

The Arc
High Street
Clowne
Derbyshire
S43 4JY

Date: 28 June 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 Monday 8 July 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

Email enquiries@bolsover.gov.uk Web www.bolsover.gov.uk
Chief Executive Officer: Wes Lumley, B.Sc., F.C.C.A.
The Arc, High Street, Clowne, Derbyshire, S43 4JY



The Government Standard

EXECUTIVE AGENDA

Monday 8 July 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 10 June 2013.	Previously circulated
5	Recommended Items From Other Standing Committees None	
6	Decisions of Joint Board To note the Decision List of the Joint Board held on 20 May 2013	Previously circulated
7	The Future of Pleasley Vale Mills Scrutiny Review – Additional Information Recommendation on page 6	5-11

8	Sheffield City Region and South Yorkshire Funding Streams Inter-Authority Agreement <i>Recommendation on page 16</i>	12-29
9	Housing Revenue Account Capital Programme <i>Recommendation on page 32</i>	30-32
10	Arrears - Irrecoverable Items over £1,000 <i>Recommendation on page 34</i>	33-37

PART 2 – EXEMPT ITEMS

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

Paragraph 3

11	Arrears - Irrecoverable Items over £1,000 <i>Recommendation on page 39</i>	38-42
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The Arc
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EXECUTIVE

8 July 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:

Arrears - Irrecoverable Items over £1,000

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

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

W. Lumley BSc, FCCA,
Chief Executive Officer
28 June 2013

Committee:	Executive	Agenda Item No.:	7
Date:	8 July 2013	Category	2
Subject:	The Future of Pleasley Vale Mills Scrutiny Review – additional information	Status	Open
Report by:	Commercial Property and Developments Manager		
Other Officers involved:	Scrutiny Officer		
Directors	Director of Development		
Relevant Portfolio Holders	Councillor Alan Tomlinson, Deputy Leader and Cabinet Member for Regeneration		

RELEVANT CORPORATE AIMS

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

VALUE FOR MONEY

It was anticipated that the recommendations detailed within the Scrutiny report on the Future of Pleasley Vale Mills would provide simplification, a clear direction and a better overall management of the Pleasley Vale site.

THE REPORT

The Sustainable Communities Scrutiny Committee completed its review on the future of Pleasley Vale Mills and the final report was considered by Executive on 14th May 2013.

The seven recommendations detailed within the scrutiny review report were approved with a further recommendation made by Executive,

(2) A further report on financial and supporting policy information relating to Pleasley Vale Mills be reported to Executive within a six week period.

ISSUES FOR CONSIDERATION

The Commercial Property and Developments Manager has submitted the attached report in response to the request from Executive.

IMPLICATIONS

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

RECOMMENDATION

That the report of the Commercial Property and Developments Manager be noted.

Update to Executive following 14th May Meeting

Pleasley Vale Business Park

June 2013

Whilst considering the report of the Sustainable Communities Scrutiny Committee, Executive made a request for additional information on Pleasley Vale Business Park which was included within the recommendations in the minutes as follows:

“A further report on financial and supporting policy information relating to Pleasley Vale Mills be reported to Executive within a six week period”

Please find below the financial information requested which has been provided by Finance and reflects the 2012/13 year end position.

G090 – Pleasley Vale

Code	Description	Actual
1028	Agency Staff	11,337.43
2001	Rep/Maint - Build/F.Plant	34,491.94
2014	Electricity	4,840.04
2019	Rates	20,300.60
2021	Water Charges	9,898.97
2025	Insurance - Premises	10,839.99
2029	Gas / Plant Facilities Mngmt Contract	26,705.13
3013	Essential User Lump Sum	320.11
4001	Equipment, Tools & Materials	11,088.32
4018	Advertising	5,802.50
4039	Telephones - Calls/Rental	911.68
5001	Hired/Contract Services	156,837.90
5008	Professional / Consultancy Fees	4,288.85
6001	Write on / offs	5,893.75
7020	Charges - Regeneration Mgmt & Admin	93,919.63
9040	Miscellaneous Income	-300.00
9041	Rents	-358,528.93
9049	Insurance Income	-600.00
9077	Trfr to/from Balances	1,836.75
9103	Recovered Expenditure	-950.15
9132	Service Charge - Ind Sites	-50,026.05
9142	Deposits	-1,836.75
9940	Charges - Support Services Income	-12,020.33
	Total Including Internal Recharges	-24,948.62
	Total Excluding Internal Recharges	-106,847.92

Therefore, on the revenue budget (G090) a profit of circa £25,000 was made after all internal recharges, which are predominantly salaries.

In addition to code G090, there is an electricity trading account (G092) which is used to recharge tenants for their electricity usage. There is an increase between the price per unit charged to BDC and the rate per unit charged to the tenants. This increase is to cover standing charges, Climate Change Levy, Officer time collecting meter readings, processing invoices, etc.

G092 – Electricity Trading

Code	Description	Actual
2014	Electricity	87,615.64
4001	Equipment, Tools & Materials	64.96
		-
9061	Electricity Recharge - Ind. Sites	147,849.51
	Total Including Internal Recharges	-60,168.91
	Total Excluding Internal Recharges	-60,168.91

You will note that no recharges are applied to this code as the officer time is recovered through G090.

Therefore, Pleasley Vale Business Park final account position is as follows:

G090 + G092 =

Total Including Internal Recharges	-85,117.53
Total Excluding Internal Recharges	-167,016.83

It is pleasing to report an overall £85,000 profit.

For completeness, I have also provided the final position with regards the Tangent (G133) and other commercial property (G089).

G133 – The Tangent

Total Including Internal Recharges	827.50
Total Excluding Internal Recharges	827.50

The tangent budget should be cost neutral as all 2012/13 operating costs are recovered through grant funding. The outstanding £827 is a disputed invoice which has yet to be resolved or claimed from the funder.

G089 – Premises Development (Other Properties)

	Total Including Internal Recharges	-19,843.05
	Total Excluding Internal Recharges	-27,424.47

This budget is used to manage all other BDC commercial property (Oxcroft House, Former Bolsover Depot, South Normanton Contact Centre, Garden Licenses, etc) but excludes lettings at The Arc or Sherwood Lodge.

Overall the final account position of all of the budgets relating to commercial property is pleasing. This is testament to the hard work of the entire Regeneration team but in particular Natalie Etches, Roger Owen, Tim Robinson and Gareth Harper. Many challenges lie ahead with regards increasing lettings at the Tangent and difficult sites such as Oxcroft Depot but it is also important to recognise the achievements to date.

Pleasley Vale - Supporting Policy information

With regards the supporting policy information requested it is unclear as to what information is requested. Therefore, I have provided an overview of future projects which would impact on the financial performance and implementation of the Scrutiny recommendations. If this doesn't satisfy Executive's request, the appropriate information can be provided upon request.

How rents are determined:

Rents at Pleasley Vale business are negotiated with the tenants on a £/ft basis. The £/ft figure is multiplied by the area of the office/unit to determine an annual rent. The £/ft varies considerably throughout the site but the range is as follows:

Industrial/Storage: £0.5/ft (Large 4th floor storage, poor condition) to £4.50/ft (Small groundfloor unit, good condition)

Office: £3/ft (Large 4th floor) to £8/ft (Small modern, self contained office)

The £/ft varies on: Market conditions, Condition of the unit, Access, etc

These rates are determined by the RICS qualified Senior Valuer and the Assistant Director of Development signs them off prior to letting.

The current projects at Pleasley Vale Business Park which will increase long term income are as follows:

Refurbishment of void units in Mill 2 – 2WL are a tenant at the Mills who occupy a considerable amount of space in Mill 2 and are worth £125k PA in rent, service charge and NNDR. We are currently working with them on their long-term growth strategy which is likely to result in the refurbishment of a goods lift to bring it back into use and service units 12 & 13 Mill 2. These are currently unfit for letting due to the condition of the unit. This will release a further 28,000 sqft of lettable space and commit the tenant to the site for the medium term (10yrs).

Charging for access through the Mills – An upgrade of the security cards used at Pleasley to the same system as at the Arc presents an opportunity to charge local businesses (not tenants) for access through the site. We have had encouraging discussions with a couple of business who currently access through the site (Chris's Taxis and the Landfill) and they would be willing to pay an annual fee.

Relocation of Security – We intend to relocate the Security from the Security Lodge to Mill 1. This will release the lodge for disposal and provide a 'front of house' service to service meeting rooms in Mill 1. We currently have an agreed layout for the new reception/security area in Mill 1 and are developing the tender pack.

HLF Bid - The recently launched Heritage Lottery Fund (HLF) £125m grant programme, known as Heritage Enterprise, will commit at least £25m per year over the next five years to allow not-for-profit organisations to work in partnership with the private sector to restore unused/underused buildings. BDC are preparing a Round 1 funding application for Pleasley Vale.

Pleasley Vale Business Park is currently making a small profit on its lettings, however, large capital costs such as the roof replacement on Mill Two, window replacement programme and an oversupply of office space present a risk to the future sustainability of the site. The scope of this project would be protecting the current commercial use for the long-term by investing in large capital upgrade works to:

1. Reduce the future capital burden on BDC
2. Improve facilities to increase the overall rental value

3. Introduce new uses to the site (Residential, Education, Conference, etc) to reduce the reliance on the commercial office market.
4. Maintain and enhance the heritage features of the Mills and preserve the history.
5. Increase the investment value of Pleasley Vale Mills

Committee:	Executive	Agenda Item No.:	8
Date:	8 th July 2013	Status	Open
Category	Within the function of Executive		
Subject:	Sheffield City Region And South Yorkshire Funding Streams Inter-Authority Agreement		
Report by:	Economic Development and Investment Manager		
Other Officers Involved and relevant Cabinet Member with responsibility:	Chief Executive Officer Solicitor to the Council and Monitoring Officer Leader of the Council		
Groups/persons consulted			

RELEVANT CORPORATE AIMS

REGENERATION – Developing healthy, prosperous and sustainable communities by attracting new business investment, encouraging business growth and creating new employment opportunities.

- Enterprise Zone for advanced manufacturing and technology to attract inward investment to grow the City Region economy through a range of incentives including business rate relief and enhanced capital allowances.
- Regional Growth Fund (RGF) Round 3 funding to unlock business investment leading to sustainable, private sector growth.
- Growing Places Fund (GPF) to support transport and housing projects that deliver economic growth and create employment, locally Markham Vale has been supported (£1.5m SCR, £2.5m D2N2).

