental Health Department may use noise monitoring equipment without the Anti Social Behaviour Team's knowledge.

Anyone utilising covert or overt recording equipment will comply fully with the Regulation of Investigatory Powers Act (RIPA) and the Data Protection Act 1998.

Racial Harassment and Hate Crime

Racial harassment and Hate Crime includes not only physical attacks on persons and damage to property, but also verbal abuse and any other form of behaviour which deprives people of the peaceful enjoyment of their homes and lives.

A hate crime is any criminal offence that is motivated by hostility or prejudice based upon the victims:

- race, colour, ethnic origin, nationality or national origins
- religion or belief
- gender or gender identity
- sexual orientation
- disability
- age

Hate crime can take many forms including:

- physical attacks – such as physical assault, damage to property, offensive graffiti, neighbour disputes and arson
- threat of attack – including offensive letters, abusive or obscene telephone calls, groups hanging around to intimidate and unfounded, malicious complaints
- verbal abuse or insults - offensive leaflets and posters, abusive gestures, dumping of rubbish outside homes or through letterboxes, and bullying at school or in the workplace.

The Council's definition of a hate crime is:

- Any incident, which constitutes a criminal offence, which is perceived by the victim or any other person as being motivated by prejudice or hate.

Bolsover District Council will not tolerate racial harassment or hate crime in any form.

Bolsover District Council aims to abide by the Good Practice Standards for social landlords on tackling racial harassment as published by the ODPM in 'Tackling Racial Harassment: Code of Practice for Social Landlords (2001)'.

This includes:

- Preventing racial harassment
- Recognising incidents of racial harassment
- Responding to incidents of racial harassment quickly and effectively
- Acting appropriately to support victims and witnesses
- Having clear procedural commitments to respond to incidents of racial harassment
- Developing a clear message is sent to perpetrators that racial harassment will not be tolerated in any form
- Reporting and monitoring all racist and hate crime incidents.

Mediation

Mediation, as a way of resolving conflict can be very effective. The Council will consider and offer mediation to appropriate and suitable cases.

This will usually be undertaken in the early stages of a case involving low level nuisance or ASB. However, it may also be appropriate in circumstances where more serious nuisance is alleged over longer periods.

Domestic Violence

Domestic violence will not be tolerated and the Council recognises that it is an issue not just restricted to partner or former partner abuse, but also occurs in other intimate relationships. Working with the Police, Domestic Violence Outreach Worker and other agencies to use existing legal remedies, including where appropriate, the Housing Act provisions to evict perpetrators of domestic violence the Council will :

- Ensure the victim is supported
- Refer to the Domestic Violence Outreach Worker
- Provide safe housing if necessary
- Re-house victims if appropriate
- Work together with other specialist agencies and victims to secure a positive outcome

- Work with the Police Domestic Violence Unit if specific enforcement action is to be undertaken.

Parenting

The Council will seek to provide education for parents to empower them to deal with the behaviour of their children as this is accepted as a successful method of dealing with problems relating to low level ASB.

The Council will also seek to support parents where it has taken action against children committing ASB.

Working in Partnership

Bolsover District Council does not work in isolation. The Council is part of the wider community and will share the problems and challenges of that wider community. Anti-social behaviour is a complex subject and it is unlikely that the causes or solutions to it will lie solely within one organisation.

The Council will work together with residents and local agencies such as the Police, Community Safety Partnership, Social Care, Neighbourhood Wardens, Youth Offending Teams, Education Services, Health Services, Drug and Alcohol Services, other landlords and Probation Services.

The Anti Social Behaviour Team will arrange multi agency case conferences for complex cases. This will ensure that all the relevant agencies have an input into resolving the case.

Confidentiality

Any information provided to the Council will be treated in confidence in line with the Data Protection Act 1998. It will not be passed to the potential perpetrator, without the permission of the person who provided the information.

The Council will accept information anonymously and will investigate this information as far as is possible. Anonymous information can be difficult to substantiate and investigate. However, it can be used to build a picture of particular issues of ASB or support other evidence.

Sharing of information with other agencies

The Council is under a duty to act in order to reduce crime and disorder and will share information where it is necessary in order to achieve this objective. The guidance from the Information Commissioner makes it clear that the Council does have the necessary powers to share information in order to tackle Crime and Disorder.

Information may be shared with other signatories to the Derbyshire Partnership Forum Information Sharing Protocol if this is authorised under the

Crime and Disorder Act.

The Information Sharing Agreement for Anti Social Behaviour in Derbyshire forms part of the Derbyshire Partnership Forum (DPF) Information Sharing Protocol. The purpose of this Information Sharing Agreement is to co-ordinate and facilitate the sharing of information between partner organisations, who have a duty, or specific objective, of working with the perpetrators and victims of anti-social behaviour, with the aim of reducing the harm caused by anti-social behaviour.

Sharing information with tenants and the wider community

Sharing information can help the Council and agencies with whom they work in reassuring tenants and other residents that action is being taken. This may take the form of local media coverage or targeted leafleting.

This action may also act as a deterrent to others whose nuisance behaviour imposes on the quality of life of others. It can also provide tenants and residents with information they need to allow them to report any breaches of Anti Social Behaviour Orders or injunctive measures which may be served upon perpetrators.

Personal data will not be disclosed to tenants or the wider community unless agreed at the Orders Group.

Closure of Cases

The Council will ensure that the ASB complainant is kept fully informed of action taken and when satisfied that no more can be done for a complainant then they will be advised, in writing, when the case is closed.

A case may be closed for a number of reasons:

- a. Action that has been taken has resolved the matter
- b. If, after a reasonable amount of time, there has been no further problems.
- c. There is no evidence of nuisance being caused.

The decision to close a case lies with the case officer. On occasion this may be contrary to the opinion of the complainant.

In order to try to continually improve the services we provide we issue all ASB complainants with a customer satisfaction form in order that we seek their views on the improvements we can make to improve the service we deliver.

Appeals

If an ASB complainant, or their representative, is unhappy that a case has been closed they have the right to appeal against this decision. The appeal should be received in writing. The appeal will be considered by an officer who is senior to the officer who decided to close the case.

The outcome of the appeal will be confirmed in writing within 10 working days. If a complainant is dissatisfied with the way his/her complaint has been handled by the Council then he/she would have the option of making a complaint under the Corporate Complaints Procedure.

There can be no further appeal to reopen a case unless substantial new evidence or information comes to light.

Repeated Complaints

The Council will not consider a simple re-instatement of a previous ASB complaint as a new complaint. Where a matter has been closed or a decision has been made that no action can be taken then the complainant will be required to provide the Council with significant additional new evidence in order to re-open the matter or review the decision. Such evidence will include a number of further incidents or a serious incident.

