

Date: 19 December 2014

The Arc High Street Clowne Derbyshire S43 4JY

Dear Sir or Madam,

You are hereby summoned to attend a meeting of the Executive of Bolsover District Council to be held in the Chamber Suites at **The Arc, High Street, Clowne** on **Monday 5 January 2015 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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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





EXECUTIVE AGENDA

Monday 5 January 2015 at 1000 hours in the Chamber Suites, The Arc, High Street, Clowne

Item No.	PART 1 – OPEN ITEMS	Page No.(s)
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 agendab) any urgent additional items to be consideredc) 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 1 December 2014	Previously circulated
5	Recommended Items From Other Standing Committees	
	None.	
6	Tourism and Rural Economy Officer Recommendation on page 5	4-6
7	Arrears - Irrecoverable Items over £1,000 Recommendation on page 8	7-13
8 (KD)	Proposed Neighbourhood Planning Protocol – including level of District Council support Recommendations on page 25	14-41

9	Joint ICT Strategy
	Recommendations on page 43

42-69

PART 2 – EXEMPT ITEMS

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

Paragraph 3

10 (KD)	Irrecoverable Arrears over £1,000 Recommendation on page 71	70-76
11 (KD)	Tenders for Replacement of Skip Loader Vehicle Recommendation on page 80	77-81
12 (KD)	Architectural Services Procurement for New Bolsover Model Village Project Recommendation on page 83/84	82-85
13 (KD)	External Wall Insulation Tender Recommendation on page 88	86-96
14 (KD)	Leisure Services Options Recommendations on page 111	97-214
15 (KD)	Options for Customer Services Recommendations on page 222	215-224

Notes:

Items marked (KD) are all Key Decisions. A Key Decision is an executive decision likely to result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which the decision relates or which is significant in terms of its effects on communities living or working in an area comprising two or more wards in the District. The Council has decided that income or expenditure of £50,000 or more is significant.

There have been no representations to hear items 10-15 in public session since the publication of Issue 28 of the Council's List of Key Decisions and Exempt Items, published 5 December 2014. These items are all to be heard in private session since they relate to the Council's financial or business affairs as set out in Paragraph 3 of Part 1 to Schedule 12A of the Local Government Act 1972.

Bolsover District Council

Executive

5th January 2015

Tourism and Rural Economy Officer

This report is public

Report of the Deputy Leader and Portfolio Holder for Regeneration

Purpose of the Report

 To gain approval to commence the recruitment of the Tourism and Rural Economy Officer.

1 Report Details

- 1.1 The Council has recently advertised the above post internally (1 candidate applied) and externally (3 candidates applied) in JobsGoPublic and DerbyshireJobs, unfortunately the adverts did not attract suitably qualified and experienced applicants.
- 1.2 The post of Tourism and Rural Economy Officer is currently 29.60 hours, it was reduced as a result of a flexible working request submitted by the previous post holder in the first instance to condense full time hours and then reduce hours.
- 1.3 It is felt that as we have been unable to recruit that reinstating the full time status (37 hours per week) will help attract candidates from a wider pool of individuals currently employed on a full-time basis.

2 Conclusions and Reasons for Recommendation

2.1 Therefore in considering the above we are seeking approval to change the post from 29.60 hours to 37 hours and re-advertise internally and externally simultaneously.

3 Consultation and Equality Impact

Not applicable

4 Alternative Options and Reasons for Rejection

5 **Implications**

5.1 Finance and Risk Implications

5.1.1 Currently the salary for the post is Grade 7 - £20,496 - £22,396 the contracted hours are 29 hours 36 minutes per week.

Full time salary based on 37 hours per week is £25,620 - £27,995 per annum.

On the basis that Executive agrees the proposals set out, the report to Council in February will include these additional costs within the budget for 2015/16 and future years.