SOCIAL INCLUSION – Promoting fairness, equality and lifelong learning providing the opportunity for inclusion of all individuals in employment and training opportunities

- City Region Deal secured devolved funding packages for local skills to create new apprenticeships and up-skilling existing employees

1.0 PURPOSE OF THE REPORT

- 1.1 In March of this year the Council agreed to become a member of the Sheffield City Region Authority and take an active role as a beneficiary of funding devolved by Government to the City Region now and in the future.
- 1.2 Funding has already been devolved through the Growing Places Fund (GPF) £18.5m allocated to SCR authorities for immediate short-term investment aimed at supporting transport and housing projects.
- 1.3 The IAA has been put forward by Sheffield City Council (acting as the accountable body to SCR on Growing Places Fund) as a means for all SCR Local Authorities to share the financial risk of delivering External Funding activity on behalf of the City Region. Critically it involves the use

of funds where the Accountable Body is not the sole decision making body. Sheffield City Council has requested that all SCR Local Authorities share what is considered to be a relatively small risk associated with the funding.

- 1.4 The Growing Places Fund has been devolved in form of a grant with the only condition that it is spent on capital projects and that the principle of value for money is applied. Failure to adhere to these requirements could potentially lead to clawback of the GPF. In addition clawback might be triggered if funding is applied in breach of state aid rules or EU procurement requirements.
- 1.5 With particular regard to the proportion of the GPF used to promote the delivery of jobs and housing, which is being matched with ERDF to create the JESSICA, this currently applies to South Yorkshire Authorities. However, conditions attached to the ERDF preclude investment in some of these sectors (retail, residential, transport). SCR Authorities have considered this issue and have put in place processes for the combined funds to work.
- 1.6 Giving consideration to the principal areas that could trigger clawback the associated GPF risk level is assessed as low and measures are in place to address potential risks should it be necessary.
- 1.7 There is no guarantee that there will be no clawback or other loss incurred by Sheffield as Accountable Body, detail on potential risks are explained in paragraph 8 of this report.
- 1.8 In terms of sharing the risk across the SCR it is proposed that risk is calculated on the basis of populations within each Local Authority area. The risk share for the JESSICA fund (South Yorkshire Authorities) and the SCRIF (Housing and Transport Fund) are outlined below.

Local Authority	Housing and Transport Fund %	JESSICA Fund %
Barnsley	13	17
Bassetlaw	7	
Bolsover	4	
Chesterfield	6	
Doncaster	17	22
North East Derbyshire	6	
Rotherham	15	20
Sheffield	32	41

ONS 2009

2.0 ISSUES/OPTIONS FOR CONSIDERATION – REASONS FOR DECISIONS TO BE GIVEN IN ACCORDANCE WITH THE CONSTITUTION

- 2.1 Specifically, the Local Authorities will indemnify Sheffield City Council in the Risk Shares stipulated in the above table against all financial loss (including but not limited to all reasonable fees, costs and expenses) incurred by Sheffield City Council in relation to or arising from:
- (a) the allocation and management of the GPF and;
 - (b) its role as Accountable Body for the GPF funding to the extent that any such financial loss is not due to the actions of the Accountable Body.

3.0 IMPLICATIONS

3.1 Financial: Sharing Risk

- 3.2 The sharing of financial risk when managing funds on behalf of the SCR is based on limited set of circumstances where the Accountable Body incurs loss, damages and/or costs for delivering the funding in question. Importantly it is the financial loss incurred by (and to) the Accountable Body that is being covered by the IAA not necessarily the loss of funds for which it is accountable.
- 3.3 It is also important to note that the IAA does not cover the Accountable Body's own negligence, wilful misconduct, fraud or reckless disregard.
- 3.4 A number of scenarios are provided below to demonstrate when the IAA would or would not be called upon:

a. A project benefits from a loan from the Accountable Body but fails to repay it at maturity.

Loans to projects/developments can go 'wrong' due to a number of reasons. Where a project has received funding in good faith but is unable to repay a loan the IAA is unlikely to come into effect unless the original external funding came to the Accountable Body with a requirement for full repayment at a specified date.

In the case of Growing Places Fund, there is no obligation to repay Government the funding as it is an unringfenced grant.

In this scenario SCR partners do have the discretion to take further action to try and recover the original loan even if it is not required by the external funder. The cost of this action would be shared by the SCR partners, such an agreement would fall outside of the scope of the IAA.

b. A project is awarded funding but not in accordance with the external funders requirements and claw-back is implemented.

If funding has been awarded to a project, however the external funder considers the award to be ineligible and seeks claw-back, the IAA may be required. If the Accountable Body has failed to follow the external funders requirements this could be construed as negligence and the IAA would not be implemented. However if the Accountable Body can reasonably demonstrate that it followed the external funders

requirements but the 'rules have now changed' then IAA would be the means to share the cost of repaying the external funder.

c. A project breaches state aid regulations.

If funds are invested in a project that then faces a successful state aid challenge it is the project beneficiary that will be required to repay the funding. However the Accountable Body may incur legal costs to claw-back the funding and a potential fine for investing outside of state aid regulations. The IAA may come into effect if it can be shown that any loss incurred by the Accountable Body is not as a result of it failing to consider the state aid risk in its investment process.

d. A project breaches procurement regulations

From a finance management perspective the Accountable Body is unlikely to undertake any procurement activity.

At a project level the procurement activity will be the responsibility of the project sponsor and the Accountable Body will pass on all obligations for such activity through the funding agreement with the sponsor. Therefore it is highly unlikely that the Accountable Body will incur any loss and require protection from the IAA.

e. A project incurs ineligible expenditure

Where a project spends funding on inappropriate activity, the funding agreement from the Accountable Body will likely contain a claw-back mechanism. The IAA may come into effect if the Accountable Body incurs cost in implementing the claw-back provision. As with a) above, the IAA may also be applicable if the External Funding body requires repayment of its original funding and the Accountable Body has been unable to secure the claw-back funds through no demonstrable fault of its own.

f. Failure to Deliver Outputs

If at a fund level outputs are not achieved the external funder may seek claw-back of their funds. Where this is not the demonstrable fault of the Accountable Body then the IAA may be implemented.

If a project fails to deliver outputs but this does not result in a financial loss to the Accountable Body then the IAA would not be required. However partners at their discretion may have the ability to seek claw-back from the project beneficiary which may result in cost to the Accountable Body. However the sharing of this cost would sit outside of the IAA.

- 3.5 The above scenarios, albeit not fully exhaustive, highlight that the IAA is unlikely to come into effect where the Accountable Body complies with the requirements of the external funding body and seeks to contractually pass on risk to a project beneficiary where appropriate.

3.6 **Current Position**

- 3.7 To date Barnsley MBC, Rotherham MBC, Doncaster MBC and Chesterfield BC have completed the IAA and returned to SCC.

- 3.8 It is understood that Bassetlaw DC and Derbyshire Dales DC are in the process of seeking final approvals to complete the IAA.
- 3.9 The S.151 officer at SCC has indicated that funds for GPF projects might not be released unless the IAA has been completed.

3.10 Expansion of Use

- 3.11 To date the IAA is being used in respect of the Growing Places Fund and JESSICA but it has been designed to allow the addition of other funding streams. For example consideration is being given to use in respect to the SCR Regional Growth Fund programme.
- 3.12 The IAA can be used by any SCR LA where it undertakes an Accountable Body role and, for example, Barnsley MBC are reviewing the document to see how it might apply in respect of their Accountable Body status for the SCR LEP accounts.
- 3.13 At the time of circulating the IAA Derbyshire Dales were not part of the SCR. Amendment to include Derbyshire Dales within the scope of the IAA will be undertaken through a simple variation of the existing agreement.

3.14 Legal: The IAA

- 3.15 A copy of the IAA is appended: Annex 1

3.16 Human Resources: None

4.0 RECOMMENDATION

4.1 That the Executive

Agree to the Leader of the Council signing the Inter-Authority Agreement (IAA) put forward by Sheffield City Council (acting as accountable body to Sheffield City Region (SCR) on Growing Places Fund), as a means for all SCR Local Authorities to share the financial risk of delivering External Funding activity on behalf of the City Region.

A copy of the IAA is appended Annex 1.

SOURCE DOCUMENT:

Inter Authority Agreement

Appended: Annex 1

**SHEFFIELD CITY REGION AND SOUTH YORKSHIRE
FUNDING STREAMS INTER-AUTHORITY AGREEMENT**

SHEFFIELD CITY REGION AND SOUTH YORKSHIRE FUNDING STREAMS

INTER-AUTHORITY AGREEMENT

HEADS OF TERMS

1. INTRODUCTION AND BACKGROUND

- 1.1 Sheffield City Council (the "**Accountable Body**") will be acting as the accountable body in respect of a number of funding streams (the "**Funds**") that are to be defrayed on a South Yorkshire or Sheffield City Region basis. However, each of these Funds involves provisions for decision-making regarding defrayal of the Funds by organisations that are not within the control of the Accountable Body.
- 1.2 In consideration of the Accountable Body taking on this role, the Authorities agree to the administration and governance of the Funds and the sharing of liability in accordance with the terms of this inter-authority agreement ("**IAA**") to regulate the arrangements between them.
- 1.3 Each Appendix to this IAA shall set out any specific governance and administrative requirements in respect of a particular Fund, which of the Authorities shall be subject to the provisions of the relevant Appendix, and the arrangements between those Authorities in relation to the sharing of Losses incurred by the Accountable Body (as the same is determined pursuant to paragraph 3 below, and to be based as far as is practicable on the calculation of the proportion of an Authority's population as a percentage of the whole population of all of the Authorities benefitting from a particular Fund).
- 1.4 Each of the Authorities agrees that it shall:
- 1.4.1 cooperate with the Accountable Body in relation to the negotiation and entering into of agreements in respect of individual projects funded through the Funds in a timely manner;
 - 1.4.2 act in good faith in respect of its dealings with any of the Authorities;
 - 1.4.3 uphold and promote principles of transparency and competition; and
 - 1.4.4 comply with all relevant legislation in relation to the administration of the Funds and projects funded by the Funds.
- 1.5 Defined terms used in this IAA have the meaning set out in the Fund Management Agreement or other agreements relating to the Funds as may be identified in the Appendices (save where stated otherwise).