The decision to re-open the matter will normally be made within 14 days of receiving a further complaint.

Malicious Complaints

If the Council discovers that a complaint has been made maliciously they will, wherever possible, seek to take legal action against the complainant to ensure that such behaviour is not repeated. In addition future complaints will not be considered unless they are addressed to Customer Services.

Vexatious Complaints

The ASB Team will follow the corporate procedure in relation to vexatious complaints as detailed in the Corporate Complaints Procedure.

Staff Training and Development

The council are committed to training our staff and will ensure that all staff dealing with anti-social behaviour are aware of the contents of this policy and procedures.

Refresher training and updates for changes in legislation or good practice changes will also be provided.

Responsibility for implementing the Policy

The responsibility for the deployment of this policy rests with

Initial acceptance of complaint – Contact Centre

Initial investigation – Community Services

Initial investigation of nuisance at a private sector property – Environmental Health (e.g. Noise nuisance)

Further investigation – Housing Department and ASB Team or Environmental Health

Initiating legal action – ASB Team or Environmental Health

Undertaking enforcement action – ASB Team and Legal Department or Environmental Health and Legal Department

Closure of cases and appeals – Community Services, Housing, ASB Team or Environmental Health.

More Information

Other Policies relevant to tackling ASB may be viewed on the Council's Website, including;

- Fly Tipping Policy
- Nuisance Vehicles Policy
- Graffiti Policy

Policy: Anti Social Behaviour Policy, Lead Officer: Deborah Whallett

	Action	Date completed	Comments
1	Inform DoS/SMT rep of policy, see appendix B		
2	PMWGPMG agree draft policy		
3	LO completes EIA	21/01/08	
4	LO submits draft policy and EIA to ESDG	30/01/08	Slight amendments made to policy incorporating comments of ESDG
5	PMWGPMG consider ESDG comments and agree draft policy		
6	LO submits draft policy to DoS /SMT rep for discussion at SMT.		
7	PMWGPMG consider SMT comments and agree draft policy		
8	LO submits draft policy to SPO for discussion at PPMG.		
9	PMWGPMG consider PPMG comments and agree draft policy		
10	LO submits draft policy to Scrutiny committee.		
11	PMWGPMG consider Scrutiny Committee comments / recommendations and agree draft policy.		
12	LO submits draft policy to Executive Committee.		
13	PMWG agree departmental procedures. Implement Policy		
14	Implement Policy		
14	PMG agree departmental procedures.		

Committee:	Executive	Agenda Item No.:	10
Date:	14 th May 2013	Status	Open
Category			
Subject:	East Midlands Declaration on Affordable Housing		
Report by:	Housing Strategy and Enabling Manager		
Other Officers Involved	Planning Policy Manager		
Director	Director of Development		
Relevant Portfolio Holder	Councillor Alan Tomlinson, Portfolio Holder for Regeneration		

RELEVANT CORPORATE AIMS

REGENERATION – Developing healthy, prosperous and sustainable communities

The Declaration on Affordable Housing acknowledges the benefits that affordable housing can have on an area, and the difficulty in delivering it within the current grant regime and economic circumstances. By signing the Declaration, signatory local authorities commit their council to working constructively and collaboratively with partners and communities to maximise opportunities and resources to deliver new affordable housing.

TARGETS

None

VALUE FOR MONEY

N/a

THE REPORT

Background

- 1.1 The Affordable Homes Programme 2011-2015 allocated just 4.1% of total investment to the East Midlands, which was half the share that the region received between 2008 and 2011. In response to the decrease in grant received by the area, and the decline in affordable housing delivery, East Midlands Councils formed a Task Group to look at how councils in the region could increase the delivery of affordable housing, despite the limited availability of public sector grant over the current CSR period.

- 1.2 The group was chaired by the Leader of Derbyshire Dales District Council, with membership comprising officers from a number of EM councils, as well as a representative from the Homes and Communities Agency (HCA) and the National Housing Federation. There were also two further elected member representatives, including Cllr Gordon from North East Derbyshire. The task group has delivered three outputs:
- *Investing in Opportunity*, a prospectus for new affordable housing in the East Midlands;
 - an affordable housing good practice guide, which publishes examples of good practice within the EM region; and
 - the *East Midlands Declaration on Affordable Housing*.
- 1.3 The Declaration on Affordable Housing acknowledges the benefits that affordable housing can have on an area, and the difficulty in delivering it within the current grant regime and economic circumstances. By signing the Declaration, signatory local authorities commit their council to working constructively and collaboratively with partners and communities to maximise opportunities and resources to deliver new affordable housing. The intention is that the Declaration, together with the work of the local authorities, will help to raise the profile of the region as a place to invest in new affordable housing.
- 1.4 The documents produced by the Task Group have all been endorsed by the East Midlands Councils' Executive Board. Following endorsement, EMC wrote out to all chief executives and council leaders asking them to sign up to the Declaration.
- 1.5 The Declaration represents a commitment to addressing affordable housing needs.

ISSUES/OPTIONS FOR CONSIDERATION

- 2.1 Bolsover District Council supports the need for new affordable housing and is fully committed to working with and supporting partners to maximise opportunities to deliver affordable housing. As such, the Council already fulfils the requirements of the Declaration, and its contents do not add anything new to work already being undertaken to facilitate and enable new affordable housing provision.
- 2.2 In 2012 the Council appointed consultants to undertake an economic viability assessment, to investigate the capacity of residential development to make a contribution to addressing affordable housing needs through planning obligations. The findings of the study confirmed that development viability in the District is generally marginal, and concluded that it likely that anything but a small minority of sites would be able to deliver any affordable housing under present market conditions. Responding to these findings and taking a positive approach to growth, the Council approved a policy which suspends the need for developers to demonstrate viability for a three year period,

helping to ensure that the five year housing supply could be delivered. Whilst the rationale for the new policy is based on sound reasoning and evidence, and this approach is very much in line with national policy, there could be slight tensions between the Council's pragmatic approach and the Declaration.

- 2.3 Furthermore, the Council is currently in the process of undertaking a Strategic Housing Market Assessment, which will provide accurate and detailed information on housing need and demand, and affordability within the District. This study will form the key evidence base for a new housing strategy for the area, which will set priorities for housing. The availability of the Council's land and financial assets will be considered in terms of how they can support the delivery of the strategy. It was therefore important to consider whether the Council wishes to formally commit at this time to "seeking to make the best use of council and publicly owned land, financial resources and community assets" to deliver affordable housing, especially given the current pressures on the Council's resources, and the conflicting priorities for their use.
- 2.4 It should also be noted that although the Bolsover District authority area lies within the East Midlands, the Council, and the other local authorities within the housing market area, sit within the Homes and Communities Agency's Yorkshire and Humber funding region. This reflects the work being undertaken through the Sheffield City Region level and the need to align funding for the SCR partner authorities
- 2.5 Although the above points should be noted, following careful consideration officers support the signing of the Declaration.
- 2.6 Both North East Derbyshire and Chesterfield Councils have agreed to support the declaration and sign up to it. Bassetlaw District Council is yet to make a decision. A large proportion of East Midlands Councils have already signed the Declaration.

