

EXECUTIVE

Minutes of a meeting of the Executive held in the Chamber Suites, The Arc, Clowne, on Tuesday, 13 May 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), S Sternberg (Assistant Director - Governance and Monitoring Officer), M Kane (Governance Manager), S Chambers (Communications Officer), K Drury (Information and Engagement Manager), P Campbell (Head of Housing) and T Garrod (Projects Officers – Tourism)

1073. APOLOGIES FOR ABSENCE

There were no apologies for absence made at this meeting.

1074. URGENT ITEMS OF BUSINESS

There were no items of urgency considered at this meeting.

1075. DECLARATIONS OF INTEREST

Councillor A Tomlinson declared a significant non statutory interest in item 9 on the agenda, Public Realm Tender, since he was a Board Member of one of the companies who had a subsidiary company that had taken part in the tender. Councillor Tomlinson would leave the meeting room prior to item 9 and not take part in the debate or vote thereon.

1076. MINUTES OF EXECUTIVE HELD ON 14 APRIL 2014

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

RESOLVED that the minutes of the meeting of Executive held on 14 April 2014 be approved as a correct record and signed by the Chairman.

(Governance Manager)

1077. RECOMMENDED ITEMS FROM OTHER STANDING COMMITTEES

There were no recommended items to be considered from other standing committees at this meeting.

EXECUTIVE

1078. INFORMATION REQUESTS – OCTOBER 2013 TO MARCH 2014

Executive considered a report which set out the Information Requests made under the Freedom of Information, Environmental Information and Data Protection legislation from 1 October 2013 to 31 March 2014. The report also provided a summary for the previous year.

The final quarter of 2013/14 had seen 275 Freedom of Information requests and 54 Environmental Information requests, making 329 requests in total for processing. An appendix to the report set out the requests per department. All requests were responded to within the target time of 20 days.

In respect of 2013/14 the Council had received 472 Freedom of Information requests and 94 Environmental Information Regulations requests, making a total of 566 requests for the year. This represented an increase of 34% when compared with 2012/13. All requests were responded to within the standard time of 20 days.

In respect of Data Protection, there had been two Subject Access Requests and 14 Third Party requests for personal data held within the quarter. All had been responded to within the target time of 40 calendar days. Across 2013/14 the Council had received 36 requests in total, which represented an increase of 38% compared with the previous year. All had been responded to within the statutory time scale.

Executive passed on their congratulations to the Information and Engagement Manager for her recent qualification success. Noting the increase in the number of information requests, Executive felt that it was imperative that as much information as possible was placed on the Council's website.

Moved by Councillor R Bowler and seconded by Councillor E Watts.

RESOLVED that the report on Information Requests – October 2013 and March 2014 be noted.

REASON FOR DECISION: To keep Members informed of volumes and trends regarding information requests.

OTHER OPTIONS CONSIDERED: None.
(Information and Engagement Manager)

1079. MEDIUM TERM FINANCIAL PLAN

Executive considered a report of the Executive Director – Operations which sought the approval, via Council, of two posts to facilitate the Council's Transformation Agenda. The report also sought Executive's approval for a simplification in the number and purpose of reserves held by the Council and to provide an update on proposed procurement arrangements for securing new banking arrangements following the withdrawal of the Co-op Bank from the local authority sector.

EXECUTIVE

Members were aware that the Council had recently purchased the Firmstep Customer Information System which was a key platform for the Council's Transformation Programme. As part of phase 1 of this project the post of CIS (Customer Information System) Developer was established on a temporary basis. It was now necessary to agree that this post be established as a joint post across both authorities on a full-time basis. Details of financing arrangements were set out in the report.

In addition, a number of short term issues associated with the project had necessitated the involvement of the ICT Team's Application Development Officers. In order to address short term issues in capacity it was recommended that a temporary post of Business Development Officer be established. A job description had been created for this post based on those already in existence within ICT and the likely resource implication was one of £35,000, including overheads, subject to job evaluation. The temporary 18 month post would be based on the North East Derbyshire establishment.

In respect of the Council's earmarked reserves, Executive was advised that the Council held approximately 15 earmarked reserves, five of which were anticipated to contain less than £50,000 at the end of the last financial year. The existence of such a large number of reserves unnecessarily complicated the Council's financial accounts and made them less than transparent.

It was proposed that the Transformation Reserve be merged with the Transition Grant Reserve, with the new Reserve retaining the title of the Transformation Reserve. In addition, it was recommended that the efficiency reward grant of some £0.25M, together with any of the 2013/2014 Efficiency Grant which remained unspent at the year, was transferred into the Transformation Reserve. Given that the 2013/2014 Efficiency Grant underspend would be required to meet contractual commitments the Council should have a sum in the order of £2M available for additional investment. The purpose of this reserve would be to support Invest to Save projects which generated ongoing revenue efficiencies such as property rationalisation and shared services.

With respect to the five funds which contained less than £50,000 it was recommended that the future of these funds be considered as part of the process of closing down the 2013/2014 financial accounts, with the Chief Financial Officer determining which of the funds would be closed or merged with other reserves.

In respect of the Council's banking arrangements, Executive was advised that the Council's existing contract with the Co-operative Bank ran until March 2017. Officers had indicated in the Treasury Management Strategy report taken to Council on 12 February 2014 that the plan was to undertake a banking tender exercise that commenced in February 2015, with a view to a 1 September 2015 change over date.

Since that report it had become increasingly apparent that the Co-operative Bank would prefer a shorter run off period for all local authorities to leave existing contracts. Officers had carefully considered the position and had reached the conclusion that it would be preferable for the Council to undertake the tender exercise at a much earlier point than originally planned. Officers had also held discussions with neighbouring Councils to seek their views and opinions on the current position. These discussions also showed that the majority of these councils would be looking to undertake a bank tender exercise in the near future. As a result, officers had explored the option of a group tender exercise between interested councils and five councils were wishing to participate.