2. PARTIES

- 2.1 The first parties to this IAA will be:-
- 2.1.1 the Accountable Body
 - 2.1.2 Rotherham Metropolitan Borough Council ("**Rotherham**")
 - 2.1.3 Doncaster Metropolitan Borough Council ("**Doncaster**")
 - 2.1.4 Barnsley Metropolitan Borough Council ("**Barnsley**")
 - 2.1.5 Bassetlaw District Council ("**Bassetlaw**")
 - 2.1.6 Bolsover District Council ("**Bolsover**")

- 2.1.7 Chesterfield Borough Council ("**Chesterfield**")
- 2.1.8 North East Derbyshire Council ("**North East Derbyshire**")

(together the "**Authorities**").

3. **AUTHORITY COMMITMENTS**

- 3.1 Subject to paragraph 3.3 below, in the event that the Accountable Body incurs any losses (including, without limitation, loss of profit), damages and/or costs (in each case whether direct, indirect, special, consequential or otherwise) howsoever caused and whether in contract, tort, negligence or otherwise arising in respect of any of the Funds ("**Losses**") then the Authorities hereby agree that any such Losses shall be borne as between the Authorities in the proportions set out in the relevant Appendix relating to that Fund and in accordance with the process set out in paragraph 3.2.
- 3.2 On incurring a Loss, the Accountable Body shall notify each Authority in writing setting out:-
 - 3.2.1 The amount of the Loss;
 - 3.2.2 Evidence of the Loss having been incurred;
 - 3.2.3 A summary of the steps taken by the Accountable Body to mitigate the Loss;
 - 3.2.4 The amount of the contribution it requires from each Authority ("**Contribution**"), to be determined in accordance with the liability sharing proportions set out in the relevant Appendix pertaining to the relevant Fund; and
 - 3.2.5 Details of the bank account into which the Contribution should be paid; and each Authority severally undertakes to (as soon as reasonably practicable following receipt of such written notice from the Accountable Body) pay such requested Contribution into the bank account of the Accountable Body specified in the notice.
- 3.3 Paragraphs 3.1 and 3.2 above shall not apply to the extent that Losses:-
 - 3.3.1 are recovered or should have been recovered by the Accountable Body under any agreement that the Accountable Body has entered into or should (acting reasonably) have entered into with any organisation (including any of the Authorities) in relation to the allocation of risk of delivery of the project; or
 - 3.3.2 are incurred by the Accountable Body due to its own negligence, wilful misconduct, fraud or reckless disregard.

4. **NEW MEMBERS**

- 4.1 Additional local authority partners may become a party to this IAA provided that:-
 - 4.1.1 The initial parties to the IAA unanimously agree (including the agreement of any revised liability share arrangements in respect of each of the Funds; and
 - 4.1.2 The incoming local authority signs the IAA.

5. **NEW FUNDS**

- 5.1 Where additional funding streams become available to the Authorities (or some of them), the Authorities may agree that the terms of this IAA shall apply to the administration of such Funds, provided that:-

- 5.1.1 The Authorities unanimously agree; and
- 5.1.2 The Authorities produce and sign and new Appendix to the IAA in respect the new funding stream, such Appendix to detail the specific governance and administrative requirements in respect of the funding stream, which of the Authorities shall be subject to the provisions of the relevant Appendix, and the arrangements between those Authorities in relation to the sharing of Losses incurred by the Accountable Body (such liability sharing to be based as far as is practicable on the calculation of the proportion of an Authority's population as a percentage of the whole population of all of the Authorities benefitting from a particular Fund).

6. TERMINATION

- 6.1 Subject to Clause 7.5 below, this IAA shall terminate upon the expiry or termination of the last of the agreements between the Accountable Body and any funded organisation under any of the Funds.
- 6.2 The provisions of this IAA shall cease to apply to a Fund upon the expiry or termination of the last of the agreements between the Accountable Body and any funded organisation under that Fund.

7. ENTIRE AGREEMENT, VARIATION, WAIVER, SURVIVAL AND COSTS

- 7.1 This IAA embodies and sets forth the entire agreement and understanding of the Authorities and supersedes all prior oral or written agreements understandings or arrangements relating to the subject matter of this IAA.
- 7.2 This IAA shall not be amended, modified, varied or supplemented except in writing signed by duly authorised representatives of the Authorities.
- 7.3 No failure or delay on the part of either party hereto to exercise any right or remedy under this IAA shall be construed or operated as a waiver thereof nor shall any single or partial exercise of any right or remedy as the case may be. The rights and remedies provided in this IAA are cumulative and are not exclusive of any rights or remedies provided by law.
- 7.4 Each of the Authorities shall be responsible for its respective legal and other costs incurred in relation to the preparation of this IAA.
- 7.5 The provisions of paragraph 4, and the liability sharing provisions of each of the Appendices, shall survive the termination or expiry of this IAA and continue in full force and effect.

8. NOTICES

- 8.1 Any notice or other document to be given under this IAA shall be in writing and shall be deemed to have been duly given if left at or sent by:
 - 8.1.1 first class post or express or air mail or other fast postal services; or
 - 8.1.2 registered post; or
 - 8.1.3 telex, facsimile or other electronic media (including by email), to an Authority at the address, email address or relevant telecommunications number for such Authority or such other address as the Authority may from time to time designate by written notice to the other Authorities.

8.2 All such notices and documents shall be in the English language. Any notice or other document shall be deemed to have been received by the addressee two working days following the date of despatch of the notice or other document by post or, where the notice or other document is sent by hand or is given by telex, facsimile or other electronic media, simultaneously with the delivery or transmission. To prove the giving of a notice or other document it shall be sufficient to show that it was despatched.

9. **CONTRACTS (RIGHTS OF THIRD PARTIES) ACT 1999**

9.1 A person who is not a party to this IAA shall have no rights under the Contracts (Rights of Third Parties) Act 1999 to enforce any of its terms.

10. **ASSIGNMENT**

10.1 No Authority shall assign, transfer, sub-contract or in any other manner make over to any third party the benefit and/or burden of this IAA without the prior written consent of the other.

11. **GOVERNING LAW**

11.1 The validity construction and performance of this IAA shall be governed by English law.

11.2 All disputes, claims or proceedings between the parties relating to the validity construction or performance of this IAA shall be subject to the jurisdiction of the English Courts to which the parties hereto irrevocably submit.

12. **COUNTERPARTS**

12.1 This IAA may be executed in any number of counterparts, all of which when taken together shall constitute one and the same instrument.

13. **AVAILABILITY OF FUNDS**

13.1 The Accountable Body reserves the right to not to make funding available for any investment until such time that all Authorities have executed this IAA and returned a completed copy to the Accountable Body

[Add execution blocks for all authorities]

DRAFT - TO BE AGREED WITH FUND MANAGER

APPENDIX 1

SHEFFIELD CITY REGION UDF

Administration and Governance

1. The Accountable Body has established the Sheffield City Region Urban Development Fund (the "**UDF**"). The UDF has been set up as a limited partnership with the Accountable Body as limited partner and the general partner, being a wholly owned subsidiary of the Accountable Body. The general partner has appointed GBRE Limited to act as the **Fund Manager** to identify investment opportunities and make recommendations to the general partner to invest in line with an investment strategy.
2. The UDF will be invested with two separate classes of funding:-
 - 2.1 £15,042,857 of ERDF plus £8.1m of Growing Places ("match") Funding (the "**JESSICA Funding**" for investment in the South Yorkshire region; and
 - 2.2 Such other funds as are identified by the Accountable Body and its partners from time to time for investment in the Sheffield City Region (the "**SCR Funds**").
3. As part of the wider UDF structure, the Accountable Body is to establish an Investment Board (or "**IB**") to provide a forum for the Accountable Body and its partners to provide an appropriate level of advice to the UDF/Fund Manager and oversight and monitoring of the UDF's operations. The IB will not have a direct relationship with the Manager, with the Accountable Body acting as conduit for the IB's recommendations.
4. The day to day running and investment activities of the UDF will be delegated by the general partner to the Fund Manager. It is critical that the Investment Board (and each representative on it) does not participate in the day to day operations of the UDF such that it is deemed to be carrying out regulated activity for the purposes of the FSMA (with the associated liability implications).
5. The Accountable Body will also establish a Sheffield City Region Advisory Investment Group (the "**SCRAIG**") at an Officer level to ensure engagement of all SCR Authorities within the activities of the UDF. The SCRAIG will provide an informal forum for the Fund Manager to discuss project opportunities and seek comments when considering amendments to the Investment Strategy. The SCRAIG will have no legal status and the Fund Manager will be under no obligation to agree to any recommendations made by the SCRAIG.
6. **AUTHORITY RIGHTS**
 - 6.1 [Each] Authority from South Yorkshire area shall each be entitled to appoint one representative to the IB (each a "**Representative**").
 - 6.2 Each Authority shall each be entitled to appoint one representative to the SCRAIG (each a "**SCRAIG Representative**").
 - 6.3 The first Representatives and SCRAIG Representatives shall be:-

Authority

**Investment Board
Representative**

**SCRAIG
Representative**

- 6.3.1 Sheffield Representative:

- 6.3.2 Rotherham Representative:
- 6.3.3 Doncaster Representative:
- 6.3.4 Barnsley Representative:
- 6.3.5 Bassetlaw Representative: N/A
- 6.3.6 Bolsover Representative: N/A
- 6.3.7 Chesterfield Representative: N/A
- 6.3.8 North East Derbyshire Representative: N/A

6.4 In addition to the above the following organisations will be invited to have representation at the SCRAIG in an observer status:

Authority	SCRAIG Observer
6.4.1 Derbyshire Dales:	
6.4.2 Sheffield City Region Executive:	
6.4.3 Homes and Communities Agency:	
6.4.4 South Yorkshire Passenger Transport Executive	

6.5 Any proposed Representative or SCRAIG Representative (as applicable) shall not be appointed as a Representative or SCRAIG Representative (as applicable) unless he has accepted and signed the Letter of Appointment

6.6 Prior to the UDF adopting the investment strategy (or making any material variations to it) the Accountable Body agrees to allow each Authority to make representations on its terms provided that the Accountable Body shall (acting in its absolute discretion) determine whether or not to incorporate such representations into the investment strategy.

7. INVESTMENT BOARD OPERATIONS

7.1 The Investment Board shall operate in accordance with the terms of reference that shall be approved by the Investment Board and thereafter shall be appended to this IAA (the "**Terms of Reference**").

7.2 The Terms of Reference are to contain different governance arrangements in relation to the investment of SY Funds and SCR Funds.

