

## **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 5 August 2013.

### **PRESENT:-**

Members:-

Councillor A.F. Tomlinson – In the Chair

Councillors R. Bowler, D. Kelly and A.M. Syrett

Officers:-

W. Lumley (Chief Executive Officer), S. Tomlinson (Director of Neighbourhoods), K. Hopkinson (Director of Development), P. Hackett (Director of Health and Well-Being), B. Mason (Director of Corporate Resources), A. Wylie (Principal Solicitor), M. Kane (Governance Manager), P. Campbell (Head of Housing), A. Bedford (Support Officer) and G. Galloway (Building and Contracts Manager)

### **0254. APOLOGIES FOR ABSENCE**

Apologies for absence were received on behalf of Councillors B. Murray-Carr, K. Reid and E. Watts.

### **0255. URGENT ITEMS OF BUSINESS**

There were no items of urgent business to be considered at the meeting.

### **0256. DECLARATIONS OF INTEREST**

Councillor A. Tomlinson declared a significant non-statutory interest in item 13 on the agenda, Tender for Rear Boundary and Access Road Renewal Scheme (New Houghton), arising from being a non-stipendiary director of one of the companies who applied as part of the tender process.

### **0257. MINUTES OF EXECUTIVE HELD 8 JULY 2013**

Moved by Councillor D. Kelly and seconded by Councillor A. Syrett

**RESOLVED** that the minutes of a meeting of the Executive held on 8 July 2013 be approved as a correct record and signed by the Chair.

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### **0258. RECOMMENDED ITEMS FROM OTHER STANDING COMMITTEES**

There were no recommended items from other standing committees.

### **0259. CHILD PROTECTION POLICY RENEWAL**

Executive considered a report which sought approval of a revised Child Protection Policy.

The aims of the revised policy were to:

- Implement and maintain systems of working practice to safeguard children and young people at Council activities;
- Ensure that children/young people and their parents had confidence in Council employees, policies and practices in respect of the safe supervision of children and young people;
- Ensure that concerns about abuse were reported promptly to the appropriate authorities;
- Offer guidance and support to all employees, volunteers and councillors involved in Council activity to assist them in recognising and responding to the signs of possible abuse and to protect themselves against allegations;
- Ensure that the Council's role and responsibility in protecting children and young people from abuse was clear;
- Raise awareness around safeguarding children and young people;
- Live up to the Council's Corporate Plan ensuring that communities were safe and secure;
- Revise awareness of safeguarding issues and procedures;
- Work in compliance with the Derby and Derbyshire Safeguarding Children Procedures.

These aims were underpinned by a set of principles which emphasised Bolsover District Council's commitment to ensuring that all children and young people were protected and kept free from harm.

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The policy covered all functions of the Council as well as the operations of partners, contractors and voluntary organisations that delivered services on the Council's behalf.

Moved by Councillor A. Syrett and seconded by Councillor D. Kelly

**RESOLVED** that the revised Child Protection Policy, attached to the report as an appendix, be approved.

**REASON FOR DECISION:** To meet the Council's duty under Section 11 of the Children's Act.  
(Director of Health and Well Being)

**OTHER OPTIONS CONSIDERED:** None.

### 0260. LOCAL GOVERNMENT OMBUDSMAN'S ANNUAL REVIEW LETTER

Executive considered a report which advised of the numbers of complaints against the Council which were handled by the Local Government Ombudsman (LGO) in 2012/13.

The letter was presented in a different format to previous years, reporting only headline figures with no breakdown of complaints or outcomes. Executive was advised that the Support Officer had since completed a survey which requested a more focused letter in future years.

The Ombudsman had received 16 complaints against the Council in 2012/13 against a District Council average of 10. Of those 16, only one investigation resulted in a local settlement.

Moved by Councillor R. Bowler and seconded by Councillor D. Kelly

**RESOLVED** that the report and LGO Annual Review 2012/13, attached as an appendix to the report, be received.

**REASON FOR DECISION:** To keep members informed of Ombudsman complaints.  
(Support Officer)

**OTHER OPTIONS CONSIDERED:** None.

### 0261. COMPLIMENTS, COMMENTS AND COMPLAINTS

Executive considered a report which provided details of compliments, comments and complaints to the Council in the first quarter of 2013/14 (April to June).