5.2 <u>Legal Implications including Data Protection</u>

Not applicable

5.3 <u>Human Resources Implications</u>

5.3.1 Requirement to fill the post to alleviate managerial pressures.

6 Recommendations

6.1 For Executive:

- To approve an extra cost of £5,124 £5,599 per annum and increase the G193 staffing budget accordingly.
- To note the action that the Chief Executive will take to increase the hours of the Tourism and Rural Economy Officer from 29.60 to 37 under his delegated powers.
- To include the additional costs associated with this proposal in the budget proposals for 2015/16 and future years.

7 Decision Information

Is the decision a Key Decision?	No
District Wards Affected	All
Links to Corporate Plan priorities or Policy	Economic Development and Housing Strategy - Supporting the Rural Economy
Framework	 Ensure rural populations understand the opportunities of local and emerging sectors and economies Marketing our tourism offer and visitor strategy

8 <u>Document Information</u>

Appendix No	Title	
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)		
Report Author Contact Number		Contact Number
Sonia Coleman		01246 242413

Report Reference -

Bolsover District Council

Executive

5th January 2015

Arrears – Irrecoverable Items over £1000

Report of the Portfolio Holder for Customer Services

This report is public

Purpose of the Report

• Executive is requested to approve the write off of the under-mentioned irrecoverable items including costs amounting to £10,915.58 as itemised on the attached schedules.

1 Report Details

1.1

Bankruptcy/ Liquidation			
No of Accounts	Type of Account		
1	Council Tax	£1,663.35	
	Total	£1,663.35	

1.2

No Trace			
No of Accounts	Type of Account		
2	Council Tax	£4,924.84	
2	Business Rates	£4,327.39	
	Total	£9,252.23	

1.3 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.

2 Conclusions and Reasons for Recommendation

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

3 Consultation and Equality Impact

Not applicable

4 Alternative Options and Reasons for Rejection

Not applicable

5 **Implications**

5.1 Finance and Risk Implications

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

5.2 Legal Implications including Data Protection

None

5.3 Human Resources Implications

None

6 Recommendations

6.1 That approval is given to write off the irrecoverable items including costs amounting to £10,915.58 with the proviso that should any of the debts become collectable the amounts be re-debited.

7 <u>Decision Information</u>

Is the decision a Key Decision?	No
(A Key Decision is one which	
results in income or expenditure to	
the Council of £50,000 or more or	
which has a significant impact on	
two or more District wards)	
District Wards Affected	

Links to Corporate Plan priorities or Policy Framework	Strategic Organisational Development - Continually improving our organisation

Document Information 8

Appendix No	Title		
1	Council Tax: Amounts for Write Off – Bankruptcy		
2	Council Tax: Amounts for Write Off – Business Rates: Amounts for Write O		
S	Dusiness nates. Amounts for write O	II – NO TIACE	
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)			
Report Author		Contact Number	
Billing and Recovery Manager Ext 2432			

Report Reference -

	TAV. ARACIBIT	S FOR WRITE OFF	
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	Account	Lead Liable Name	<u>Address</u>	<u>Account</u>	<u>Liable</u>	<u>Liable</u>	<u>Bill</u>
	<u>Reference</u>			<u>Balance</u>	<u>From</u>	<u>To</u>	Balance
1	901562277	ROBINSON,MR JAMIE	4 PAVILION GARDENS CLOWNE S43 4UG	£1,663.35	01/04/2014	01/04/2015	£1,663.35
				£1,663.35			

	Account	Lead Liable Name	Address	Account	<u>Liable</u>	<u>Liable</u>	Bill
	<u>Reference</u>			Balance	<u>From</u>	<u>To</u>	Balance
1	901479189	WRIGHT,MS JANE ELIZABETH	36 LIME TREE AVENUE	£3,862.37	09/03/2010	01/04/2010	£ 392.11
			GLAPWELL		01/04/2010	01/04/2011	£1,042.84
			S44 5LE		01/04/2011	01/04/2012	£1,043.51
					01/04/2012	01/04/2013	£1,118.16
					01/04/2013	15/06/2013	£ 265.75
2	901440876	MAGGI,MR MARK ANTHONY	106 MARKET STREET	£1,062.47	09/05/2011	01/04/2012	£ 44.64
			SOUTH NORMANTON		01/04/2012	01/04/2013	£ 576.50
			DE55 2EJ		01/04/2013	01/10/2013	£ 441.33