7.3 Appointment (except in respect of those Representatives identified in paragraph 6.3 above) and removal of Representatives shall be carried out in accordance with the Terms of Reference.

7.4 No Representative shall be entitled to vote on any decision of the Investment Board in relation to which it has a personal or professional conflict of interest.

8. **SCRAIG OPERATIONS**

8.1 The SCRAIG will operate as an informal officer group to oversee the performance of the UDF and provide input and advice as required. The SCRAIG will develop such terms of reference as the SCRAIG Representatives (or any subset of them appointed by the SCRAIG) consider is required from time to time. In the event that such terms of reference are adopted by the SCRAIG, then the SCRAIG shall operate in accordance with such terms of reference (the " **SCRAIG Terms of Reference**"), which shall be appended to the IAA once adopted.

8.2 Appointment (except in respect of those Representatives identified in paragraph 6.3 above) and removal of SCRAIG Representatives shall be carried out in accordance with the SCRAIG Terms of Reference.

8.3 No SCRAIG Representative shall be entitled to vote on any decision of the SCRAIG in relation to which it has a personal or professional conflict of interest.

9. **AUTHORITY OBLIGATIONS**

9.1 The Authorities hereby agree that the Representatives and SCRAIG Representatives shall carry out their function as Representative or SCRAIG Representative (as applicable) in good faith towards the Fund, and each Authority shall appraise its Representative or SCRAIG Representative (as applicable) of such duties.

9.2 Each Authority shall ensure that the Representative and SCRAIG Representative appointed by it:-

9.2.1 complies with the Terms of Reference or SCRAIG Terms of Reference (as applicable);

9.2.2 is appropriately qualified and experienced;

9.2.3 dedicates sufficient time and resource to its function as Representative or SCRAIG Representative (as applicable).

10. **NEW MEMBERS**

10.1 Additional local authority partners will be entitled to appoint a Representative and/or SCRAIG Representative provided that the procedure in paragraph 4 of the IAA has been followed and the relevant Representative or SCRAIG Representative (as applicable) signs a Letter of Appointment.

11. **LIABILITY SHARING AND RELEVANT AUTHORITIES**

11.1 The Authorities to which this Appendix 1 applies, and the relevant proportion of liability to be borne by each such Authority in the event that Losses are incurred by the Accountable Body in respect of this Fund (as the same are determined in accordance with paragraph 3 of the main body of the IAA), shall be as follows:

Authority	Proportion of Liability for Losses
Sheffield:	41%
Rotherham:	20%
Doncaster:	22%
Barnsley:	17%

APPENDIX 2

GROWING PLACES FUND (GPF)

Administration and Governance

1. The Accountable Body is working on behalf of the Sheffield City Region Local Enterprise Partnership (the "**LEP**"). The Accountable Body will be making Growing Places Fund ("**GPF**") funding available to projects in the form of a loan, equity investment or grant at the direction of the LEP.
2. The GPF will be invested in a number of projects to advance the economic development of the City Region. Investments in projects will be in the form of capital only.
3. At the date of this IAA the amount of funds made available for investment with the GPF is £18,203,436.
4. Other funds to be administered as part of the GPF may become available following the date of this IAA as identified by the LEP and Accountable Body, and the Authorities will be advised accordingly. Upon the addition of any additional funding to the GPF and notification of such by the Accountable Body to the Authorities, the Authorities agree that the provisions of this IAA shall apply to such additional funding,
5. As part of managing the GPF, the LEP in consultation with the Accountable Body is to establish a Terms and Conditions Sub-Board (the "**T&C SB**") to the main LEP Board. The T&C SB, once established, will operate as a forum for the LEP and the T&C SB Representatives to provide appropriate recommendations to the LEP Board and Accountable Body in respect of the investments to make and the appropriate terms for such investments (nature, scale, length of the investment and nature of return). The Accountable Body will implement the recommendations of the LEP subject to satisfying the conditions of the GPF funding and final approval of the Accountable Body's S.151 Officer.
6. The day to day administration and investment activities of the GPF will be undertaken by the Accountable Body. The LEP Executive Team (the "**Executive**") will promote the use of the GPF and will act as an interface between project sponsors and the T&C SB and the Accountable Body.
7. The Accountable Body will also use the Sheffield City Region Advisory Investment Group (the "**SCRAIG**") (as the same is described in Appendix 1) to inform Authorities of progress and seek advice in respect of investment opportunities and linkages to the JESSICA fund as and when required.
8. **AUTHORITY RIGHTS**
 - 8.1 The LEP Board has determined the appropriate representation required for the T&C SB in consultation with the Accountable Body. The Executive shall request representatives (the "**T&C SB Representatives**") from the organisations set out in paragraph 8.2.
 - 8.2 The first T&C SB Representatives shall be:-

Authority	Representative
8.2.1	LEP Board Representative:
8.2.2	Accountable Body Representative:

- 8.2.3 An independent property expert in respect of financing development as nominated by the LEP
- 8.2.4 The chair of the SCR LEP Property and Construction Sector Group
- 8.2.5 A representative of at least one other Authority other than the Accountable Body at Executive Director level covering regeneration and economic growth as nominated by the Executive.

9. **TERMS AND CONDITIONS SUB BOARD OPERATIONS**

- 9.1 The T&C SB will develop such terms of reference as the T&C SB Representatives (or any subset of them appointed by the T&C SB) consider is required from time to time. In the event that such terms of reference are adopted by the T&C SB, then the T&C SB shall operate in accordance with such terms of reference (the "**T&C SB Terms of Reference**"), which shall be appended to the IAA once adopted.
- 9.1 Appointment (except in respect of those Representatives identified in paragraph 6.3 above) and removal of T&C SB Representatives shall be carried out in accordance with the T&C SB Terms of Reference.
- 9.2 No T&C SB Representative shall be entitled to vote on any decision of the T&C SB in relation to which it has a personal or professional conflict of interest.
- 9.3 The Executive and Accountable Body will provide support to the operations of the T&C SB as required.

10. **NEW MEMBERS**

- 10.1 Additional local authority partners will be entitled to appoint a T&C SB Representative to the T&C SB subject to invitation of the LEP Board.

11. **LIABILITY SHARING AND RELEVANT AUTHORITIES**

- 11.1 The Authorities to which this Appendix 2 applies, and the relevant proportion of liability to be borne by each such Authority in the event that Losses are incurred by the Accountable Body in respect of this Fund (as the same are determined in accordance with paragraph 3 of the main body of the IAA), shall be as follows:

Authority	Proportion of Liability for Losses
Sheffield:	32%
Rotherham:	15%
Doncaster:	17%

Barnsley:	13%
Bassetlaw:	7%
Bolsover:	4%
Chesterfield:	6%
North East Derbyshire	6%

APPENDIX 3

REGIONAL DEVELOPMENT FUND

[To set out details of administration/governance/decision making, including which Authorities it is relevant to]

Committee:	Executive	Agenda Item No.:	9
Date:	8 July 2013	Status	Open
Category	3. Part of the Budget and Policy Framework		
Subject:	Housing Revenue Account Capital Programme		
Report by:	Head of Housing		
Other Officers Involved	Housing Stock Group		
Director	Director of Neighbourhoods		
Relevant Portfolio Holder	Cllr Karl Reid, Portfolio Holder for Housing		

RELEVANT CORPORATE AIMS

COMMUNITY SAFETY – CS 05 - Ensure that all tenants of bungalows and sheltered housing schemes are offered new doors with secure locking mechanisms by April 2015 – The proposals in the paper allow this to be extended to all properties by 2017.

REGENERATION –R 09 - Work with tenants to develop a new modern standard for council housing and develop a programme to deliver this by April 2012. – The proposals in this paper are intended to deliver this new standard.

TARGETS

Proposals are consistent with the HRA Asset Management Plan

VALUE FOR MONEY

Items within the overall program that are carried out by external contractors are awarded following a competitive process.

THE REPORT

As part of the 30 year business plan the Housing Department is in the process of commissioning a 100% stock condition survey. The results of this survey will be used to develop longer term investment plans starting from 2014.

The Capital investment proposed for this year is more modest with many of the schemes following on from work in previous years. However, some projects are focussed on areas of work that have been previously requested by customers and members but were not prioritised before the completion of Decent Homes, and the continued investment in New Build schemes.

Schemes warranting particular attention are:

- a. Doors. Carrying on from the previous commitment to replace all external doors to bungalows – this year is the first year of a project to ensure that every council property has a replacement door.
- b. New Build. It is proposed to put aside £1m this year for the purchase of new build homes. This will ensure the amount of borrowing that is needed for the New Houghton is minimised.
- c. District Heating Systems / Group Dwelling Safety Works. The boilers at some of the sheltered schemes and other District Heating Schemes are approaching the end of their operational lives. We are looking at a project to replace these and to also install more controllable systems with Heat Metering upon replacement. This should benefit the residents and keep heating costs under control.

The full details of the proposed programme is shown on the following table.

Proposed Budget for 2013/14		
CODE	Element	Proposed Budget
C093	Un Allocated	-
C094	Group Dwelling Safety Work	150,000
C097	Repair Inspector Salary	38,000
C098	External Wall Insulation (EWI)	-
C099	Windows	5,000
C100	Electrical Upgrade 10Year Programme	210,000
C107	Cavity Wall & Loft Insulation	10,000
C113	Doors	500,000
C114	Heating Upgrades	35,000
C115	Environmental Works	50,000
C117	DHS Contracts	100,000
C118	Kitchen Structural Alterations	250,000
C177	Mobile Working	50,000
C182	HRA New Build	1,452,000
C183	Fees and Charges	200,000
C208	HRA New Build Disturb Paymentts Lang Junction	5,000
New	Match Funding Sprinkler Systems	20,000
New	Soffit and Facia Replacement	75,000
	Sub Total	3,150,000
	Unallocated from 2012/13	383,551
	Budget Allocation for 2013/14	3,316,220
	Funding from Effective energy	66,357
	Funding from Effective energy	80,294
	DFRS Sprinkler Funding	20,000
	Total Available	3,866,423
	Not Committed	716,423

The expenditure will continue to be monitored by Housing Stock Management Group which is a working Group of Officers and Members.

ISSUES/OPTIONS FOR CONSIDERATION

Whether to accept the proposed HRA Capital Programme for the current financial year.

IMPLICATIONS

Financial: As outlined in the report

Legal: Not directly

Human Resources: Not directly.

RECOMMENDATION(S)

To accept the proposal for HRA capital spend for 2013/14.