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The Council had received 54 compliments in the first quarter, particularly in respect of Customer Services, Leisure, Planning and Street Scene. Some 367 requests for service had been received, mainly around missed bins.

The Council had received 38 stage one complaints in the first quarter, 46 stage two complaints and six stage three complaints. The target of 97% had been achieved for responding to stage two complaints.

Following questions from members in respect of stage one grounds maintenance complaints, Executive was advised that working practices had been changed and CRM numbers updated to ensure complaints were more efficiently addressed.

Moved by Councillor R. Bowler and seconded by Councillor A. Syrett  
**RESOLVED** that the report on Compliments, Comments and Complaints for the first quarter 2013/14 be approved.

**REASON FOR DECISION:** To keep members informed of volumes and trends of compliments, comments and complaints.  
(Director of Corporate Resources)

**OTHER OPTIONS CONSIDERED:** None.

### 0262. HOUSING DEPARTMENT – QUARTERLY UPDATE

Executive considered a report which provided an update in respect of performance within the Housing Team.

Executive was advised that rent arrears continued to escalate following changes to the welfare system and difficulties associated with the economic climate. The current targets for recovery of arrears looked increasingly difficult.

The demand for Council housing was changing following introduction of the under-occupation premium or 'bedroom tax'. An increase in one bedroom properties had been experienced as people looked to downsize, and some family housing was becoming more difficult to let.

Since the recent gas servicing audit, which judged the service to be unsatisfactory, the Council's approach to the way appointments were made and processes were monitored had changed. A re-inspection had been requested and completed.

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The Council had been working with CIH to develop a new stock condition survey. Tendering for the work was being undertaken through the Efficiency East Midlands Framework.

Following presentation of the report, members asked questions and raised issues. The following points were noted:

- Although there had been an increase in former tenancy arrears, tenants were pursued for debt in line with policy. The income collected was greater than the cost of providing the service.
- An explanation was provided as to the reason behind some of the voids in the District.
- Consideration would be given to profiling the debt held by tenants in the District and to the existing eviction criteria.
- An application for Heritage Lottery funding had been made by the Planning Team for New Bolsover and the outcome would be known within weeks.

Moved by Councillor D. Kelly and seconded by Councillor A. Syrett  
**RESOLVED** that the contents of the report be noted.

**REASON FOR DECISION:** To provide members with an update on performance within the Housing Team.  
(Head of Housing)

**OTHER OPTIONS CONSIDERED:** None.

### **0263. FINANCIAL OUTTURN 2012/13**

Executive considered a report which advised of the outturn position for the 2012/13 financial year and set out a detailed assessment of the impact of the outturn upon the Council's financial position and Medium Term Financial Plan.

The Council closed its financial accounts for 2012/13 in line with the required deadline of 30 June 2013. The Draft Statement of Accounts was now subject to external audit. The final audited accounts would be reported to and approved by the Audit Committee on 26 September 2013.

An under-spend of some £910,727 on the net cost of services had been achieved in 2012/13. After taking into account variances on capital financing, this amount was reduced to one of £796,292. This had arisen following an under-spend on budgets, additional income and efficiency savings.

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To present a clearer outturn to members it had been necessary to make adjustments to the revised budget for expenditure that was planned to have been financed from resources held in grant accounts, from holding reserves and from certain reserves.

The adjustments reflected where this expenditure had not been incurred and therefore the use of the associated financing was not required. While these variances did not impact on the bottom line for the Council if these adjustments were not made then the underlying variance position would be distorted. Officers in Accountancy were seeking to improve the controls in place over the use of such resources and had recommended an appropriate approach.

In a small number of service areas work that was planned to be undertaken in the 2012/13 financial year had been delayed and there had been a request from the cost centre managers to carry forward the approved budgets for this work into 2013/14. The total cost of these carry forward budget requests came to £62,390.

The Council had received a Transition Grant of £1.929m in 2012/13 to support transition arrangements within the Council. In setting the 2012/13 budget a sum of £0.521m was approved as General Fund support. However, the overall under-spend position in 2012/13 meant that no call had been made on the Transition Grant allocation in the year and as such the full allocation of £1.929m had been transferred to a separate reserve.