£4,924.84

<u> </u>	BUSINESS RATES:	AMOUNTS FOR WRITE OFF: NO TRACI	<u>E</u>				
	<u>Account</u>	Lead Liable Name	<u>Address</u>	<u>Account</u>	<u>Liable</u>	<u>Liable</u>	<u>Bill</u>
	Reference			<u>Balance</u>	<u>From</u>	<u>To</u>	<u>Balance</u>
1	800166029	DAVID P BUCHANAN	WHITE SWAN MARKET PLACE BOLSOVER	£ 2,955.14	10/10/2011 01/04/2012	01/04/2012 16/04/2012	£ 2,462.96 £ 312.18
2	800167285	DAVID P BUCHANAN	ROSE & CROWN HIGH STREET BARLBOROUGH	£ 1,372.25	21/12/2011	22/03/2012	£ 1,372.25
				£ 4,327.39			

Bolsover District Council

Executive

5th January 2015

Proposed Neighbourhood Planning Protocol – including level of District Council support

Report of Cllr D Kelly, Portfolio Holder for Environment

This report is an updated version of the report originally considered by the Executive on 1st December 2014 and it includes answers to the following questions:

- 1. the monetary value of the officer's time that will need to be spent to comply with the protocol;
- 2. whether the Council is able to spend more money on one part of the District;
- 3. whether we can claim this money back from a Parish Council should they 'give up' on the process in advance of adoption of the Neighbourhood Plan.

The answers to these questions have been incorporated into the original report and are shown in italics. For information, any text not in italics remains unaltered.

Purpose of the Report

- To outline the requirements of the Localism Act 2011 and the Neighbourhood Planning (General) Regulations 2012 and their potential resource implications for Bolsover District Council.
- To propose a Neighbourhood Planning Protocol outlining the level of support Parish and Town Councils can expect from the District Council with respect to the various aspects of neighbourhood planning introduced by the Localism Act.
- To outline the cost to the District Council in terms of officer time and associated costs to meet the level of support set out in the Neighbourhood Planning Protocol.
- To outline the legal and financial implications for the relationship between the District Council and Parish / Town Councils wishing to pursue a Neighbourhood Plan relating to these costs.
- To propose the Council's decision making approach to its responsibilities under the Neighbourhood Planning (General) Regulations 2012.

1 Report Details

Background

1.1 Neighbourhood planning as introduced by the Localism Act 2011 includes three components: Neighbourhood Development Plans (or Neighbourhood Plans), Neighbourhood Development Orders and Community Right to Build Orders.

- 1.2 In principle, neighbourhood planning aims to give communities direct power to develop a shared vision for their neighbourhood and shape the development and growth of their local area.
- 1.3 Alongside this, the statutory requirements introduced by the Government to oversee neighbourhood planning place a number of duties on the District Council to support and enable the processes of preparing Neighbourhood Plans, Neighbourhood Development Orders and Community Right to Build Orders in its role as local planning authority.
- 1.4 More detail on these three components and the duties of the District Council are set out below.