IMPLICATIONS

Financial: There are no financial implications.

Legal: There are no legal implications.

Human Resources: There are no anticipated implications for human resources.

RECOMMENDATION(S)

That Executive supports the signing of the East Midlands Declaration on Affordable Housing.

REASON FOR DECISION TO BE GIVEN IN ACCORDANCE WITH THE CONSTITUTION

The Council already fulfils the requirements of the Declaration, and its contents do not add anything new to work already being undertaken to facilitate and enable new affordable housing provision. Despite our work to develop a new housing strategy, and the new affordable housing policy, it is not considered sufficient reason for the Council to recommend not supporting the work of East Midlands Council.

ATTACHMENTS: Y
FILE REFERENCE: *none*
SOURCE DOCUMENT: *none*

The East Midlands Declaration on Affordable Housing

We acknowledge that:

- A lack of affordable housing can have an adverse impact on local people, communities and businesses.
- The construction of new affordable housing will support local jobs, benefit the wider local economy and promote social mobility.
- Central Government grant to support the development of new affordable housing is likely to be constrained for the foreseeable future.
- New and innovative approaches to delivering affordable housing will need to be deployed if local needs are to be met.

We commit our Council from this date to work constructively with developers, housing associations and the HCA to maximise opportunities and resources to deliver well designed new affordable housing on suitable sites, through:

- ensuring robust research is undertaken to identify the scale and nature of affordable housing need;
- seeking to make best use of council and publicly owned land, capital resources and community assets in ways that encourage economic growth and the delivery of affordable housing;
- using planning powers creatively and pragmatically;
- working constructively with local communities to make the case for development and challenging local opposition with evidence where necessary;
- working collaboratively with relevant partners to identify joint opportunities for development;
- monitoring the delivery of new affordable housing against the level of established need and publishing the results on an annual basis; and
- freely sharing learning by providing EMC with relevant case studies

**Leader
Council**

**Chief Executive
Council**

**Cllr Martin Hill
Chair EMC**

Date:

Supported by:



Committee:	Executive	Agenda Item No.:	11
Date:	14 May 2013	Status	Open
Category	3. Part of the Budget and Policy Framework		
Subject:	Housing Services – Quarterly Update		
Report by:	Head of Housing		
Other Officers Involved	Housing Needs Manager Housing Enforcement Manager Responsive and Planned Repairs Manager Voids and Welfare Manager		
Director	Director of Neighbourhoods		
Relevant Portfolio Holder	Cllr Keith Bowman, Cabinet Member for Housing Management		

RELEVANT CORPORATE AIMS

Not directly, this is an update report. However some activities will contribute to a range of corporate aims.

TARGETS

Does the subject matter contribute to any targets specified in any approved plans – not directly.

VALUE FOR MONEY

Not applicable

THE REPORT

This report should be read in conjunction with the enclosed statistical appendix.

1. Rent Arrears – rent recovery remains challenging in the current climate. There is concern that this will become more difficult following the introduction of the bedroom tax and other impacts of welfare reform. The department have been looking at options to address this, including looking at systems used by high performing organisations. There will be a more detailed report to members at a future meeting. .
2. Repairs – the repairs service continues to exceed targets for work in time, customer satisfaction and right first time.

Other issues

- a. Contract Work – the Responsive Repairs Manager has been working with the shared procurement team to develop a minor works contract for small works. This is currently being tendered. In addition a separate contract for out of hours work has been developed and is due for assessment shortly.
- b. Supporting People – As previously reported, the department has been successful in being awarded contracts for the static wardens and mobile wardens and a falls recovery scheme. The countywide monitoring service is currently on hold for a period of at least 12 months, the department has been successful with its bid to run this service in the interim. This will bring in additional income.
- c. Capital Work – as previously agreed by Council the department will be carrying out a full stock condition survey. We have appointed ConsultCIH to carry out the preparatory work and a project initialization meeting has been arranged.
- d. STAR survey. The STAR survey is the replacement for the statutory STATUS survey. The first draft was received mid-April and suggests that satisfaction rates have remained high. A more detailed report will be presented to members once the report is finalised.

ISSUES/OPTIONS FOR CONSIDERATION

The issues raised in the report.

IMPLICATIONS

Financial: Not directly
Legal: Not directly
Human Resources: Not directly

RECOMMENDATION(S)

That members note the content of this report.

REASON FOR DECISION TO BE GIVEN IN ACCORDANCE WITH THE CONSTITUTION

To update members on the performance within the Housing Service.

ATTACHMENTS: N
FILE REFERENCE:
SOURCE DOCUMENT:

Committee:	Executive	Agenda Item No.:	12
Date:	14 th May 2013	Status	Open
Category	Decision within the functions of Executive		
Subject:	Appointment of Planning Consultant to provide support for Local Plan Public Hearing		
Report by:	Assistant Director – Planning		
Other Officers Involved			
Director	Director of Development		
Relevant Portfolio Holder	Councillor Dennis Kelly, Cabinet Member for the Environment		

RELEVANT CORPORATE AIMS

The Local Plan (Strategy) outlines a vision, key principles and policies to underpin the future planning and development of the District. It will provide the foundation on which further more detailed policies will be developed and covers a wide range of economic, environmental and social issues. Supporting the delivery of this Plan as such affects all the following aims:

- COMMUNITY SAFETY – Ensuring that communities are safe and secure
- CUSTOMER FOCUSED SERVICES – Providing excellent customer focused services
- ENVIRONMENT – Promoting and enhancing a clear and sustainable environment
- REGENERATION – Developing healthy, prosperous and sustainable communities
- SOCIAL INCLUSION – Promoting fairness, equality and lifelong learning.
- STRATEGIC ORGANISATIONAL DEVELOPMENT – Continually improving our organisation.

TARGETS

The adoption of a Core Strategy (now re-titled Local Plan Strategy) is the subject of Corporate Plan Target E03. Appointment of the necessary staffing is required to deliver this target.

VALUE FOR MONEY

The proposal is to provide a short term cost effective solution following the leaving of the Planning Policy Manager and to re-allocate a proportion of the salary savings to provide support for the Local Plan Hearing. This allows for the longer term consideration of the needs of the service and options for joint

working with North East Derbyshire District Council to be considered with potential for savings to Bolsover District Council.