EXECUTIVE

This area of work had a limited number of companies/consultants that offered services. Two companies were considered and following a presentation and review of the proposals, one company was the preferred choice of the five councils. This company would be required to review the current transactional banking arrangements of each organisation and to undertake a formal tender on behalf of all participants. It was anticipated that the tender exercise would commence in May 2014 and conclude in mid September 2014 with the appointment of a single bank who would deliver the same banking services model to each council involved in the tender.

Members considered the report and felt that it would be beneficial to have a full breakdown of each reserve held by the Council. The Executive Director – Operations undertook to provide this information to a future meeting.

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

RESOLVED – That Executive:-

- (1) Recommends to Council that it be agreed that a post of Customer Information Systems Developer be added to the Council's staffing establishment at an estimated annual cost of £12,000 p.a. (to this Council) with the post to be funded from Efficiency Grant in 2014/15 and from mainstream budgets in future financial years.
- (2) Approves that Bolsover District Council agree to fund 50% of the costs of the post of Business Developer Officer (amounting to up to £17,500 p.a. for this Council) to be hosted by North East Derbyshire for a period of 18 months, with the post to be funded by Efficiency Grant or other earmarked financial reserves.
- (3) Approves that the Transition Grant Reserve, the Efficiency Reward Grant Bonus , together with any 2013/14 Efficiency Grant to be carried forward into 2014/15 be transferred into the Transformation Grant Reserve with these resources to be earmarked to funding Invest to Save expenditure which reduces the Council's underlying base budget.
- (4) Notes that the Chief Financial Officer will authorise measures designed to simplify and reduce the number of financial reserves under £50,000 held by the Council as part of the process of closing the 2013/14 Financial Accounts, with the position to be reported to Members as part of the Financial Outturn reporting process.
- (5) Notes the updated position in respect of the proposed procurement route for securing a new supplier of banking services to replace the Co-op Bank which no longer wishes to be a supplier of banking to local authorities.

REASON FOR DECISION:

- (1) To improve the service that the Council offers to local residents while securing financial efficiencies necessary to operate effectively against the background of ongoing reductions in the level of central government financial support for local authorities.

EXECUTIVE

- (2) To simplify the Council's accounting arrangements in respect of its financial reserves to aid completion of accounting systems and to facilitate an easier understanding of the Council's financial position.
- (3) To ensure that the Council continues to have appropriate banking arrangements in place.

OTHER OPTIONS CONSIDERED: These were set out at paragraphs 4.1 to 4.3 of the report.

(Executive Director - Operations)

1080. 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.

1081. EXEMPT – PARAGRAPHS 1 & 3 FORMER TENANT ARREARS WRITE OFFS

Executive considered a report of the Head of Housing which sought write off of former tenants' arrears deemed to be irrecoverable to the value of £76,344.90.

Executive was reminded that it had adopted a new policy to recover debt in 2009, which was more robust than the one it had replaced, especially for those tenants with a high level of arrears. In addition to the Council's own officers undertaking a more proactive role, the Council also used tracing agents and a specialist recovery service as part of the debt recovery process.

The process adopted by the Council included periods of time before moving to the next step which was designed to increase the possibility of recovery and trace as it allowed the tenant to produce evidence at their new address. The new approach had been applied retrospectively to all tenants arrears.

The report requested the write off of 31 cases with a total debt of £76,344.90. The tenants had been evicted or absconded prior to eviction, leaving debt. Attempts to trace the tenants had not been successful and in many cases the Council had attempted to trace through different agencies. Given the level of debt, it was probable that these people had multiple debt issues.

Moved by Councillor K Reid and seconded by Councillor E Watts.

RESOLVED that:-

EXECUTIVE

- (1) Members agree to write off former tenants arrears as detailed in the schedule attached as Appendix A to the report.
- (2) In accordance with the Policy, these debts may be written back on if further evidence became available without the need for a further report.

REASON FOR DECISION:

- (1) In order to provide accurate financial statements and make the Council aware of its financial position.
- (2) To enable officers to focus on that debt which is recoverable, thus maximising the overall collection rate.

OTHER OPTIONS CONSIDERED: No action, which was rejected as it may result in inaccurate financial statements.
(Head of Housing)

1082. EXEMPT – PARAGRAPH 3 PUBLIC REALM TENDER

Executive considered a report of the Projects Officer (Tourism), which sought agreement to appoint the chosen supplier to deliver the Bolsover Town Public Realm Tender as part of the Bolsover ERDF project.

Executive were advised that the Council had submitted an application for European Regional Development Funding (ERDF) towards improving the public realm and infrastructure for Bolsover Town. In January 2014, a funding offer was confirmed and the project was to run from January 2014 to March 2015.

The public realm tender was part of a series of tenders intended to support the project. Details of the tender process was outlined within the report.

A total of 19 companies requested tender documents with six submitting a response to the tender. The total budget allocated for the design and delivery of the public realm works tender was specified as being £398,000, making this a Key Decision. The tender was evaluated on the basis of 40% price and 60% quality. NM Construction came out on top in both categories.

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

RESOLVED that Executive agree to appoint N M Construction to deliver the Bolsover Town Public Realm Tender as part of the Bolsover ERDF Project.

REASON FOR DECISION: To appoint a tenderer for the Bolsover Town Public Realm Tender.

OTHER OPTIONS CONSIDERED: The unsuccessful tenders, including details of their prices and scores, were set out in the report. A detailed reason for recommendation was set out within paragraph 2.1 of the report.
(Projects Officer – Tourism)

EXECUTIVE

The meeting concluded at 1045 hours

BDC Executive Mins (0513) 2014/AJD