Neighbourhood Plans

- 1.5 As a result of the Localism Act 2011, Neighbourhood Plans will upon adoption form part of the statutory 'Development Plan' for that planning area alongside the District Councils' own adopted Local Plan. However, unlike Local Plans, Neighbourhood Plans would in Bolsover District be prepared by Parish or Town Councils.
- 1.6 One of the key intentions of Neighbourhood Plans is to allow local communities to make their own decisions on how their towns or villages change or develop but they are required to conform with the policies of the District Council's Local Plan. If, for example, the Local Plan determines that a settlement should have a certain level of residential development, the Neighbourhood Plan cannot reduce that amount. They can potentially influence the location of the development and can specify more development if they wish, but not less. Whilst this would appear to undermine the localism agenda it is understood that the Government's intention is to prevent Neighbourhood Plans becoming a "Nimby" charter.
- 1.7 The area that a Neighbourhood Plan can cover is open to local choice, so they can cover the whole or part of a parish or town administrative area, or can extend across parish boundaries. The Parish or Town Council need to formally submit the area they wish the Neighbourhood Plan to cover to the District Council and the District Council decides the appropriateness of the area proposed.
- 1.8 It is also important to note that Neighbourhood Plans are not mandatory, so the District's Parish and Town Councils do not have to prepare one for their area. Indeed, as the District Council is preparing its own new Local Plan, Parish and Town Councils may find it more efficient and advantageous to work closely with the District Council, rather than potentially duplicating work.
- 1.9 In practice, this duplication could involve Parish or Town Council's needing to commission their own evidence to support their Neighbourhood Plan proposals, rather than waiting to benefit from District Council commissioned evidence once it has been published.
- 1.10 This option to work closely with the District Council will also be most relevant during the early stages of the preparation of the new Local Plan, given that any emerging Neighbourhood Plan will need to reflect the emerging Local Plan spatial strategy. Based on the District Council's published Local Development Scheme, this will be outlined initially in late 2015 and with more certainty in late 2016. In advance of this,

it will be difficult to agree the relationship between the emerging Neighbourhood Plan and the District Council's Local Plan as is required in advance of preparing a Neighbourhood Plan.

1.11 Despite this, should a Parish or Town Council seek to progress a Neighbourhood Plan, the Neighbourhood Planning (General) Regulations 2012 establishes the following duties for the District Council:

Stag	ge of the process	District Council duty
1)	Application for designation of a neighbourhood area (Regulation 5)	Determine whether the application includes the required documentation.
2)	Publicising an area application (Regulation 6)	Publicise the receipt of the application in order to bring it to the attention of people who live, work or carry on business in the area to which the application relates.
		Publicise how interested parties can make representations about the application.
		Note – the period for representations must be at least six weeks.
		Consider whether or not to designate a neighbourhood area.
3)	Publicising a designation or refusal of a neighbourhood area (Regulation 7)	Publicise the designation or refusal in order to bring it to the attention of people who live, work or carry on business in the area to which the designation relates.
4)	Plan proposals (Regulation 15)	Determine whether the submitted Neighbourhood Plan includes the required supporting documentation and complies with all the relevant statutory requirements.
5)	Publicising a plan proposal (Regulation 16)	Publicise the receipt of the proposed Neighbourhood Plan in order to bring it to the attention of people who live, work or carry on business in the area to which the Neighbourhood Plan relates.
		Publicise how interested parties can make representations about the proposed Neighbourhood Plan.
		Note – the period for representations must be at least six weeks.

6)	Submission of the plan proposal to examination (Regulation 17)	Appoint a person to examine the Neighbourhood Plan. Send the Neighbourhood Plan and its supporting documentation, including copies of received representations, to the appointed examiner. Make the necessary arrangements for them to examine the Neighbourhood Plan, potentially including a Hearing.
7)	Publication of the examiner's report and plan proposal decisions (Regulations 18)	Consider the examiner's report and prepare a Decision Statement that sets out its decision and the reasons for this decision. Note – decisions may include 1) to decline to consider; 2) to refuse; 3) what action to take in response to the examiner's report, such as send the plan to referendum; 4) what modifications, if any, are needed; 5) whether to extend the referendum area; or 6) if the LPA is not satisfied with the Neighbourhood Plan. Publicise the Decision Statement (and in some instances the examiner's report) in order to bring it to the attention of people who live, work or carry on business in the area to which the Neighbourhood Plan relates. Arrange the Neighbourhood Plan referendum if appropriate.
8)	Referendum (see the Neighbourhood Planning (Referendums) Regulations 2012)	Organise, hold and publicise the results of the Neighbourhood Plan referendum. Note — if more than half of those voting have voted in favour of the Neighbourhood Plan, the District Council must make the plan and bring it into force as part of the Development Plan for that area. If the referendum result is against the Neighbourhood Plan, the plan would not come into force and the process would need to restart to proceed. Note the referendum decision and prepare a Decision Statement that sets out whether the District Council will make or refuse to make the Neighbourhood Plan.
9)	Decision on a plan proposal	Publicise the Decision Statement in order to bring it to the attention of people who live, work