THE REPORT

The Planning Policy Manager left the employment of the Council at the end of March 2013. This departure comes at a challenging stage for delivering the Local Plan for Bolsover with the Planning Service in the final stages of consultation and preparation prior to submission of the Plan to the Secretary of State. The Local Plan (Strategy) is targeted for submission in the summer with an anticipated Public Examination before the end of 2013.

The Planning Policy Manager would have taken the lead though the Local Plan examination process presenting the Council's case and responding on all aspects raised by the Inspector and to issues or arguments raised through formal representations. Without a satisfactory backfill the Council will be at significant risk of not delivering the Local Plan to programme, which is a corporate target and key requirement from Members.

The short term objective for the Planning Service is to put in place the temporary resource required to ensure that the Council can get through the public examination process in Bolsover and maintain the agreed programme for delivering a Local Plan (Strategy). Following the completion of the public examination (targeted for the end of 2013) the Planning Service will review its existing team and consider any restructuring or permanent filling of vacant posts required to deliver Corporate needs and will consider options and opportunities created by existing vacancies. This will be contained in a further staffing report for consideration by Members.

Agreement has been reached with NEDDC to second their Planning Policy Manager for 2 days per week to BDC on a temporary basis for upto 1 year and this arrangement commenced on April 1st 2013. This still leaves a capacity issue for BDC to ensure proper representation and advice to get through the Public Examination as set out above.

To deal with this it is proposed to appoint planning consultants utilising the salary savings remaining from the existing Planning Policy Manager post. The consultants appointed will represent the Council at the Public Examination and take the lead role in responding to the Inspector. This process includes responding to initial queries, and then to detailed issues, matters and questions that the Inspector identifies. Tendering and procurement issues will follow Council procedures and will be undertaken through the joint Procurement Unit.

This proposal is cost neutral as set out below:

Existing BDC Planning Policy Manager	Proposed temporary staffing changes
Planning Policy Manager Cost - £49,379 pa (including on costs)	Temporary Secondment Planning Policy Manager for 2 days (NED) - £20,035 pa (including on costs) (Commenced April 1 st 2013)
	Appointment of Planning Consultant to represent/prepare evidence to support the Local Plan Public Hearing – up to £25,000

ISSUES/OPTIONS FOR CONSIDERATION

Whether to appoint planning consultants to support the Local Plan Hearing as set out in the report above utilising salary savings.

IMPLICATIONS

Financial: There are no financial implications as the cost will be contained within the existing Planning salary budget for 2013/14.

Legal: None

Human Resources: None

RECOMMENDATION

To approve the use of up to £ 25,000 planning service salary savings to fund an external planning consultant to support the Local Plan Hearing.

REASON FOR DECISION TO BE GIVEN IN ACCORDANCE WITH THE CONSTITUTION

The development of a Local Plan is a target within Bolsover's corporate plan.

ATTACHMENT: **N**
 FILE REFERENCE:
 SOURCE DOCUMENT: **N/A**

Committee:	Executive	Agenda Item No.:	13
Date:	14 th May 2013	Status	Open
Subject:	Strategic Risk Register		
Report by:	Director Corporate Resources		
Other Officers Involved	Business Risk Group		
Director	Director of Resources		
Relevant Portfolio Holder	Councillor E. Watts, Leader of the Council.		

RELEVANT CORPORATE AIMS

STRATEGIC ORGANISATIONAL DEVELOPMENT – to continually improve the efficiency and effectiveness of all Council Services by maximising the potential use of Council resources.

TARGETS

All.

VALUE FOR MONEY

Risk Management arrangements are a key part of the Council's Governance arrangements which are necessary to secure value for money.

Background Information

The Council's Strategic Risk Register has been developed by the Risk Management Group to take into account the issues raised within the Master Risk Register which outlines the service or operational risks faced by the Council. The Risk Management Group has also given separate consideration to the Strategic Risks which face the organisation.

In addition to the work undertaken at the Business Risk Group the Council also considers the issue of Risk Management at the Quarterly Directorate meeting. This allows senior managers to have a greater level of input into the shaping of the Strategic Risk Register and into the wider issues of Risk Management. It also allows service Registers to be independently reviewed on a more regular basis than was achieved by periodic review at the Business Risk Group. Finally, this report will also be considered at a future meeting of the Council's Audit Committee.

In its approach to Risk Management the Council is seeking to secure a number of objectives and to operate in line with recognised best practice. In order to appreciate the importance of Risk Management it is useful to reiterate these objectives:

- To improve the way in which the Council manages its key risks so as to reduce the likelihood of them happening, and to mitigate their impact or magnitude in those cases where they do materialise. This is a key element in protecting service delivery arrangements, the financial position and the reputation of the Council.
- To strengthen the overall managerial approach of the Council. From a Governance perspective the effective operation of Risk Management is regarded as being a key element of the managerial framework operating within an authority.
- Effective Risk Management is a key component in ensuring that organisations are able to achieve their objectives, and that key projects proceed in line with plan.
- The identification of the risks attached to existing service delivery, or to a project or new initiative is important both to allow a fully informed decision to be made, and to ensure that all appropriate measures to mitigate (or reduce) the risk are in place from the outset.
- Finally, an appreciation of the risk environment within which the Council operates assists in determining an appropriate level of financial reserves for sound financial management, and ensures that the organisation has a better awareness of its overall risk exposure.

The Strategic Risk Register

The revised Strategic Risk Register as at 31 March 2013 is set out in **Appendix 1** for consideration and approval by Executive. The intention is that this review of the Register will secure the following objectives:

- Identify any newly emerging risks which need to be added to the Register and removing any risks that have been resolved. An on going review of the Strategic Risk Register ensures that a focus is maintained on current risks.
- Revising the Risk Register ensures that existing risks are reviewed, that appropriate mitigation remains in place, and where necessary risk assessment is revisited.
- The process also allows appropriate consideration to be given to the success of existing mitigation, and to the issue of whether any further mitigation is required.

- The Strategic Risk Register as set out in **Appendix 1** is structured so that those risks with the highest risk score are detailed first.

In overall terms a key element which emerges from the Strategic Risk Register is one of an ongoing requirement to maintain our current performance in respect of service delivery, performance and governance to local residents. The current position, however, needs to be maintained at a time when it will be increasingly necessary to manage the Council's finances in a more pro active way in order to ensure that our expenditure remains in line with the level of our resources at a time of declining financial support from central government. This is likely to entail some significant changes in the manner in which our services to local residents are delivered with the level of change required clearly having the potential to disrupt service provision with the associated risks that such disruption entails.