Executive was advised that the Council had successfully achieved in full savings that covered the savings target of £1.496m. These savings served to reduce the underlying level of expenditure and would continue to benefit the Council in future financial years.

The level of General Fund Reserves had improved by £0.053m which clearly represented an improved financial position for the Council. This position was welcome but Executive were asked to note that the balances were now considered to be at a more appropriate level for a District Council rather than at a generous level.

With regard to the general under-spend throughout the Directorates in 2012/13 officers in the Accountancy Section had carefully examined every cost centre of the General Fund and looked at the outturn position of 2012/13 to determine if the under-spend was a "one off" or a saving of an ongoing nature.

In conjunction with the service managers a number of ongoing budget reductions were proposed to the budgets in respect of 2013/14 and future years. This exercise had determined that a net budget reduction of £178,210 should be achievable in 2013/14.

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A recommendation was made to Members to approve the budget changes in 2013/14 and the Medium Term Financial Plan for future years.

The Housing Revenue Account (HRA) showed overall expenditure was £0.249m below the revised budget and income some £0.101m better than anticipated, giving a net cost of services favourable variance of £0.350m. Further savings on interest costs and depreciation charges brought the net favourable variance on the account to £0.445m. The favourable variance position took account of the approved transfer to balances of £0.752m indicating that the overall position would have been a surplus on the account of £1.197m. This amount would be redistributed accordingly.

The Council's capital spend in the financial year was £10.932m. This was some £4.022m below the revised budget. Details of the reasons for the under-spend were set out in the report. A number of the schemes affected would be carried forward into 2013/14.

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

**RESOLVED** that (1) In respect of the General Fund:

- It be recommended to Council that for 2013/14 and future years that budget managers be required to seek approval from Strategic Alliance Management Team (SAMT) to use any resources held in earmarked reserves, grants unapplied accounts or holding accounts. The budget manager would be required to complete a standard form and submit their proposal for approval to SAMT. As part of each quarterly budget monitoring the amounts approved by SAMT would be reported to Executive in a summary appendix.
- The budget carry forward requests totalling £62,390 as detailed in Appendix B in the report be approved as a transfer from the "General" earmarked reserve to a "budget carry forward" earmarked reserve and be drawn down into the 2013/14 budget by the Accountancy Section as required by the relevant budget manager.
- It be recommended to Council that the proposed reductions set out in Appendix B to the base budget in 2013/14 and future years of the current Medium Term Financial Plan of £178,210 be approved which reflected ongoing savings that may be made as identified from the outturn position of 2012/13.

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(2) In respect of the Housing Revenue Account, the Executive approves the following proposed transfers to earmarked reserves and balances:

- An increase in the transfer to the Major Repairs Reserve of £0.445m from £1.118m to £1.563m. With this proposed transfer the Major Repairs Reserve would have a balance of £1.885m at 31 March 2013.
- An amount of £0.752m be transferred to the HRA balances.

(3) The carry forward of capital budgets detailed in Appendix D in the report and amounting to some £3.006m be approved.

(4) The prudential borrowing undertaken in 2012/13 of £4,907 to meet the temporary financing arrangements for Project Horizon be approved and the borrowing be repaid as soon as the budgeted capital receipts were received in 2013/14.

(5) This report be forwarded to the Audit and Budget Scrutiny Committees for their consideration.

**REASON FOR DECISION:** To inform Cabinet of the outturn position in respect of the 2012/13 financial year.  
(Director of Corporate Resources)

**OTHER OPTIONS CONSIDERED:** None.

### **0264. THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

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

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



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### 0265. TENDER FOR FLAT ROOFING REPAIRS AND REPLACEMENTS

This item was withdrawn from the agenda.

### 0266. TENDER FOR STOCK CONDITION SURVEY

Executive considered a report which sought approval to delegate powers to the Head of Housing, following consultation with the Director of Neighbourhoods and Portfolio Holder for Housing, to decide on the tender for the stock condition survey of the Council's housing stock.