	(Regulation 19)	or carry on business in the area to which the Neighbourhood Plan relates.
10)	Publicising a neighbourhood development plan (Regulation 20)	Publicise the made Neighbourhood Plan in order to bring it to the attention of people who live, work or carry on business in the area to which the Neighbourhood Plan relates.

- 1.12 Whilst the above sets out the statutory duties for the District Council during the process of preparing Neighbourhood Plans, the key task of writing the Neighbourhood Plan and gathering the evidence to underpin its proposals is the responsibility of the Parish or Town Council. However, in view of the significantly lower level of resources at a Parish or Town Councils disposal, to support the making of Neighbourhood Plans the Government has issued further advice in the Planning Practice Guidance on the role and functions of planning authorities in relation to neighbourhood planning (paragraphs 21 & 22 reference ID: 41-021-20140306). These state that a local planning authority must:
 - take decisions at key stages in the neighbourhood planning process;
 - provide advice or assistance to a parish council, neighbourhood forum or community organisation that is producing a neighbourhood plan or Order;
 - be proactive in providing information to communities about neighbourhood planning;
 - fulfil its duties and take decisions as soon as possible, particularly regarding applications for area and forum designation;
 - set out a clear and transparent decision making timetable and share this with those wishing to prepare a neighbourhood plan or Order;
 - constructively engage with the community throughout the process.
- 1.13 This guidance reflects the statutory duties but adds the expectation that District Councils will "provide advice or assistance" and "constructively engage" during the writing of the Neighbourhood Plan. However, the degree of engagement is not specified and the District Council needs to decide on how much support it can provide taking account of available resources.
- 1.14 In view of this Government guidance, it is likely that Parish or Town Councils will approach the District Council for help should they begin working or considering working on a Neighbourhood Plan. It is important that the District Council is prepared for such approaches and has clear systems / protocols in place to enable the effective discharge of functions and to accommodate the additional work. Initial expressions of interest in Neighbourhood Plans have already been made by Shirebrook Town Council and Clowne Parish Council.

Neighbourhood Development Orders

1.15 Neighbourhood Development Orders are a second new planning tool that Parish and Town Councils may choose to use. The role of Neighbourhood Development Orders is to allow certain types of development in certain locations, without the need to submit a planning application to the Council. This could be used, for example, to allow changes of use that would normally need planning permission or

- by allowing certain types of built development that would normally need planning permission.
- 1.16 Neighbourhood Development Orders can apply to all or part of a Neighbourhood Plan area, although they are largely intended to apply to a particular site within the neighbourhood. However, they can also be prepared as an alternative to a Neighbourhood Plan.
- 1.17 The process for preparing Neighbourhood Development Orders largely reflects that for Neighbourhood Plans and the District Council's role and duties are largely as those set out above, i.e. having to publicise received Orders, to organise the examination, to organise the referendum. However, unlike the more informal role of providing support and advice during the preparation of Neighbourhood Plans, the local planning authority has a statutory duty to "give such advice or assistance" as they consider appropriate for the purpose of facilitating Neighbourhood Development Orders.