As part of the quarterly performance, finance and risk meetings the issue which was regarded as increasing in importance was that of managing the impact of welfare reform. There were a number of potential impacts arising from welfare reform which gave grounds for concern. These included the impact of welfare upon local residents with this Council possibly having to be proactive in developing and adapting its services to meeting emerging needs, the potential adverse impact upon key income streams such as Council House rents and Council Tax collection and also rising financial costs from increasing eligibility of local residents for benefit payments at a time when government grant support is effectively a fixed amount, or heavy demands upon budgets such as that for Discretionary Housing Payments. Officers are carefully monitoring the impact of welfare reform including its impact upon the Contact Centres, the Revenues and Benefits and Housing teams.

The Risk Management Group at its meeting on 1st May 2013 agreed that it is now timely to refresh the Council's Risk Strategy and it is planned that this piece of work will be completed – including the comments of the Audit Committee – by the time of the next quarterly report to Executive concerning the Strategic Risk Register. Once Executive has approved the revised Risk Strategy then it will be used as the basis for a training and awareness programme amongst both staff and Elected Members. As an interim awareness raising measure the Risk Management Group also indicated that it would be appropriate to forward the Strategic Risk Register as recommended within this report to the Budget Scrutiny Committee for its consideration.

Financial Implications

There are no additional financial implications arising out of this report at this stage. While where appropriate additional mitigation measures have been identified and implemented during the course of preparing the Strategic and Master Risk Registers, the cost of implementing this mitigation will be met from within previously agreed budgets.

Legal Aspects

There are no legal issues arising as a consequence of this report.

Risk Management Issues

Risk Management Issues are covered throughout the body of the main report.

Equalities Issues

There are no equalities issues arising directly out of this report.

Human Resource Implications

There are no Human Resource issues arising directly out of this report.

Recommendations

That Executive approves the Strategic Risk Register as at 31st March 2013 as set out in Appendix 1 to this report and request that an updated Register as at 30th June 2013 together with a revised Risk Strategy be brought back to a subsequent meeting of Executive for approval.

Background Papers

Location

Master Risk Register

Accountancy

APPENDIX 1

TABLE 1

STRATEGIC RISK REGISTER SUMMARY

STRATEGIC RISK REGISTER SUMMARY AS AT: MARCH 2013

	Risk	Consequences	Risk Score (Likelihood x Impact)	Risk Score (Likelihood x Impact)Taking into Account Current Controls	Risk Owner / Lead Officer
1	Failure to deliver a balanced budget in line with the MTFP, at a time when the Council's reserves are at relatively low levels.	<ul style="list-style-type: none"> • Impact upon ability to deliver current level of services • Unable to resource acceptable levels of service. • Significant adverse reputational Impact. 	4,4 16	3,4 12	SAMT / Chief Financial Officer
2	Failure to realise the opportunities presented by the Strategic Alliance / Joint Working.	<ul style="list-style-type: none"> • Deterioration in service quality / performance. • Failure to achieve required MTFP savings. • Deterioration in quality of governance and internal control arrangements. 	4,4 16	3,4 12	SAMT / Political Leadership
3	Adverse external economic position / government legislation, welfare reform etc. has an	<ul style="list-style-type: none"> • Unable to deliver a package of services that meet changing local needs and aspirations. 	4,4, 16	3,4 12	SAMT / Political Leadership

	Risk	Consequences	Risk Score (Likelihood x Impact)	Risk Score (Likelihood x Impact)Taking into Account Current Controls	Risk Owner / Lead Officer
	accelerating impact on Council (poor grant settlement), or upon the local economy (employment losses / benefits reforms).	<ul style="list-style-type: none"> • Unable to effectively support local communities. • Increased demands on Council services at a time when Council resource base is reducing. 			
4	Financial position makes it increasingly difficult to recruit to key posts or to replace key staff who leave	<ul style="list-style-type: none"> • Deterioration in services to the public • Increasing inefficiencies in service provision • Weakening of Internal Control arrangements. 	4,4 16	3,4 12	SAMT / Asst Director HR
5	Delivery of the Council's Agenda is dependent upon effective delivery of both a number of major initiatives inc Regeneration Initiatives, HRA reform, Asset Management securing major financial savings and implementing a range of	<ul style="list-style-type: none"> • New initiatives are not delivered in a cost-effective manner. • Failure to maintain / improve services in line with local aspirations • Failure to generate the savings required to balance the budget • Financial efficiencies weaken Governance / Internal Control arrangements. • Service 	4,4 16	3,4 12	SAMT / Chief Executive

	Risk	Consequences	Risk Score (Likelihood x Impact)	Risk Score (Likelihood x Impact)Taking into Account Current Controls	Risk Owner / Lead Officer
	new government reforms whilst maintaining service quality, which may overstretch our reduced organisational capacity.	deterioration / failure arising from capacity issues.			
6	Emergency Planning and Business Continuity arrangements fail to meet required standards when tested by flu pandemic, natural disaster (flood), etc	<ul style="list-style-type: none"> • Inability of Council to provide services as a consequence of a severe catastrophic external event (eg flooding, major terrorist incident, flu pandemic, fire). • Failure of IT infrastructure, leading to inability to effectively operate services and to safeguard income streams. • Business Continuity Plans prove ineffective in practice. 	3,5 15	2,5 10	SAMT / Director of Health and Well Being
7	A major operational risk materialises resulting in a significant impact upon the Council's ability to secure its corporate	<ul style="list-style-type: none"> • Deterioration in services to the public, potentially a major initial impact upon a local resident or a group of local residents. • Significant staff and financial 	3,4 12	2,4 8	SAMT / Assistant Directors

	Risk	Consequences	Risk Score (Likelihood x Impact)	Risk Score (Likelihood x Impact)Taking into Account Current Controls	Risk Owner / Lead Officer
	objectives. Given the efficiency measures that have been introduced to date this is considered to be an increasing issue for the Council.	<p>resources required to resolve position, impacting on other services.</p> <ul style="list-style-type: none"> • A major service has its operating capacity significantly impact and is required to introduce major reform in its approach to service delivery. 			
8	Governance Arrangements including Performance, Finance and Risk Management need to be maintained in order to continue to operate effectively in a rapidly changing environment.	<ul style="list-style-type: none"> • Adverse Impact upon Service Quality. • Failure to deliver high quality services which address national and local priorities. • Significant adverse reputational impact. 	3,4 12	2,4 8	Chief Financial Officer / Monitoring Officer
9	Lack of strategic direction from Members / Corporate Management , external partners change Strategic direction.	<ul style="list-style-type: none"> • Failure to deliver high quality services which address national and local priorities. • Deterioration in Governance Arrangements. • Refocus of current services necessary with associated 	3,4 12	3,3 9	Chief Executive / Political Leadership Team

	Risk	Consequences	Risk Score (Likelihood x Impact)	Risk Score (Likelihood x Impact)Taking into Account Current Controls	Risk Owner / Lead Officer
		disruption.			
10	Workforce Issues (Staff morale / Sickness Levels) adversely affected as a result of pace of change, tightening financial circumstances or external circumstances.	<ul style="list-style-type: none"> • Deterioration in services to the public and loss of productivity • Loss of key staff increased sickness levels • Increased pressure on other members of staff 	3,4 12	2,4 8	SAMT / Assistant Director HR

EXECUTIVE

Minutes of a meeting of the Executive of Bolsover District Council held in Chamber Suites 1 & 2, The Arc, High Street, Clowne on Monday 8th April 2013 at 1000 hours.