Committee:	Executive	Agenda Item No.:	10
Date:	8 th July 2013	Status	Open
Category	3. Part of the Budget and Policy Framework		
Subject:	Arrears – Irrecoverable Items over £1000		
Report by:	Billing and Recovery Manager		
Other Officers Involved	N/A		
Director	Joint Director of Corporate Resources		
Relevant Portfolio Holder	Councillor R Bowler, Cabinet Member for Customer Services		

RELEVANT CORPORATE AIMS

STRATEGIC ORGANISATIONAL DEVELOPMENT – Continually improving our organisation.

To maintain sound Financial Management and continue to seek efficiency savings. As part of sound financial management it is necessary to recognise and deal with money owed where no further effective steps can be taken for recovery. This supports the provision of efficient Council services as it enables a focus to be maintained on those accounts which are collectable.

TARGETS

Does not apply to this report.

VALUE FOR MONEY

Ensuring that the limited resources are concentrated on recovery of debt that is collectable. Under current Council guidance, it has been considered not cost-effective to spend more money on outside agencies to take further action.

THE REPORT

IRRECOVERABLE ITEMS

Executive is requested to approve the write off of the under-mentioned irrecoverable items including costs amounting to £7,654.79 as itemised on the attached schedules.

Bankruptcy/ Liquidation		
No of Accounts	Type of Account	
3	Council Tax	£3,194.04
1	Sundry Debtors	£1,586.06
	Total	£4,780.10

No Trace		
No of Accounts	Type of Account	
2	Council Tax	£2,874.69
	Total	£2,874.69

Where debtors leave the properties without forwarding addresses extensive efforts are made to trace them. In addition to departmental checks, statutory undertakers and other agencies are contacted, enquiries are made of neighbours and family or employers where known. Where it is known that a person has moved to another area contact is made with the relevant local authority to alert them and request reciprocal information.

ISSUES/OPTIONS FOR CONSIDERATION

Writing off the outstanding debts in respect of persons who are bankrupt or companies in liquidation or unable to trace.

IMPLICATIONS

Financial: The costs will be met from a provision for doubtful debts which has been agreed as part of the Council's budget.

Legal: None

Human Resources: None

RECOMMENDATION(S)

That approval is given to write off the irrecoverable items including costs amounting to £7,654.79 with the proviso that should any of the debts become collectable the amounts be re-debited.

REASON FOR DECISION TO BE GIVEN IN ACCORDANCE WITH THE CONSTITUTION

In order that outstanding debts can be written off.

COUNCIL TAX: AMOUNTS FOR WRITE OFF - BANKRUPTCY

	<u>Account Reference</u>	<u>Lead Liable Name</u>	<u>Address</u>	<u>Account Balance</u>	<u>Liable From</u>	<u>Liable To</u>	<u>Bill Balance</u>
1	90125081X	DOVE-NORTH,MRS AIMI	16 RED LANE SOUTH NORMANTON DE55 3HA	£ 1,707.42	01/04/2012	15/11/2012	£ 533.11
					01/04/2011	01/04/2012	£ 776.00
					01/04/2010	01/04/2011	£ 398.31
2	901195491	ANDREWS,MS MAXINE	163 SELWYN STREET HILLSTOWN S44 6LS	£ 845.08	01/04/2013	01/04/2014	£ 67.36
					01/04/2008	01/04/2009	£ 51.88
					01/04/2007	01/04/2008	£ 527.48
					20/10/2006	01/04/2007	£ 198.36
3	900180623	ANDREWS,MS MAXINE	CROSS KEYS TOWN END BOLSOVER S44 6DT	£ 641.54	01/04/2007	08/06/2007	£ 172.86
					20/10/2006	01/04/2007	£ 434.92
					01/04/2006	20/10/2006	£ 33.76
				£ 3,194.04			

PROPOSED WRITE OFF OF SUNDRY DEBTORS - BANKRUPTCY /LIQUIDATION

<u>ACCOUNT NUMBER</u>	<u>INVOICE NUMBER</u>	<u>INVOICE DATE</u>	<u>AMOUNT</u> £	<u>DEBTOR</u>	<u>REASON FOR INVOICE</u>	<u>WRITE-OFF AMOUNT</u>	<u>REASON FOR WRITE-OFF</u>
12755	30074019	11.03.08	4299.26	A P ROE 17 ST LAWRENCE AVENUE BOLSOVER	OVER ALLOWED HOUSING BENEFIT	1,586.06	DEBTOR DECLARED BANKRUPT ON 26.02.13 AT CHESTERFIELD COUNTY COURT NO 31 OF 2013
						<u>£1,586.06</u>	

COUNCIL TAX: AMOUNTS FOR WRITE OFF - NO TRACE

	<u>Account Reference</u>	<u>Lead Liable Name</u>	<u>Address</u>	<u>Account Balance</u>	<u>Liable From</u>	<u>Liable To</u>	<u>Bill Balance</u>
1	90061269X	ROBERTS,MR KEITH D	132 DALE CLOSE LANGWITH NG20 9EF	£ 1,868.57	18/05/2012 01/04/2012 01/04/2011 01/04/2010	08/08/2012 26/04/2012 01/04/2012 01/04/2011	£ 239.45 £ 73.00 £1,065.22 £ 490.90
2	901299836	WORTHINGTON,MISS SAMMY	20 STANHOPE STREET BRAMLEY VALE S44 5PE	£ 1,006.12	01/04/2010 01/04/2009 03/11/2008	27/02/2011 01/04/2010 01/04/2009	£ 330.13 £ 395.39 £ 280.60
				<u>£ 2,874.69</u>			

Agenda Item 6

RECORD OF EXECUTIVE DECISION - JOINT WORKING

CBC: LEADER		Date of Decision: 20 th May, 2013	
BDC: LEADER			
NEDDC: LEADER			
CBC Non-executive Leader's Support Members present: N/A			
Title Reference: Minutes of Previous Meetings			
Consultee Member(s) N/A			
Key Decision References (if applicable): CBC: BDC: NEDDC:		Delegation References: CBC: R080L BDC: NEDDC:	
Report and background papers	Yes	Public <input checked="" type="checkbox"/>	Exempt <input type="checkbox"/> Confidential <input type="checkbox"/>
Decision Status (CBC)	On Forward Plan General urgency +Special urgency	N/A	Authorised by:
Record of Decision: That the notes and Records of Decision of the Joint Board meeting held on 11 th March, 2013 be noted.			
Reasons for Decision To note progress on joint working.			
Alternative options considered and rejected (if any) N/A			
Declarations of interests: None			
Decision subject to call-in	Yes		
Date Record issued: 21 st May, 2013 Contact Officer: Jackie Brobyn			

CBC: LEADER BDC: LEADER NEDDC: LEADER		Date of Decision: 20 th May, 2013		
CBC Non-executive Leader's Support Members present: N/A				
Title Reference: North Eastern Derbyshire Strategic Employment Partnership				
Consultee Member(s) N/A				
Key Decision References (if applicable): CBC: BDC: NEDDC:		Delegation References: CBC: R080L BDC: NEDDC:		
Report and background papers	Yes	Public <input checked="" type="checkbox"/>	Exempt <input type="checkbox"/>	Confidential <input type="checkbox"/>
Decision Status (CBC)	On Forward Plan General urgency +Special urgency	N/A	Authorised by:	
Record of Decision: That the Joint Board supports the continuation of the Partnership.				
Reasons for Decision: 1. To continue to maximise employment and skills opportunities within North Eastern Derbyshire. 2. To provide employer support with employment and skills requirements for businesses that are expanding or moving into North Eastern Derbyshire.				
Alternative options considered and rejected (if any) N/A				
Declarations of interests: None				
Decision subject to call-in	Yes			
Date Record issued: 21 st May, 2013 Contact Officer: Jackie Brobyn				

CBC: LEADER		Date of Decision: 20 th May, 2013	
BDC: LEADER			
NEDDC: LEADER			
CBC Non-executive Leader's Support Members present: N/A			
Title Reference: Construction Apprenticeship Training Agency Model			
Consultee Member(s) N/A			
Key Decision References (if applicable): CBC: BDC: NEDDC:		Delegation References: CBC: R080L BDC: NEDDC:	
Report and background papers	Yes	Public <input checked="" type="checkbox"/>	Exempt <input type="checkbox"/> Confidential <input type="checkbox"/>
Decision Status (CBC)	On Forward Plan General urgency +Special urgency	N/A	Authorised by:
Record of Decision:			
That the Joint Board supports Chesterfield College to develop a Construction Apprenticeship Training Agency Model and each Council to promote the ATA model with local businesses.			
Reason for Decision			
<ol style="list-style-type: none"> 1. To enable companies to 'hire' construction apprentices for periods of 6 months plus. 2. To support the future proofing of skills in the construction sector. 3. To increase the number of quality apprenticeship placements and training being made available locally. 4. To provide an innovative learning environment/experience to an apprentice as they experience working for a number of different companies which can improve their communication and employability skills and help them develop a wide range of niche/specialist skills. 5. To support s106 and employment conditions within planning applications. 			
Alternative options considered and rejected (if any) N/A			
Declarations of interests: None			
Decision subject to call-in		Yes	
Date Record issued: 21 st May, 2013 Contact Officer: Jackie Brobyn			

CBC: LEADER		Date of Decision: 20 th May, 2013	
BDC: LEADER			
NEDDC: LEADER			
CBC Non-executive Leader's Support Members present: N/A			
Title Reference: Joint Board Communications Issues			
Consultee Member(s) N/A			
Key Decision References (if applicable): CBC: BDC: NEDDC:		Delegation References: CBC: R080L BDC: NEDDC:	
Report and background papers	Yes	Public <input checked="" type="checkbox"/>	Exempt <input type="checkbox"/> Confidential <input type="checkbox"/>
Decision Status (CBC)	On Forward Plan General urgency +Special urgency	N/A	Authorised by:
Record of Decision:			
1. That the news release schedule, outlined in Appendix 1 to the report, be noted.			
2. That the draft of the 'Working Together' newsletter attached at Appendix 2 to the report be approved.			
Reason for Decision			
To maximise potential for positive communications on joint working, both internally to employees and members and externally via the local media, national/specialist local government media, and local government best practice forums.			
Alternative options considered and rejected (if any) N/A			
Declarations of interests: None			
Decision subject to call-in	Yes		
Date Record issued: 21 st May, 2013 Contact Officer: Jackie Brobyn			