Community Right to Build Orders

- 1.18 Community Right to Build Orders are a specific type of Neighbourhood Development Order that Parish and Town Councils may choose to use. The role of Community Right to Build Orders is to allow a local "community organisation" to bring forward a small development, which might include proposals for new homes, business premises and / or community facilities, but it must be small scale in comparison to the size of settlement. However, the organisation must also exist for the express purpose of furthering the social, economic, and environmental well-being of individuals living or wanting to live in a particular area. There are also restrictions over how buildings or other assets developed through Community Right to Build Orders can be disposed of.
- 1.19 As a specific type of Neighbourhood Development Order, the process for preparing and adopting a Community Right to Build Order is broadly the same as that for a Neighbourhood Development Order.

2 Conclusions and Reasons for Recommendation

Level of District Council support to be provided

2.1 The duties and requirements of the Neighbourhood Planning (General) Regulations 2012 set out above will be carried out as follows:

Stage a)	Designation of a neighbourhood area	Governance Team
Stage b)	Support on preparation of a Neighbourhood Plan, Neighbourhood Development Order and Community Right to Build Order	Planning Policy Team
Stage c)	Holding a Referendum	Election Team

- 2.2 The outlined duties and requirements will place additional demands upon the District Council's Governance, Planning Policy and Election Teams in the event that a Parish or Town Council wishes to take on neighbourhood planning for its area.
- 2.3 To manage these demands, it is proposed that the District Council sets out what timescales it will work to and also how much advice and assistance it will provide to Parish and Town Councils during the process, to both meet the Government's expectations but also safeguard the delivery of its own work priorities. It is considered that this is best achieved through the preparation of a Neighbourhood Planning Protocol Service Level Agreement that would be entered into by the District Council and the relevant Parish / Town Council.
- 2.4 In relation to timescales, the Regulations currently require the District Council to undertake the notification and consultation stages throughout the whole process as soon as possible.
- 2.5 However, due to the wide range of timescales being taken by different local planning authorities, the Government has recently consulted on its proposal to specifically set a statutory time limit of 10 weeks (70 days) within which a local planning authority must make a decision on whether to designate a neighbourhood area that has been applied for by a parish or town council or prospective neighbourhood forum. The outcome of this consultation is yet to be announced but it is clear that the Government wish to see a speedier designation of neighbourhood areas in particular. As a result, it is suggested that the timescales proposed for compliance with the first stage of designating a neighbourhood area should not take more than 10 weeks. This should allow the Governance Team to respond to any requests and programme the additional work around existing commitments whilst readying itself for any future statutory requirement to meet this deadline.
- 2.6 As stated above, the Regulations and the Government's Planning Practice Guidance do not specify how much support a District Council should provide during the preparation of a Neighbourhood Plan, Neighbourhood Development Order and Community Right to Build Order.
- 2.7 Given this component of the work will be taken on by the District Council's Planning Policy Team, consideration has been given to the impact of requests for support upon the Council's own plan making work. In summary, supporting Parish and Town Councils with the preparation of their Neighbourhood Plans will draw upon the resources available to prepare the Local Plan for Bolsover District, so potentially causing slippage in the published timetable for getting the Local Plan adopted. This impact would be increased significantly if more than one Parish or Town Council sought to prepare a Neighbourhood Plan at the same time.
- 2.8 As stated above in paragraph 1.9, this may prove to be counter-productive to the Parish or Town Council given the preparation of the Neighbourhood Plan needs to reflect the District Council's emerging Local Plan.
- 2.9 Therefore, based on the resources available to the Planning Policy Team, it is suggested that one meeting is offered at the following key stages during the preparation of a Neighbourhood Plan:

- Commencement of Plan this meeting would frame the support available and direct the Parish or Town Council to sources of information that will be of use and the requirements for Neighbourhood Plans, as well as establishing the timescale for the Plan's preparation;
- Emerging Plan this meeting would review the progress made and recommend areas for further work to ready the Neighbourhood Plan for submission;
- Pre-submission Plan this meeting would review the readiness of the Neighbourhood Plan for submission and recommend any final work needed in advance of formal submission.
- 2.10 It is estimated that each of these meetings would involve roughly a two hour meeting with seven hours support for preparation and action implementation. This proposed level of District Council support for Neighbourhood Planning is set out in a Neighbourhood Planning Protocol Service Level Agreement (attached as Appendix A to this report).
- 2.11 In terms of the cost to the District Council in terms of officer time and associated costs to meet the level of support set out in the Neighbourhood Planning Protocol, it is estimated that the statutory work will involve at least 100 hours with a further 30 hours provided as support.
- 2.12 Based on the expected allocation of this work within the Governance, Planning Policy and Elections Teams, these amounts of time can be given a monetary value which is estimated to be £2,288.62. This amount would need to be supplemented with other substantial costs, such as organising the Examination and Referendum, in addition to the costs associated with printing and postage. More detail is provided on these costs in the table below.

Stage	Team	Duty (Statutory)	Support	Monetary Value
Application for	Governance	14 hours	0 hours	£258.72
Neighbourhood Area	Planning Policy	0 hours	3 hours	£51.69
Preparation of	Governance	0 hours	0 hours	£0
Neighbourhood Plan	Planning Policy	65 hours	27 hours	£1,700.38
Examination	Planning Policy	Organise Examination		£10,000
Referendum	Elections	Organise Referendum		£14,000
	Planning Policy	7 hours	0 hours	£120.61
Decision / making of	Governance	0 hours	0 hours	£0
Neighbourhood Plan	Planning Policy	14 hours	0 hours	£157.22
Total		100 hours	30 hours	£26,288.62

2.13 In terms of the legal and financial implications for the relationship between the District Council and Parish / Town Councils wishing to pursue a Neighbourhood

Plan relating to these costs, advice has been sought from the Legal Department as to whether the Council:

- a) is able to spend more money on one part of the District;
- b) can claim this money back from a Parish Council should they 'give up' on the process in advance of adoption of the Neighbourhood Plan.
- 2.14 In relation to the first question the advice is as follows:

"There is an expectation in the Government's guidance that local planning authorities will provide some support to Parish and Town Councils. Based on the proposed Neighbourhood Plan Protocol, the level of support will be available to all Parish and Town Councils should they wish to pursue a Neighbourhood Plan. However, it is noted that not all Parish and Town Councils will want to pursue a Neighbourhood Plan and those that do may not want to take up the District Council's full offer of support. As a result, it is unavoidable that the District Council will spend more money on one part of the District rather than others."

2.15 In relation to the second question the advice is as follows:

"There is an expectation in the Government's guidance that local planning authorities will provide some support to Parish and Town Councils. Based on the proposed Neighbourhood Plan Protocol, I understand that the level of support proposed is relatively low. There is no power to charge Parish or Town Councils for work the District Council does pursuant to the Government's expectations. As a result, the District Council would not be able to claim its costs back, even in the event that they do 'give up' before the end.

The situation would be different if the District Council was proposing to provide assistance over and above a minimum level by way of an enhanced service. In those circumstances it is considered that the District Council would be able to charge the Parish or Town Council for the extra work."

2.16 However, despite efforts to minimise the impact on *the Council's resources and* the timetable for preparing the District Councils' Local Plans, the level of support suggested will still have an impact. As a result, it is intended that the impact will be monitored and where necessary the agreed level of District Council support for Neighbourhood Planning will be revised accordingly where possible.

District Council decision making approach

- 2.17 Based on the Council's Constitution, responsibility for the decisions related to the Designation of Neighbourhood Area and Neighbourhood Plan proposals presently lies with the Council's Executive.
- 2.18 In view of the timescales for the process in advance of designating a Neighbourhood Area as outlined in paragraph 2.5, it is considered that delegating these decisions to the Assistant Director of Governance and Monitoring Officer in consultation with the relevant Portfolio Cabinet Members would enable the Council to respond to requests within the 10 week period without needing to call a special meeting of the Executive.