PRESENT:-

Members:-

Councillor A.F. Tomlinson – In the Chair

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

Officers:-

W. Lumley (Chief Executive Officer), K. Hopkinson (Director of Development), B. Mason (Director of Corporate Resources), S. Tomlinson (Director of Neighbourhoods), S.E.A. Sternberg (Assistant Director of Governance and Monitoring Officer and Solicitor to the Council), M. Kane (Governance Manager), S. Bentley (Environmental Health Manager) (to minute no. 1104), P. Brown (Chief Executive's and Partnership Manager) (to minute no. 1102), S. Brunt (Street Scene Manager), (J. Clayton (Partnership Performance and Sustainability Officer) (to minute no. 1102), S. Chambers (Communications Officer) and R. Leadbeater (Democratic Services Officer).

Also in attendance in the public gallery was Councillor P. Cooper.

1095. APOLOGY

An apology for absence was received on behalf of Councillor E. Watts.

1096. URGENT ITEMS OF BUSINESS

There were no urgent items of business.

1097. DECLARATIONS OF INTEREST

There were no declarations of interest submitted.

EXECUTIVE

1098. MINUTES – 4TH MARCH 2013

An amendment to Councillor Tomlinson's Declaration of Interest was requested as this had been stated incorrectly as being in relation to minute number 963 rather than minute number 973.

Minute No.	Councillor	Level of Interest
963 .973.	A. F. Tomlinson	Non Significant Other Interest

Moved by Councillor D. McGregor, seconded by Councillor B.R. Murray-Carr **RESOLVED** that the minutes of a meeting of the Executive held on 4th March 2013 be approved as a true record subject to the stated amendment.

1099. RECORD OF DECISION NOTICES FROM THE MEETING OF THE JOINT BOARD HELD ON 11TH MARCH 2013.

Moved by Councillor D. McGregor, seconded by Councillor A.F. Tomlinson **RESOLVED** that the record of decisions from the meeting of the Joint Board held on 11th March 2013 be noted.

1100. SINGLE EQUALITY SCHEME 2011-2015 ANNUAL REVIEW 2013

The Portfolio Holder for Social Inclusion presented the report for Members to consider the second Annual Review of the Single Equality Scheme 2011-2015. The Improvement Plan, which detailed the expected and actual outcomes achieved was appended to the report for Members' information.

Members were advised that the Equality Impact Assessment form that was required to be completed in respect of all Council policies had been re-designed. The redesign had considered best practice from Bolsover and North East Derbyshire District Councils and would be used across both authorities.

In response to questions regarding the provisions in place for people with low levels of literacy or other problems to access the Council's services, the Assistant Director of Governance and Monitoring Officer and Solicitor to the Council advised that this was considered on a case by case basis and appropriate support provided as needed. Further questions were raised in respect of the current number of ethnic minorities resident in Bolsover and whether consideration had been given to any potential increases in migration in 2014. Members were advised that there were a comparatively low number of ethnic

EXECUTIVE

minority groups in the Bolsover area. Information had been collected and monitored in respect of the migrants from Eastern Europe in recent years and appropriate support arrangements put in place by the Council and its partner agencies. Any increases or changes to the ethnic population would be monitored and provided for in the same way. Updated statistical Information would be provided to Members as available.

Moved by Councillor A.M. Syrett, seconded by Councillor K. Bowman
RESOLVED that the second Annual Review of the Single Equality Scheme 2011-2015 be approved in compliance with the Council's statutory responsibilities, prior to information being made available to the public.

REASON FOR DECISION:

In accordance with the Executive function.

(Equalities Officer)

1101. SUSTAINABLE COMMUNITY STRATEGY REFRESH 2013

The Chief Executive's and Partnership Manager presented the report to inform Members of the refresh of the Sustainable Community Strategy document and to seek endorsement of the launch event to be held on 18th April 2013.

Members were advised that the Coalition Government had repealed the statutory duty upon local authorities to produce a Sustainable Community Strategy and no new formal methods of managing performance of priorities had been imposed upon the Local Authority. However, locally and through the work with Bolsover Partnership, the Sustainable Community Strategy had been recognised as a key driver in ensuring local priorities were discussed and agreed by local people. It had therefore been agreed to carry out a full refresh to reflect the most up to date views, with a consultation process being undertaken with partner organisations, agencies and sectors.

Members were requested to endorse the Sustainable Community Strategy Refresh process and acknowledge the launch event to be held on 18th April 2013 at 9.30am at The Arc, High Street, Clowne. The Chair advised Members that Councillor David Sparks, Leader of Dudley Metropolitan Borough Council, the Leader of the LGA Labour Group and Vice Chair of the LGA had agreed to be the keynote speaker to open the event. District Council Members and Officers were encouraged to attend.

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Moved by Councillor A. F. Tomlinson, seconded by Councillor B.R. Murray-Carr
RESOLVED that the report be noted and the launch event for the Sustainable
Community Strategy Refresh to be staged on 18th April 2013 be
endorsed.

REASON FOR DECISION: **To advise Members of the Sustainable
Community Strategy Refresh process and
seek endorsement of the launch event.**

(Chief Executive's and Partnership Manager)

The Chief Executive's and Partnership Manager and Partnership Performance
and Sustainability Officer left the meeting.

1102. LOCAL TAXATION – DEBT RECOVERY POLICY

The Director of Corporate Resources presented the report to seek Executive
approval of the Debt Recovery Policy. The policy would provide a formal
framework for the recovery of Council Tax and Non Domestic Rates and would
replace the current Debt Collection Procedure. The new policy had been drafted
in the light of the Local Government Association Best Practice guidance and in
consultation with the Council's partner organisations.

Moved by Councillor A.F. Tomlinson, seconded by Councillor D. McGregor
RESOLVED that the Debt Recovery Policy be approved and the Good Practice
Protocol for the collection of Council Tax Arrears be recognised
with a continuing commitment to partnership working with advice
agencies for the benefit of residents.