CBC: LEADER		Date of Decision: 20 th May, 2013	
BDC: LEADER			
NEDDC: LEADER			
CBC Non-executive Leader's Support Members present: N/A			
Title Reference: Internal Audit Consortium – Annual Report 2012/13			
Consultee Member(s) N/A			
Key Decision References (if applicable): CBC: BDC: NEDDC:		Delegation References: CBC: R080L BDC: NEDDC:	
Report and background papers	Yes	Public <input checked="" type="checkbox"/>	Exempt <input type="checkbox"/> Confidential <input type="checkbox"/>
Decision Status (CBC)	On Forward Plan General urgency +Special urgency	N/A	Authorised by:
Record of Decision:			
<ol style="list-style-type: none"> That the annual report of the Internal Audit Consortium for 2012/13 be noted. That the Internal Audit Consortium retains £20,000 of the accumulated surplus as a working balance and that the remainder be retained as a reserve until the appeal of the pay grade for Auditors is resolved. That a report on the progress of the 2013/14 Business Plan and the Draft Business Plan for 2014/15 be submitted to the Joint Board in January 2014. 			
Reason for Decision			
<ol style="list-style-type: none"> To enable the Joint Board to consider the annual report of the Internal Audit Consortium. To enable the Joint Board to monitor performance against the Business Plan and consider the 2013/14 Business Plan. 			
Alternative options considered and rejected (if any) N/A			
Declarations of interests: None			
Decision subject to call-in	Yes		
Date Record issued: 21 st May, 2013 Contact Officer: Jackie Brobyn			

CBC: LEADER		Date of Decision: 20 th May, 2013	
BDC: LEADER			
NEDDC: LEADER			
CBC Non-executive Leader's Support Members present: N/A			
Title Reference: Shared Procurement Unit (SPU) Issues Update			
Consultee Member(s) N/A			
Key Decision References (if applicable): CBC: BDC: NEDDC:		Delegation References: CBC: R080L BDC: NEDDC:	
Report and background papers	Yes	Public <input checked="" type="checkbox"/>	Exempt <input type="checkbox"/> Confidential <input type="checkbox"/>
Decision Status (CBC)	On Forward Plan General urgency +Special urgency	N/A	Authorised by:
Record of Decision:			
1. That the current status of the Shared Procurement Unit be noted.			
2. That a report be presented to a special meeting of the Joint Board outlining the possible options for the future of Shared Procurement arrangements across Derbyshire.			
Reason for Decision			
To ensure that the Shared Procurement Unit continues to provide best value for Member Councils.			
Alternative options considered and rejected (if any) N/A			
Declarations of interests: None			
Decision subject to call-in	Yes		
Date Record issued: 21 st May, 2013 Contact Officer: Jackie Brobyn			

CBC: LEADER		Date of Decision: 20 th May, 2013	
BDC: LEADER			
NEDDC: LEADER			
CBC Non-executive Leader's Support Members present: N/A			
Title Reference: BCN Consultancy (Building Control) - Update			
Consultee Member(s) N/A			
Key Decision References (if applicable): CBC: BDC: NEDDC:		Delegation References: CBC: R080L BDC: NEDDC:	
Report and background papers	Yes	Public <input type="checkbox"/>	Exempt <input type="checkbox"/> Confidential <input checked="" type="checkbox"/>
Decision Status (CBC)	On Forward Plan General urgency +Special urgency	N/A	Authorised by:
Record of Decision:			
<ol style="list-style-type: none"> That Joint Board agrees to the three Councils funding the deficit in 2012/13, sharing the cost on a pro rata population basis as set out in paragraph 3.2 of the report. That the progress with the Options Appraisal of BCN be noted and the final report be received in July. 			
Reason for Decision			
To enable the three Councils to continue to operate a joint building control service in accordance with legislation and the legal agreement for BCN.			
Alternative options considered and rejected (if any) N/A			
Declarations of interests: None			
Decision subject to call-in		Yes	
Date Record issued: 21 st May, 2013 Contact Officer: Jackie Brobyn			

Notes to Record of Decision (Joint Working):

CBC - CALL-IN REQUESTS

*The implementation of certain decisions is suspended until the call-in period has expired without a call-in being validly invoked. Any Member of the Council shall be entitled to call for a decision to be suspended by giving notice to the Head of Governance, as Monitoring Officer either by telephone, fax, email or in writing **not later than 5.00 pm on the day following the date of the Joint Board meeting.** Any decisions so suspended shall not be capable of implementation for a period of **five calendar days** from the date of the Joint Board meeting. During the call-in period a request may be made in respect of any decision so suspended by not less than one quarter of the total membership of the Overview and Performance Scrutiny Committee. To do this you will need to notify the Monitoring Officer in writing, by fax or by email by 5.00 pm on the date being five days following the day of the Joint Board meeting.*

BDC - CALL-IN REQUESTS

*The implementation of certain decisions is suspended until the call-in period has expired without a call-in being validly invoked. The call-in period is **nine working days** from the date of this decision. During the call-in period **at least three** members may request certain decisions to be called in. You may do this in any of the following ways - In writing - a written notice may be signed by one or more Members, or By telephone - in order to safeguard the integrity of the system, Members may only call in by telephone on their own behalf, • E mail - this may be done using a Members terminal within the Council Offices or where a member has the facility via the internet, • By fax - as with written notifications, the faxed message may contain the signature of more than one Member, • In person. Democratic Services Officers who are authorised to accept notifications from Members.*

NEDDC - CALL-IN REQUESTS

*The implementation of certain decisions is suspended until the call-in period has expired without a call-in being validly invoked. The call-in period is **five working days** after the publication of this decision. During the call-in period the **Chair and Vice Chair together with three other members of any Overview and Scrutiny committee** may object to a decision and call it in.*

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 10 June 2013

PRESENT:-

Members:-

Councillor A.F. Tomlinson – In the Chair

Councillors R. Bowler, D. Kelly, B.R. Murray-Carr, K. Reid and A.M. Syrett

Officers:-

W. Lumley (Chief Executive Officer), B. Mason (Director of Corporate Resources), P. Hackett (Director of Health and Well-Being), S. Sternberg (Joint Assistant Director – Governance and Monitoring Officer), M. Kane (Governance Manager), S. Chambers (Communications Manager), P. Campbell (Head of Housing), G. Galloway (Building and Contracts Manager) (For minute number 45), P. Spurr (Director of Housing, North East Derbyshire District Council) (For minute number 46), K. Shillito (Principal Solicitor) (For minute number 54), P. Brown (Chief Executive's and Partnerships Manager) (For minute number 58)

41. APOLOGIES FOR ABSENCE

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

42. URGENT ITEMS OF BUSINESS

The meeting was notified of one item of urgent business to be taken in private session – BIG Lottery Talent Match Partnership Agreement.

43. DECLARATIONS OF INTEREST

Councillors A. F. Tomlinson and R. Bowler both declared a non-statutory significant other interest in minute number 50 arising from their membership of the Local Government Pension Scheme. Both members would leave the room during consideration of the item and not seek to influence the debate or vote thereon.

44. MINUTES OF EXECUTIVE HELD 14 MAY 2013

Moved by Councillor A. F. Tomlinson, duly seconded

RESOLVED that the minutes of a meeting of the Executive held on 14 May 2013 be approved as a correct record and signed by the Chair.

EXECUTIVE

45. RECOMMENDED ITEM FROM IMPROVEMENT SCRUTINY COMMITTEE HELD ON 7 MAY 2013 – MIN NO 1150 – ACCOMMODATION UTILISATION POLICY

Executive considered an item which had been referred to it by the Improvement Scrutiny Committee concerning the Accommodation Utilisation Policy. The Policy had been written in order to create a criterion for using space in a better way. The unions had been consulted on the Policy to ensure that the space provided for employees, including lunch and break out rooms, was sufficient.

The Improvement Scrutiny Committee had commented on signage required in stairwells and the difficulty of conducting confidential business in open plan areas. Executive was advised that a meeting was to be held with the Assistant Director of Human Resources to discuss outstanding issues with the Arc.

Moved by Councillor B. Murray-Carr, seconded by Councillor D. Kelly
RESOLVED that the Accommodation Utilisation Policy, attached as an appendix to the report, be approved.

REASON FOR DECISION: In the interests of the health and well-being of staff.
(Building and Contracts Manager)

OTHER OPTIONS CONSIDERED: None.

46. REVENUE STRATEGY

Executive considered a report which sought approval for a joint Revenue Strategy with North East Derbyshire District Council. Phillip Spurr, Director of Housing at North East Derbyshire District Council, the lead officer for the project, was in attendance at the meeting to present the report and answer any members' questions.

The Strategy identified the policy, process and procedural changes required to bring about a more consistent and corporate approach to revenue generation. Specifically, the Strategy identified specific revenue generating opportunities in terms of options to review and align fees and charges across the two Councils, introduce new charged-for services and training models, drive advertising and sponsorship revenue, market Council services and maximise the level of grant income flowing into the two authorities.

EXECUTIVE

The Strategy was supported by revenue proposals which ranged from aligning pest control fees across the two Authorities and introducing new paid-for advertising on Council vehicles through to reviewing waste charges and introducing pre-planning application consultation fees. Specific proposals were highlighted in broad terms and would be brought forward on a business case-by-business case basis for members' consideration over the next twelve months.

Whilst the Revenue Strategy would not itself address all of the Council's financial challenges it was hoped it could make a contribution alongside other measures which sought to grow the District's economy, progress asset rationalisation and prioritise the Council's priorities. It was anticipated that the successful implementation of the identified actions would generate full year net increases in revenue of £50,000 – 60,000 for each Authority.

The implementation of the Strategy would be managed by the Joint Assistant Director – Strategy and Performance. To work alongside the Assistant Director, it was proposed that a new dedicated post be established within the Communications Team spanning both Authorities to deliver marketing, advertising and sponsorship opportunities and more directly drive the delivery of the identified proposals. A detailed proposal for this post would be brought to a future meeting.

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

RESOLVED that (1) The Revenue Strategy, attached to the report as Appendix 1, be approved.

(2) Regular progress updates on the Strategy be received on a quarterly basis over the next 12 months.

(3) Executive agree to consider the business case for individual revenue proposals as they come forward over that period.

(4) Notes that a dedicated post will be required within the Communications Team to deliver advertising, sponsorship and marketing activity and to drive the operational delivery of the Revenue Strategy.

REASONS FOR DECISION:

(1) For Executive to agree a clear Revenue Strategy.

(2) To ensure that the Strategy is proactively driven forward and that Executive is aware of progress.