The project had been administered through the Fusion 21 Framework and bids were invited by 29 July 2013. The tenders received were opened at a formal ceremony the following day.

The bids were evaluated on 1 August on the basis of 60% quality and 40% cost. Advice was received during the process from ConsultCIH. As a result of the evaluation one tender was excluded. The remaining two contractors had been invited for interview on 8 August 2013 after which a decision would be made.

Moved by Councillor D. Kelly and seconded by Councillor A. Syrett

**RESOLVED** that delegated powers be given to the Head of Housing, following consultation with the Director of Neighbourhoods and the Portfolio Holder for Housing, to award the contract to the contractor who scored the highest following the interviews on 8 August 2013.

**REASON FOR DECISION:** To secure the most advantageous tender for the Council.  
(Head of Housing)

**OTHER OPTIONS CONSIDERED:** The scoring matrix appended to the report set out the other options available.

*Further to having declared a significant non-statutory interest, Councillor A. Tomlinson left the meeting prior to consideration of the following two items and did not take part in the debate or vote thereon.*

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### 0267. APPOINTMENT OF CHAIRMAN

Moved by Councillor A. Syrett and seconded by Councillor R. Bowler

**RESOLVED** that Councillor D. Kelly be appointed Chairman for the following item.

### 0268. TENDER FOR REAR BOUNDARY AND ACCESS ROAD RENEWAL SCHEME (NEW HOUGHTON)

Executive considered a report which sought approval for the most advantageous tender to undertake rear boundary and rear access road works on Compton Street and Verney Street, New Houghton on behalf of Environmental Services.

The aim of the contract was to renew the rear boundaries to privately owned and rented properties, to provide off-road secure car parking for residents and to improve the condition of the access roads to the rear areas of the terraced properties at Crompton and Verney Streets, New Houghton.

Five contractors had been selected via Constructionline who specialised in the undertaking of this type of external group repair works and were formally invited to tender.

Three of the five tenders were received by the deadline of 30 July 2013. The received bids were opened at a formal ceremony attended by officers from Property Services, Democratic Services and the Portfolio Holder for Environmental Health.

The returned tenders were evaluated by officers from Property Services on the basis of 80% cost and 20% quality. The contract period was August to November 2013.

Moved by Councillor D. Kelly and seconded by Councillor R. Bowler

**RESOLVED** that Groundwork Cresswell be appointed as the successful tender for undertaking work on the Rear Boundary and Access Road Renewal Scheme.

#### **REASON FOR DECISION:**

To secure the most advantageous tender for the Council.  
(Head of Housing)

#### **OTHER OPTIONS CONSIDERED:**

The scoring matrix appended to the report set out the other options available.

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*Councillor A. Tomlinson rejoined the meeting at this point in proceedings and reassumed the Chairman's position.*

### **0269. PROVISION OF COUNCIL VEHICLES FOR EMPLOYEES**

Executive considered a report which proposed that consideration be given to providing staff that travelled over 6,000 miles in a year with a vehicle where it was cost effective and where service delivery was not adversely impacted.

The Council currently reimbursed mileage at the current HMRC rate of 45 pence per mile. Following changes to employees' terms and conditions in February 2012, consideration was given to providing pool cars but it was later felt that this might have an adverse impact on the Council's savings' target.

The report set out a number of alternatives in respect of employee transport including pool cars, use of the Chairman's vehicle, public transport, rail options and taxis. A review of arrangements for business mileage would be carried out in autumn 2013.

However, it had become apparent that in the case of employees who did over 6,000 miles per year, it would be economically advantageous to provide a vehicle for those employees. Details of financial implications and approvals process was set out in the report.

Executive was advised that in 2012/13 only four employees claimed for more than 6,000 miles.

Moved by Councillor D. Kelly and seconded by Councillor R. Bowler

**RESOLVED** that (1) A Council vehicle be approved for those employees where it was more cost effective for the Council.

(2) Delegated authority be given to the Chief Executive to approve individual cases where they met the criteria.

**REASON FOR DECISION:** In the interests of economy and efficiency.  
(Assistant Director – Human Resources)

**OTHER OPTIONS CONSIDERED:** None.

The meeting concluded at 1050.