

EXECUTIVE

Minutes of a meeting of the Executive held in Chamber Suites 1 and 2, The Arc, Clowne, on Monday, 14 April 2014 at 1000 hours.

PRESENT:-

Councillor E Watts in the Chair

Members:-

Councillor R Bowler, D Kelly, B Murray-Carr, K Reid, A Syrett and A Tomlinson

Officers:-

W Lumley (Chief Executive Officer), B Mason (Executive Director - Operations), P Hackett (Executive Director - Transformation), J Fieldsend (Senior Principal Solicitor), P Campbell (Head of Housing), G Galloway (Building and Contracts Manager), M Kane (Governance Manager), S Chambers (Communications Manager) and L Cheong (Acting Scrutiny Officer)

1002. APOLOGIES FOR ABSENCE

There were no apologies for absence given at the meeting.

1003. URGENT ITEMS OF BUSINESS

There were no items of urgent business.

1004. DECLARATIONS OF INTEREST

Councillor A Tomlinson declared a non significant other interest in item 8 on the agenda, Local Enterprise Growth Initiative, arising from his membership of the LEGI Board.

1005. MINUTES OF EXECUTIVE HELD ON 17 MARCH 2014

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

RESOLVED that the minutes of the meeting of Executive held on 17 March 2014 be approved as a correct record and signed by the Chairman.

(Governance Manager)

1006. RECOMMENDED ITEMS FROM OTHER STANDING COMMITTEES

Use of Consultants Action Plan

Executive considered an item that had been referred by the Improvement Scrutiny Committee on 24 February 2014 in connection with the Use of Consultants Action Plan.

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Executive was advised of a review of the Council's Use of Consultants which had been undertaken by Scrutiny over the previous two municipal years. This review had culminated in three recommendations:-

- (1) To establish a system to ensure that the engagement of consultants was subject to the same controls as the recruitment of temporary or agency workers, i.e. signed off by the Executive Director of Operations and the Chief Executive Officer.
- (2) To ensure that steps were put in place to improve the recording of expenditure on agency staff, software purchases, hired/contract services and professional/consultancy fees so that it was easier to analyse and monitor trends.
- (3) To revisit the Use of Consultants Review when effective "sort " mechanisms were in place to allow an assessment of the costs of "bought in" services, sorted by commissioning officer and department.

The first two of these recommendations were signed off as complete. As part of the third recommendation it was proposed that the Council's Use of Consultants be looked at on an annual basis by Scrutiny.

Executive discussed the recommendation and felt that a bi-annual review would be a more efficient use of Scrutiny time and resources.

Moved by Councillor E Watts and seconded by Councillor B Murray-Carr.

RESOLVED that:-

- (1) The Council's Use of Consultants be scrutinised on a bi-annual basis.
- (2) Scrutiny's attention be drawn to any changes relating to the review, where appropriate.

REASON FOR DECISION: To enable Executive to consider a recommendation of the Improvement Scrutiny Committee.

OTHER OPTIONS CONSIDERED: To undertake a review on an annual basis.
(Acting Scrutiny Officer)

1007. ANNUAL REVIEW OF THE SINGLE EQUALITY SCHEME 2011-2015

Executive considered a report of the Assistant Director – Customer Service and Improvement, which presented the annual review of the Single Equality Scheme.

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Executive was advised that public bodies such as the Council had legal duties relating to equality which were specified in the Equality Act 2010. The Council's Single Equality Scheme assisted the Council in meeting these duties by setting out the Council's equality objectives and the steps it would take to achieve them. The objectives were set in 2011 with the involvement of local interest groups.

This third annual review of the Scheme evidenced the progress made in 2013-2014.

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

RESOLVED that the third Annual Review of the Single Equality Scheme be approved, in compliance with the Council's statutory responsibilities, prior to information being made available to the public.

REASON FOR DECISION: For Executive to consider the third Annual Review of the Single Equality Scheme.

OTHER OPTIONS CONSIDERED: None.
(Equalities Officer)

1008. SHEFFIELD CITY REGION COMBINED AUTHORITY

Moved by Councillor K Reid and seconded by Councillor A Syrett.

RESOLVED that the Leader be appointed as the Council's representative on the Sheffield City Region Combined Authority with the Deputy Leader as substitute.

(Governance Manager)

1009. LOCAL ENTERPRISE GROWTH INITIATIVE

Executive considered a report of the Senior Principal Solicitor which dealt with a number of outstanding issues resulting from the expiry of the Local Enterprise Growth Initiative Partnership (LEGI) Agreement between Bolsover District Council, Ashfield District Council and Mansfield District Council.