EXECUTIVE

(3) To ensure that Executive is able to consider the detailed business case for each revenue proposal prior to agreeing its implementation.

(4) To ensure that adequate resource is in place to drive the delivery of the Strategy.

(Director of Development)

OTHER OPTIONS CONSIDERED: None.

47. WORKING NEIGHBOURHOODS FUND AND WORK AND SKILLS PLAN UPDATE – APRIL 2012 TO MARCH 2013

Executive considered a report which provided an update on the Working Neighbourhoods Fund.

The Fund was introduced as part of the Local Government Finance Settlement and was paid as one element of the Area Based Grant. It provided resources to local authorities to tackle worklessness and low levels of skills and enterprise in the most deprived areas.

A Commissioning Framework had been established to allocate the funding which focused on dealing with the NI 153 Indicator - to reduce the number of people claiming out of work benefits in the worst performing areas - and, secondly, through working with partners in the Bolsover Partnership to commission initiatives around preventative measures prior to people becoming unemployed in the first place. All of the funding had now been received by the Council and, as it was not ring-fenced, could be carried forward into future years to enable interventions and their impact to continue in the District.

A report attached to the agenda provided details of how monies had been allocated and an outline of current activity together with up-to-date unemployment statistics for the District and case studies of individuals assisted by the Programme.

Moved by Councillor A. F. Tomlinson, seconded by Councillor B. Murray-Carr
RESOLVED that the report on the Working Neighbourhoods Fund and Work and Skills Plan be received.

REASON FOR DECISION: To ensure that Working Neighbourhoods Fund monies were targeted to best effect.
(Director of Corporate Resources)

OTHER OPTIONS CONSIDERED: None.

EXECUTIVE

48. NEIGHBOURHOOD OUTREACH OUTLINE SERVICE PROPOSAL

Executive considered a report which sought approval of service proposals for the new Neighbourhood Outreach Service.

The purpose of the Service would be to provide support and assistance to vulnerable residents using a holistic approach that would be tailored to individual needs around financial hardship, age, education, mental health, disability and social inclusion. There would be no qualifying criteria for access to the service although it would be focused on vulnerable households and individuals. Only where demand outstripped capacity would prioritisation of clients be considered.

Officers would not be based at fixed locations but would spend most of their time in communities. Office accommodation would be provided, when necessary, at the Arc, Bolsover's Children's Centre and Adult Education Unit, the Hilltop Methodist Church and at the Hub, South Normanton as well as at other offices once identified.

The service would provide advice and support on welfare reform to residents throughout the District on issues including personal budgeting and DHP and scripts would be used where necessary. In respect of Public Health, the service would work closely with the Health Improvement Team on events and continue to deliver falls prevention interventions.

The service would run drop in sessions at Bolsover Methodist Church and the Hub, South Normanton with lunch clubs and chair based exercise classes at South Normanton and Pinxton. It was also hoped to run a similar drop in session in New Houghton. The service would continue to work with partners in sign-posting vulnerable customers to their services and would need to be flexible and able to adapt, due to potential changes in services and priorities.

During presentation of the report, the following points were noted:

- An ongoing review and performance reporting of the new service would take place. It was stressed that the full detail of the Programme needed to be worked out and expectations needed to be managed.
- There was a discussion about the role that parish councils and community groups could play in supporting the new service by, for example, supplying office space. It was suggested that this be raised at the next District and Parish Liaison meeting.

EXECUTIVE

- The service would seek to support the building of community capacity, but it was acknowledged that without volunteers coming forward to take ownership of new initiatives, they had little chance of being sustainable.

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

RESOLVED that (1) The service proposals outlined above be approved and the transition to the new service be commenced with immediate effect.

(2) Publicity material be developed and the new service be launched and promoted amongst internal and external partners.

REASON FOR DECISION: To develop a more effective service following the closure of the community houses.
(Director of Health and Well-Being)

OTHER OPTIONS CONSIDERED: None.

49. APPOINTMENT OF CHAIRMAN DUE TO NON-STATUTORY SIGNIFICANT OTHER INTEREST

Councillors A. F. Tomlinson and R. Bowler left the meeting room at this stage having declared non-statutory significant other interests in the following item.

Moved by Councillor K. Reid, seconded by Councillor B Murray-Carr

RESOLVED that Councillor D. Kelly be appointed Chairman of the meeting for the following item of business.

50. COUNCILLOR ACCESS TO THE LOCAL GOVERNMENT PENSION SCHEME

Executive considered a report which sought delegated powers for the Chief Executive to sign off a response to the Government in respect of their consultation on ending councillors' access to the Local Government Pension Scheme.

The Government had announced its intention to cease councillors' access to the Pension Scheme from April 2014 as part of wider public service pension reform. Those already in the Scheme would have their accrued rights up to that date fully protected. The Government's view was that councillors were volunteers but allowances and other benefits such as pensions were beginning to blur the lines between them as elected 'volunteers' and salaried staff.

EXECUTIVE

Since making their intentions known, the Government had received representations from interested parties and had decided to undertake a consultation on the proposals. The consultation included three options.

Option 1 was to end councillors' and other elected office holders' right to access the Scheme from April 2014. Option 2 was a two-tier arrangement which gave continued access for certain unspecified front-bench councillors which could include leaders or everyone with a special responsibility allowance. Option 3 was a status quo option with access remaining as present.

Executive was advised that since the report had been produced, the Chairman of the National Association of Councillors had met with Brandon Lewis MP and believed there was scope for a potential fourth option which would allow councillors with allowances over £8,000 to remain in the Scheme. The letter which set out the proposal also expressed the view that Option 3 would not be acceptable to the Government.

The same consultation also proposed tiered contribution rates dependent on a councillors' allowance and sought views on what this should be.

To enable the Council to respond to the consultation by the deadline date of 5 July 2013 delegated powers were requested to be given to the Chief Executive following a meeting of all the Bolsover members currently involved in the Scheme and with Cabinet.

Executive felt that Option 2 was divisive, Option 1 could not be countenanced and that councillors' access to the Scheme should continue to be supported. These views would be fed into the consultation with members.

Moved by Councillor A. Syrett, seconded by Councillor B. Murray-Carr

RESOLVED that delegated powers be provided to the Chief Executive to finalise a response to the *Taxpayer-funded pensions for councillors and other elected office holders* consultation, following consultation with the Bolsover members in the Pension Scheme and with Cabinet.

REASON FOR DECISION: To enable the Council to respond to the consultation.
(Governance Manager)

OTHER OPTIONS CONSIDERED: None.

51. CHAIRMANSHIP OF MEETING

Councillors A. F. Tomlinson and R. Bowler re-entered the meeting room at this point of the meeting. Councillor Tomlinson reassumed the Chairmanship.

EXECUTIVE

52. RECHARGEABLE REPAIRS

Executive considered a report which sought approval for a new Rechargeable Repairs Policy.

Issues covered under the Policy included damage during tenancies and damage which came to the Council's attention while the property was empty. The revisions to the Policy were minor and had been made to ensure that the Policy was fully compliant with changes that had been made to the financial regulations since the first version was produced.

Other changes were around increasing the minimum charge to £50, capping the maximum administration charge and clarifying the methodology for costing the work.

In response to a question from members, Executive was advised that where any damage was made to properties by contractors, the Housing Team would do what was necessary to correct things.

Moved by Councillor K. Reid, seconded by Councillor B. Murray-Carr

RESOLVED that the revised Rechargeable Repairs Policy, attached as an appendix to the report, be approved.

REASON FOR DECISION:

To adopt an up-to-date Policy that covers rechargeable repairs for Council tenants.
(Head of Housing)

OTHER OPTIONS CONSIDERED:

None.

53. MEDIUM TERM FINANCIAL PLAN

Executive considered a report which advised them of the work currently being undertaken to balance the Council's budget in respect of 2013/14 and 2014/15.

Executive was advised that it was required to agree a strategy for addressing savings targets of some £0.993m which included residual savings of £0.269m in 2013/14 and targeted savings of some £0.724m in respect of 2014/15. To implement that strategy it was vital that the Council was able to secure £2m of Efficiency Grant which was being provided by the Government over the current and next financial years. In order to secure the Grant the Council needed to demonstrate it had used the previous allocation of the Grant in order to secure underlying reductions in levels of expenditure.

EXECUTIVE

Savings measures previously agreed in 2013/14 were set out in the report and included vacancy management, leisure services, street scene, secondments arising from the Strategic Alliance, a one-off director secondment opportunity, property rationalisation savings and a fees and charges review.

Officers were of the view that the measures necessary to achieve the £0.615m of savings would largely be in place by July 2013 and thereafter would generate the agreed savings. In order to cover reorganisation and restructuring costs it would, however, be necessary to use a corresponding portion of the Efficiency Grant to cover these costs. Given that these costs were an essential investment to secure the efficiencies which would generate ongoing savings for the Council in respect of 2013/14 and future financial years this was considered to be an appropriate use of the Grant.

The total savings required in 2013/14 and 2014/15 were approximately £0.993m. By taking early action the Council could minimise the impact upon the level of services provided to local residents. A number of work programmes had been identified to help contribute to these savings which included the Strategic Alliance, property rationalisation, strategic income review, growth strategy, New Homes Bonus and welfare reform.

Executive was advised that during 2011/12 and 2012/13 a payments strategy aimed at securing financial savings from moving to a more efficient means of handling cash payments was introduced. The two core elements of the strategy were to promote a move to non cash means of payment such as debit cards and direct debits. Considerable progress had been secured with the use of debit cards having increased by some 25% up to 45,000 per annum in 2012. Given the significant savings that could be secured in both staff time and bank charges from the move to automated payments officers would continue to progress this approach.

The second element of the strategy was to cease taking cash at contact centres and to provide this service by use of a 'paypoint' type network. Having assessed the options, officers were of the view that the financial savings would be minimal while local residents appreciated the convenience of using the contact centres. The Improvement Scrutiny Committee had recommended to Executive that the Council do not pursue the element of the Payment Strategy concerned with ceasing cash collection at Council Offices. It was therefore recommended that Executive agree to continue with the policy of encouraging a move to automated methods of payment but not pursue the option of ceasing to accept cash payments at the Contact Centre.

EXECUTIVE

Finally, Executive was advised of issues within the Procurement Team. The Council had for some time operated a shared service arrangement on behalf of itself and four other councils and this had brought significant advantages to the Council including savings which had arisen from purchasing as part of a larger group of authorities, the opportunity to share costs of undertaking joint tender processes and the ability to attract and retain suitably qualified staff.