REASON FOR DECISION: **To adopt a Debt Recovery Policy.**

(Director of Corporate Resources)

1103. NEIGHBOURHOOD MANAGEMENT COMMUNITY HOUSES

The Environmental Health Manager presented the report to update Members on
the progress in identifying alternative funding arrangements for the three
Community Houses.

South Normanton

Members were advised that the premises were currently used by the Residents
Group, the Police and North Derbyshire Women's Aid. It had not been possible

EXECUTIVE

to identify a funding source to continue to provide the Community House facility however, alternative accommodation could be provided at The Hub. It would be necessary to undertake conversion work to bring the property back into residential use and seek the appropriate planning permissions. Once occupied, this would contribute to the New Homes Bonus received by the Authority. To allow the current users of the property time to vacate, it was proposed that the closure be concluded within the next two months considering that service provision would be relatively unaffected.

Castle Estate

Members were advised that the property was currently only used by the local Residents Association. Local Members had supported the group by approaching the Town Council, appropriate County Councillor and owner of the property (Villagate) to seek potential alternative funding. The Town Council had pledged £1,000 and the owners had agreed to 3 months free rental to allow the group time to seek alternative accommodation. The possibility of the Residents Association taking over the tenancy had been discussed as it was considered to be a valuable community facility, however due to the level of costs involved and the funding available this would not be an option. It was therefore proposed to close the Community House within the next month and complete conversion works in preparation for the handover to the owners. Once converted this property would also attract New Homes Bonus.

New Houghton

Members were advised that there was no longer an active Residents Group in the area and no community led events were delivered from the premises. Derbyshire County Council were the main users providing children's activities and adult education. Derbyshire County Council had been advised of the plans to close the Community House and were currently considering the possibility of taking over the premises. Initial indications were that this would be unlikely, however due to the demand for the services currently provided, options to relocate were being considered. The premises were currently used to store a sizeable amount of equipment and to enable this to be cleared it was proposed that this would be the last of the Community Houses to be closed, should this prove necessary.

The Environmental Health Manager added that should the Community Houses close, it was envisaged that a Neighbourhood Outreach Service would be developed, improving flexibility and increasing the number of vulnerable people the service could assist, particularly in relation to the impacts of Welfare Reforms and issues posed by the Public Health agenda. An exercise would be undertaken to help identify and understand the distribution of the need for various services and target groups, such as areas with high levels of deprivation or disability.

EXECUTIVE

Financial information and an Equality Impact Assessment had been provided for Members' consideration.

Members discussed the proposals at considerable length. Councillor Bowman raised concerns over the removal of the community facility from the Castle Estate and asked questions in respect of how and where the proposed outreach service would be delivered. The Environmental Health Manager responded that Outreach Workers may attend community events and meetings or make one to one home visits, however the detail was still to be consulted upon and agreed. Further concerns were raised that the full impact of the introduction of the Welfare Reforms was still unknown which may increase the pressures on the service.

Councillor Bowman requested that his vote be recorded as having voted against the recommendations.

Moved by Councillor B.R. Murray-Carr, seconded by Councillor D. Kelly
RESOLVED that (1) the report be received and progress on the development of the Neighbourhood Outreach Service be reported to Executive in June;

(2) the South Normanton Community House close within 2 months;

(3) the New Houghton Community House close within 3 months subject to alternative funding not being forthcoming;

(4) the Castle Estate Community House close within the next month. To undertake the necessary conversion works in preparation for handover within the 3 month period set by Villagate and to terminate the tenancy agreement;

(5) the costs of Planning Applications and necessary conversion works be funded via Transitional Funding.

(6) laptops for project workers be provided and funded via Transitional Funding.

REASON FOR DECISION: **To effectively plan for the closure of the Community Houses and to develop a future outreach service.**

(Director of Health and Well Being)

The Environmental Health Manager left the meeting.

EXECUTIVE

1104. COMMUNITY RIGHT TO BID

The Assistant Director of Governance and Monitoring Officer and Solicitor to the Council presented the report to advise Members of statutory obligations imposed by the Localism Act 2011 relating to Assets of Community Involvement.

The purpose of the Community Right to Bid was to seek to ensure that important assets remained in public use, which covered not only municipal buildings but also facilities such as shops and public houses. Assets could be placed on a list that the Authority was required to maintain, following nomination by a parish council or community group.

It was proposed that the Director of Development, in consultation with the Leader and Deputy Leader of the Council, be given delegated powers to determine whether the property proposed for inclusion on the list met the criteria set out in legislation.

Moved by Councillor A. M Syrett, seconded by Councillor B.R. Murray-Carr
RESOLVED that (1) the statutory obligations imposed by the Localism Act 2011 relating to Assets of Community Involvement be noted.

(2) delegated powers be granted to the Director of Development in consultation with the Leader and Deputy Leader of the Council, to make decisions on any matter the Council is required to make a decision on in relation to Part 3 Chapter 3 (Assets of Community Involvement) of the Localism Act.

REASON FOR DECISION: In order that the Council has procedures in place to comply with the provisions of the Localism Act 2011.

(Director of Development/Constitution)

1105. THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Moved by Councillor K. Bowman, 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.

EXECUTIVE

1106. NEW HOUGHTON TARRANS EXEMPT- PARAGRAPH 3

The Assistant Director of Governance and Monitoring Officer and Solicitor to the Council presented the report to seek Members' approval to suspend the Council's Contract Standing Orders and to approve a development agreement with Kier Partnership for the construction of properties in New Houghton. The redevelopment of the former Tarran Bungalow site would see the provision of 20 new Council owned bungalows and 15 additional Council houses in exchange for the title to the remaining site for a further 60 private dwellings to be built.

A plan of the proposed site was provided for Members' information.

Moved by Councillor K. Bowman, seconded by Councillor

RESOLVED that (1) the Council's Contract Standing Orders number 4.8.5(6) be suspended and the development agreement with Kier Partnership Homes Limited for the construction of 20 bungalows and 15 houses (11 two bed and 4 three bed) at New Houghton in exchange for land for the construction of 60 open market dwellings on the terms set out in the report including the retention of a ransom strip around the Appleby House land and adjoining land be approved;

(2) the Director of Development be authorised to negotiate the homeloss payment payable by the developer under the agreement;

(3) Members agree to approve any necessary ancillary agreements required by the Kier Partnership Homes Limited to deliver the development of the whole site including:

- (i) any necessary highway agreement;
- (ii) any necessary agreement with statutory undertakers
- (iii) any agreement in the opinion of the Assistant Director of Governance and Monitoring Officer and Solicitor to the Council that is required to deliver the development;

(4) the Chief Executive Officer be given delegated powers to incur expenditure incidental and ancillary to the development in consultation with the Housing Management Portfolio Holder, Director of Development and Deputy Leader of the Council.