Executive was advised that the Council had entered into the Partnership and Alliance for Enterprise structure in 2006 to deal with ERDF grant funding. The Council was joined in the partnership by Ashfield and Mansfield in 2007, with Ashfield acting at the accountable body.

The LEGI objectives were to "encourage an entrepreneurial ethos, particularly among the young; to support pre-start and existing businesses; and to connect the target communities with new job opportunities resulting from inward investment or indigenous growth to be delivered through local area agreements for Nottinghamshire and Derbyshire".

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The Partnership Agreement expired on 31 March 2013, however, Ashfield District Council were holding approximately £3,721 of ERDF funding and at the final meeting of the LEGI Board it was proposed that this money be transferred to the LEGI's successor organisation, LEO (Derby and Nottingham), for use in accordance with the original grant objectives.

As the Partnership Agreement had expired there was no authority for Ashfield to transfer the money in this way and they must now seek approval from both Bolsover and Mansfield to comply with the final wishes of the LEGI Board.

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

RESOLVED that:-

- (1) The payment of any residual LEGI monies held by Ashfield District Council to LEO (Derby and Nottingham) be approved.
- (2) The Chief Executive Officer be authorised to take any further action in relation to former LEGI in consultation with the Leader or Deputy Leader of the Council.

REASON FOR DECISION: To resolve outstanding issues relating to LEGI.

OTHER OPTIONS CONSIDERED: None.
(Senior Principal Solicitor)

1010. HOUSING QUARTERLY REPORT

Executive considered a report of the Head of Housing which provided a quarterly update on performance in the Housing Service.

The report set out the current position in respect of a number of issues, including rent arrears, allocations, repairs, gas servicing, stock condition survey and Supporting People. Statistical data relating to rent arrears, repairs, customer feedback, gas servicing and the waiting list was also appended to the report for members' information.

Members considered the report and raised a number of issues. It was felt that there should be more co-ordination between the Council and the Citizen's Advice Bureau around issues such as the cost of court proceedings. An officer from Housing was also requested to attend the Council's Welfare Reform and Advice Agency Groups on a regular basis. The Portfolio Holders for Social Inclusion and for Housing would discuss and take this forward.

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

RESOLVED that the contents of the report giving quarterly information in respect of the Housing Service be noted.

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REASONS FOR DECISION: To apprise members of recent developments.

OTHER OPTIONS CONSIDERED: None
(Head of Housing)

1011. ASBESTOS MANAGEMENT WITHIN BDC HOUSING STOCK

Executive considered a report of the Executive Director – Operations, which provided feedback regarding the management of asbestos within the Council's housing stock and set out reasons as to why the Council did not immediately remove all asbestos type materials once they had been identified.

Executive was advised that back in 2009 a decision was taken to carry out and complete 100% asbestos management surveys for all the Council's domestic properties. Currently 25% of properties had been surveyed, with a further 5% undertaken each year and the results of this were included in an asbestos database detailing all the asbestos surveys undertaken.

From the information gathered so far the Council understands that asbestos within domestic properties is uncommon and consequently possesses low risk.

Once asbestos had been identified in a property it was a legal requirement that it be re-inspected each year to ensure that it remained safe and had not deteriorated in any way. Any asbestos that did deteriorate, been damaged or could be a danger to the tenant and other parties was removed as a matter of urgency. Asbestos containing materials such as gutters, soffits and rainwater goods were not removed as a matter of course but monitored annually and only removed if they posed a risk as a result of deterioration or damage.

It was generally considered that to remove undamaged asbestos was likely to pose greater risk than the policy of actively managing asbestos that had been identified. This was particularly the case where asbestos was located within the property and tenants were in occupation. Asbestos was removed where a property was void as it was felt more realistic to implement appropriate removal strategies safely when a house was unfurnished and not occupied.

While there was no legal obligation to inform tenants of any asbestos containing materials within their homes, the Council had taken the pro-active decision to increase awareness and reduce the potential risk. Accordingly, a booklet had been posted to all tenants last year and the response from tenants was positive.

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

RESOLVED that the report on asbestos management within BDC Housing Stock be noted.

REASON FOR DECISION: As set out in paragraphs 2.1 to 2.2 of the report.

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OTHER OPTIONS CONSIDERED: As set out in paragraph 4.1 of the report.
(Executive Director - Operations)

1012. MEDIUM TERM FINANCIAL PLAN

Executive considered a report of the Executive Director – Operations which sought support for a partnership initiative to create a temporary community cohesion post working in Shirebrook to help resolve issues around growing tensions within the local community.