Unfortunately in recent weeks the Unit had experienced the resignation of its three qualified staff all of whom had been offered alternative employment with remuneration packages which were significantly above those offered by the Council. Given the current market conditions for qualified procurement staff it was considered unlikely that the Council could successfully recruit to the posts concerned. As part of the discussions with the other authorities involved in the partnership the Council had been approached by Bassetlaw District Council who had offered to take over the running of the shared service.

Negotiations between the authorities in the Shared Procurement Unit and Bassetlaw were currently taking place. On the basis that they could offer an appropriate service then the preferred way forward was to accept the offer of Bassetlaw, subject to the clarification of the necessary details.

Subject to the satisfactory resolution of outstanding issues it was recommended that Executive grant delegated authority to the Chief Executive following consultation with the Leader and Deputy Leader to enter into a shared procurement arrangement delivered by Bassetlaw Council on behalf of this and other councils and to make other such changes that were necessary to the Council's staffing establishment in light of that decision.

In response to a question, Executive was advised that the Council was working with Capacity Grid (Liberata) on bringing empty homes back into use. Generally, Capacity Grid (Liberata) would take a percentage of New Homes Bonus for any empty property brought back into use.

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

RESOLVED that (1) The indicative timescale for addressing the Council's budget position together with the work streams be approved.

(2) The Chief Executive, following consultation with the Leader and Deputy Leader of the Council, be granted delegated powers to amend the staffing structure to incorporate those employees who had acquired permanent employment rights on to the Council's staffing establishment.

EXECUTIVE

(3) The position in respect of the Payment Strategy be noted and the recommendation by the Improvement Scrutiny Committee that the Council do not pursue the element of the Payment Strategy concerned with ceasing cash collection at Council Offices be approved.

(4) Delegated powers be granted to the Chief Executive, following consultation with the Leader and Deputy Leader to determine whether to enter into a shared procurement arrangement delivered by Bassetlaw District Council on behalf of this and other councils.

(5) Delegated powers be given to the Chief Executive to enter into appropriate contractual arrangements with Capacity Grid (Liberata) to seek to maximise the Council's eligibility to New Homes Bonus.

(6) The allocation of £5,000 of Efficiency Grant be approved in order to develop a business case / bid for securing funding from the Heritage Lottery Fund towards the structural refurbishment of Pleasley Vale Mills.

(7) The use of Efficiency Grant to cover the restructuring, service reconfiguration and transitional costs be approved as outlined in the report.

REASON FOR DECISION:

To ensure that the Council was in a position to operate within approved budgets and to secure the financial efficiencies that were necessary in order to continue to provide services to local residents within the context of ongoing reductions in the level of Central Government financial support.

(Director of Corporate Resources)

OTHER OPTIONS CONSIDERED: None.

54. CORPORATE ENFORCEMENT POLICY

Executive considered a report which sought approval for a new Corporate Enforcement Policy.

EXECUTIVE

The Policy had originally been developed through Patch Management Group in 2008 and set out basic principles which underpinned the enforcement work carried out by a number of departments.

In accordance with established practice, the Policy had been reviewed to take account of national guidance and principles issued to local authorities that included the Regulators' Compliance Code and Enforcement Concordat.

These principles related to economic progress, risk assessments, advice and guidance, inspections and other visits, information requirements, compliance and enforcement actions and accountability.

The revised Policy would not impact on any existing enforcement agreements with parish or town councils.

Moved by Councillor D. Kelly, duly seconded

RESOLVED that the revised Corporate Enforcement Policy, attached as an appendix to the report, be approved.

REASON FOR DECISION: To ensure an up-to-date and legally sound set of principles to allow effective enforcement activity to be taken.
(Principal Solicitor)

OTHER OPTIONS CONSIDERED: None.

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

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

RESOLVED that under Section 100(A)(4) of the Local Government Act 1972 (as amended), the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in the stated Paragraphs 1 and 3 of Part 1 of Schedule 12A of the Act and it is not in the public interest for that to be revealed.

56. FORMER TENANCY ARREARS WRITE-OFFS EXEMPT- PARAGRAPH 1 & 3

Executive considered a report which requested the write off of 20 cases with outstanding debt.

EXECUTIVE

Executive was advised that the Council's new Policy on tenancy arrears was far more robust than the one it had replaced. Officers were also being far more proactive in making use of tracing agents and specialist recovery services.

The process adopted by the Council included periods of time before moving to the next step. This was designed to increase the possibility of recovery and trace, as it allowed the tenant to produce evidence at their new address.

Of the 20 cases set out in the report, one tenant was deceased and another had been evicted or absconded leaving debt. Attempts to trace the tenants had not been successful.

If the debts were written off they may be written back on if additional information became available.

There was a brief discussion during which members advised of some further information in respect of certain cases given in the report.

Moved by Councillor K. Reid, seconded by D. Kelly

RESOLVED that (1) The write off of Former Tenancy Arrears, as detailed in the schedule in the report, be approved.

(2) Debts may be written back on if further evidence becomes available without the need for a further report.

REASON FOR DECISION: To write off debts that were deemed irrecoverable.
(Head of Housing)

OTHER OPTIONS CONSIDERED: None.

57. TENDER EVALUATION OUTCOME – MINOR WORKS FRAMEWORK CONTRACTS FOR SURFACING AND DRAINS REPAIRS EXEMPT- PARAGRAPH 3

Executive considered the outcome of a tender exercise for two minor works services – surfacing and drains repairs. The Council was looking to appoint up to three contractors per lot for a contract of up to four years (2+1+1). The two contracts were shown as two items on the agenda but Executive agreed to take them as a single item given that one report covering both tenders had been issued.

EXECUTIVE

The tender was run as a restricted tender and the advert published on 22 October 2012. A number of pre-qualification questionnaires were received by the closing date of 16 November 2012. These were evaluated and it was agreed that seven bidders would be invited to submit bids for each lot with some bidders invited to submit formal tenders for both lots.

Formal invitations to tender were issued on 15 April 2013. Four bids were received for each lot by the due date. Bids were opened at a formal tender opening ceremony.

The paper evaluation took place on 8 May 2013. For both lots, all bids showed they had the capability to provide the service adequately.

On the basis of cost and quality, it was recommended to award the surfacing contract to Ace Developments and Johnson Surfacing on the basis of a two year contract with the option to extend for two further periods of up to twelve months.

Likewise, on the basis of cost and quality, it was recommended to award the drains repairs contract to Ace Developments, Johnson Surfacing and Jet-Tec Environmental Services on the basis of a two year contract with the option to extend for two further periods of up to twelve months.

In both cases, delegated power was requested to implement the extension based on satisfactory performance from the contractor and an acceptable pricing proposal going forward.

Moved by Councillor D. Kelly, duly seconded

RESOLVED that (1) The surfacing contract be awarded to Ace Developments and Johnson Surfacing on the basis of a two year contract with the option to extend for two further periods of up to twelve months each.

(2) The drains repairs contract be awarded to Ace Developments, Johnson Surfacing and Jet-Tec Environmental Services on the basis of a two year contract with the option to extend for two further periods of up to twelve months each.

(3) Delegated powers be given to the Buildings and Contracts Manager to implement the extensions highlighted in resolutions 1 and 2 above.

REASON FOR DECISION:

To ensure effective provision of the surfacing and drains repairs work.
(Buildings and Contracts Manager)

EXECUTIVE

OTHER OPTIONS CONSIDERED: Other bids were considered and rejected. The successful bidders secured best value on both cost and quality.

**58. CHAIRMAN'S URGENT BUSINESS
BIG LOTTERY TALENT MATCH PARTNERSHIP FUNDING
PARTNERSHIP AGREEMENT - PARAGRAPH 3**

The Chair consented to the following item being taken as urgent because to wait until the next meeting of the Executive may have jeopardised the Talent Match Funding Stream.

Executive considered a report which sought approval from Executive for the Council to be the Accountable Body for the Talent Match Local Management Group for Bolsover, Bassetlaw, Chesterfield and North East Derbyshire.

The BIG Lottery Talent Match Programme was a five-year voluntary/community sector (VCS) led £100 million investment to deliver creative ways to help young people find work or start their own enterprising business. The fund was targeted at young people, aged 18-24, who had been unemployed for 12 months or more and were hardest to reach.

In November 2012 a prospectus was submitted by the authorities for £10m which was successful in going through to the second stage. The next phase involved the development of a detailed Development Plan and a Partnership Agreement, both of which need to be submitted to the BIG Lottery by 23 June 2013.

It was envisaged that there would be three Local Management Groups to oversee the commissioning, implementation, performance, monitoring and evaluation of activities at a local level. These groups would take responsibility for delivering their share of the Talent Match Programme and contributing towards high level outcomes.

It was estimated that the Talent Match allocation would be in the region of £1.8m over five years if the full £10 million Development Plan was approved. However, the Lottery's indicative figure for the City Region when the fund was first launched was £8.6m so there was a chance that the plan could be scaled back to the original figure.

The Chief Executive's and Partnership Team (CEPT) within the Chief Executive's Directorate was well placed to manage this initiative, having managed a number of external funding streams previously awarded to Bolsover District.

EXECUTIVE

Payments would be made quarterly in advance by Sheffield Futures to the Accountable Bodies, to enable projects to be paid in advance. The Council had been the accountable body for a number of other external funding regimes and had robust processes and procedures in place to minimise risk.

During the course of discussion, it was proposed to alter recommendation four to provide for an inter authority agreement between the four constituent authorities.

Moved by Councillor A. F. Tomlinson, duly seconded

RESOLVED that (1) The report on the BIG Lottery Talent Match Partnership Agreement be received and its contents noted.

(2) The Council become the Accountable Body for the Talent Match Programme on behalf of Bolsover, Bassetlaw, Chesterfield and North East Derbyshire, should the Development Plan be approved and agreement be given to establishing an Inter Authority Agreement for the Programme between the four authorities.

(3) Delegated powers be given to the Chief Executive Officer, following consultation with the Leader and Deputy Leader, on decisions relating to the Partnership Agreement and subsequent Accountable Body issues.

(4) It be recommended to Council that Bolsover District Council receive and administer arrangements for the funding as part of the BIG Lottery Talent Match Partnership Agreement.

REASON FOR DECISION: To enable the Council to become the Accountable Body for the Talent Match Programme.

OTHER OPTIONS CONSIDERED: None.

The meeting concluded at 1115