REASON FOR DECISION: **The redevelopment of a site currently in poor condition.**

(Assistant Director of Governance and Monitoring Officer and Solicitor to the Council/Director of Development)

EXECUTIVE

1107. TENDER EVALUATION OUTCOME – SUPPLY AND FIT OF UPVC DOORS EXEMPT – PARAGRAPH 3

The Director of Corporate Resources presented the report to seek Members' approval of the tender award for the supply and fit of UPVC doors.

A total of 7 tenders were received by the deadline which were evaluated on a 50% cost and quality basis. It was recommended that the contract be awarded to Nationwide Ltd for a period of three years, subject to annual renewal. A discussion took place.

Moved by Councillor K. Bowman, seconded by Councillor D. McGregor
RESOLVED that the appointment of Nationwide Ltd to undertake the replacement door contract be approved.

REASON FOR DECISION: To achieve Best Value for the Council.

(Head of Shared Procurement)

1108. GROUNDS MAINTENANCE AND STREET CLEANSING SERVICE DELIVERY ARRANGEMENTS EXEMPT – PARAGRAPHS 1, 3 & 4

The Portfolio Holder for Environment presented the report to request that Members note and approve the change in arrangements for undertaking grass cutting to tenant gardens and closed churchyards. It was proposed that this service would be reintegrated into the Council's Streetscene Services. Changes to the staffing establishment were also recommended to facilitate an increase in the number and efficiency of the services currently provided.

Moved by Councillor D. Kelly, seconded by Councillor B. R. Murray-Carr
RESOLVED that (1) notice received from Shaw Trust to terminate their agreement with the Council in the undertaking of grass cutting at tenant gardens and closed churchyards resulting in the agreement being terminated from 13th March 2013 be recognised;

(2) the undertaking of grass cutting at tenant gardens and closed churchyards being reintegrated within Streetscene Services in-house grounds maintenance arrangements be recognised;

(3) the increase in frequency of grass cutting at tenant gardens from 6 to 12 cuts per annum by way of the later establishment within a 4th mowing team be approved;

EXECUTIVE

(4) the re-allocation of the budget previously afforded to meet costs received from Shaw Trust, to that of meeting future costs of delivery the service by Streetscene Services as set out at 3.6 of the report be approved;

(5) the use of the Chief Executives delegated powers to employ 3No. Multi-Skilled Streetscene Operatives on a temporary basis to assist in meeting the seasonal demands of grass cutting at tenant gardens and closed churchyards be noted and a report be presented to a future meeting of the Council for the permanent establishment of necessary posts.

RECOMMENDED that (6) Council approve the re-designation of post SSC31 to full time employment and the redistribution of the salary budget of post SSC30 which will result in the disestablishment of post SSC30.

REASON FOR DECISION: **To terminate the contract with an external service provider (Shaw Trust) and to employ seasonal staff to facilitate and enhance its re-integration within in-house grounds maintenance service delivery arrangements. To vary street cleaning staff positions to support more flexible street cleaning staffing arrangements and enhance operational performance.**

(Streetscene Manager/Council)

1109. STATION ROAD, BOLSOVER, TRAFFIC ISLAND SPONSORSHIP EXEMPT PARAGRAPHS 1, 3 & 4

The Portfolio Holder for Environment presented the report to seek Members' approval to enter into a sponsorship agreement with Lloyds Heat and Design Limited for the traffic Island at Station Road (A632), Bolsover.

The Streetscene Manager advised that the roundabout was situated at the gateway to Bolsover and had been subject to reinstatement works carried out by Bolsover District Council and Derbyshire County Council. The sponsorship opportunity would provide for seasonal plantings to further enhance the aesthetics of the approach into Bolsover.

EXECUTIVE

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

RESOLVED that (1) the Council enters in to a sponsorship agreement with Lloyds Heat and Design Ltd (Bolsover Business Park, 36 Intake Rd, Bolsover, Chesterfield, Derbyshire S44 6BB) at the Traffic Island, Station Road, Bolsover (A632) for the annual sum of £1,600 and paid in 4 equal (quarterly in advance) instalments.

(2) the Council enters in to a Cultivation Licence with Derbyshire County Council to undertake enhanced landscape improvements to the Traffic Island, Station Road, Bolsover (A632) which are over and above current maintenance arrangements afforded by way of its Highways Agency Agreement.

REASON FOR DECISION: **To enter in to agreements to facilitate sponsorship arrangements to enhance aesthetics of the District of Bolsover.**

(Street Scene Manager)

The meeting concluded at 1105 hours.



The Arc
High Street
Clowne
Derbyshire
S43 4JY

EXECUTIVE

14 MAY 2013

The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

Further Notice of Intention to Conduct Business in Private

Notice is hereby given in accordance with Regulation 5 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 that the following items will be considered in private:

Tender Evaluation Outcome - Out of Hours Contract

The reason that the above item is likely to be considered in private is that it may involve the disclosure of information relating to the financial or business affairs of any particular person (including the authority holding that information).

Tender Evaluation Outcome – Minor Works Framework Contract for Surfacing

The reason that the above item is likely to be considered in private is that it may involve the disclosure of information relating to the financial or business affairs of any particular person (including the authority holding that information).

Tender Evaluation Outcome – Minor Works Framework Contract for Drains Repairs

The reason that the above item is likely to be considered in private is that it may involve the disclosure of information relating to the financial or business affairs of any particular person (including the authority holding that information).

The Council has not received any representations that the above items should be considered in public.

W. Lumley BSc, FCCA,
Chief Executive Officer
2 May 2013



The Arc
High Street
Clowne
Derbyshire
S43 4JY

EXECUTIVE

14 MAY 2013

The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

Notice of Intention to Conduct Urgent Business in Private

Notice is hereby given in accordance with Regulation 5 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 that the following items will be considered as urgent in the private session of the above meeting:

Shirebrook Model Village Sports Ground

The reason that the above item is to be considered in private is that it may involve the disclosure of exempt information relating to the financial or business affairs of any particular person (including the authority holding the information).

The reason the item is urgent and cannot be reasonably deferred is because there is a risk that essential grant funding may be lost.

The Deputy Leader of the Council, as vice-chair of the Executive, has consented to the item being considered as urgent business. The three Scrutiny Chairs have consented to the item being heard in private.

A handwritten signature in black ink that reads "Sarah Sternberg".

Sarah Sternberg
Monitoring Officer

10 May 2013