Executive were advised of the increasing evidence of tension within the Shirebrook Community where a range of issues including organised fly tipping, littering, burning of rubbish, street drinking, road safety/transportation, rogue landlords and overcrowding had been reported. These and similar allegations were promoting mistrust and misunderstanding between local communities.

In response the Community Safety Partnership working with the local community, the Police and Health had taken the view that an Outreach/Migrant worker would be the most appropriate way forward to address the issues and reduce tensions.

On the basis of current information it was estimated that the post would require a salary of up to £30,000 p.a. with on costs (N.I. Superannuation, travel, office expenses) amounting to a further £10,000 p.a. An indication of the seriousness with which all of the agencies regarded the problem was that all had offered to make a financial contribution to funding the post.

Details of the funding contributions and implications were set out in the report and discussed at the meeting. A copy of the job outline was attached as an appendix to the report.

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

RESOLVED that:

- (1) Executive recommend to Council that a post of Community Cohesion Worker be approved for a period of up to two years to work with the wider partnership as outlined in the report in order to assist in addressing growing community tensions in the Shirebrook area.
- (2) The costs of the District Council in this matter, which would amount to £20,000 should a two year project be agreed, be charged against the Transition Reserve.

REASON FOR DECISION: To help address the growing levels of community tension within the Shirebrook area.

OTHER OPTIONS CONSIDERED: Set out at paragraph 4.1 of the report.
(Executive Director - Operations)

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1013. THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

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 1, 3 and 4 of Part 1 of Schedule 12A of the Act and it is not in the public interest for that to be revealed.

1014. EXEMPT – PARAGRAPH 3 50kWh SOLAR ELECTRICITY SYSTEM FOR THE ARC, CLOWNE: EFFICIENCY EAST MIDLANDS FRAMEWORK TENDER RETURN

Executive considered a report of the Executive Director – Transformation, which sought approval for a variation in price following the tender process for a 50kWh photovoltaic system to be installed on The Arc, Clowne. The report also explained why the changes in price had occurred and sought to appoint a successful tender company to undertake the works.

Details of the tender process were out in the report.

The scheme was expected to return 280% on what would be paid, generating a surplus of over £100,000. In addition, the savings to the Council in terms of electricity not taken from the grid would amount to almost £500,000 during the lifetime of the Feed-in-Tariff and a further amount from the deemed Export Tariff.

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

RESOLVED that:-

- (1) The required budget of £77,525 be allocated for the project from the Efficiency Fund.
- (2) NWS be appointed as the winning tender and be awarded the contract for the project following the tender process.

REASONS FOR DECISION: As set out in paragraph 2.1 of the report.

OTHER OPTIONS CONSIDERED: As set out in paragraph 4.1 and 4.2 of the report.
(Executive Director – Transformation)

1015. EXEMPT – PARAGRAPH 3 INCREASES TO CONTRACT SUMS TO ENABLE ADDITIONAL WORK TO BE CARRIED OUT WITHIN EXISTING BUDGETS

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Executive considered a report which sought authority to vary four contract sums for projects within the Council. This was in accordance with the Council's financial regulations and related to the Kitchen Replacement Contract 2011-14, the Clowne Refurbishment Contract, External Improvement Works on Devonshire Street, New Houghton and Whaley Phase II.

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

RESOLVED that members approve the variation of contract sums as set out in the report.

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

OTHER OPTIONS CONSIDERED: None.
(Building and Contracts Manager)

**1016. EXEMPT – PARAGRAPH 3
ITEM REFERRED FROM SAFE AND INCLUSIVE SCRUTINY
COMMITTEE, 9 APRIL 2014**

Executive considered a report of the Governance Manager which set out the outcome of a recent call-in in relation to Minute No 0949 on Leisure Priority Areas for Consideration.

The item had been called-in in accordance with Scrutiny Procedure Rules and considered at the next available meeting of the relevant Scrutiny Committee. The outcome of the Call-In was that the Scrutiny Committee endorsed Executive's decision and decided to take no further action.

The decision in relation to Minute No 0949 became effective immediately.

RESOLVED that the outcome of the recent meeting of the Safe and Inclusive Scrutiny Committee in relation to Minute No 0949 be noted.

REASON FOR DECISION: To enable the Executive to consider the outcome of a recent Call-In.

OTHER OPTIONS CONSIDERED: The Scrutiny Committee could have referred the matter back to the decision making body or to Council but chose not to do so.
(Executive Director - Transformation)

The meeting concluded at 1115 hours.

Executive Mins (BDC) (0414) 2014/AJD