- 2.19 In relation to decisions on Neighbourhood Plan proposals, e.g. to determine how the issues raised in the Examiner's report should be considered and whether the submitted Neighbourhood Plan should be approved or not, it is considered that delegating these decisions to the Assistant Director of Planning and Environmental Health in consultation with the relevant Portfolio Cabinet Members would enable the Council to respond to these stages of the process more quickly without needing to call a special meeting of the Executive.
- 2.20 In both cases, it is noted that Portfolio Cabinet Members could request the decision is made by the Executive at a scheduled or special meeting, instead of delegating it to officers, if that was considered appropriate.

3 Consultation and Equality Impact

- 3.1 Other Officers involved in the preparation of this report were: Assistant Director of Governance and Monitoring Officer, Governance Manager, Election Team Managers (BDC & NEDDC), *Senior Principal Solicitor* and Principal Policy Planner (BDC).
- 3.2 Members consulted during the preparation of the report: Cllr Kelly (Cabinet Member for the Environment), Cllr Watts (Cabinet Member for Policy and Resources), Cllr McGregor (Chair of Planning Committee) and Cllr Munks (Vice-Chair of Planning Committee).
- 3.3 An Equality Impact Assessment will be required in advance of publishing a Neighbourhood Plan.

4 Alternative Options and Reasons for Rejection

- 4.1 Due to the Localism Act and the Neighbourhood Planning (General) Regulations 2012, the District Council is required to support and enable the processes of preparing Neighbourhood Development Plans (or Neighbourhood Plans), Neighbourhood Development Orders and Community Right to Build Orders in its role as a local planning authority. The only alternative options would be to provide more or less support. The option of providing more support has been rejected due to the additional demands that it would make on the District Council's resources and the consequences for the preparation of its own Local Plan. The option of providing less support has also been rejected due to it not meeting the spirit and potentially the letter of the Government's Planning Practice Guidance.
- 4.2 The alternative option relating to the District Council's decision making approach would be to not delegate decisions to officers and require all decisions to be made by the Executive. This option has been rejected due to the potential for the Council to fail to meet the Government's planned 10 week target for the designation of Neighbourhood Areas and also for the potential delays in its statutory duties for supporting the preparation of Neighbourhood Plans.

5 Implications

Finance and Risk Implications

- 5.1 Work to support Parish and Town Councils in the preparation of Neighbourhood Development Plans (or Neighbourhood Plans), Neighbourhood Development Orders and Community Right to Build Orders should not include financial support.
- 5.2 To support the vital role of local authorities in the neighbourhood planning process, the Minister for Planning Brandon Lewis announced on 31 October 2014 an extension of funding of up to £30,000 per scheme for local planning authorities into next year (2015/16) only. Funding for future years is at present uncertain and will depend on the priority given to neighbourhood planning following the General Election. Payments will be made under section 31 of the Local Government Act 2003 retrospectively in following three stages:
 - The first payment of £5,000 will be made following designation of a neighbourhood area recognising the officer time supporting and advising the community in taking forward a neighbourhood plan. For authorities designating several neighbourhood areas, each local planning authority can claim up to a maximum of £100,000 for area designations (i.e. 20 areas), in 2015/16.
 - The second payment of £5,000 will be made when the local planning authority publicises the neighbourhood plan or order prior to examination. This will contribute towards the costs of the examination as well as other staff costs incurred at this stage. There is no cap on the number of claims that can be made in 2015/16.
 - The third payment of £20,000 will be made on successful completion of the neighbourhood plan or order examination. This is to cover costs for that examination and any other further steps that may be needed for the neighbourhood plan to come into legal force, including referendum. There is no cap on the number of claims that can be made in 2015/16.
- 5.3 As a result, the District Council would be eligible to claim funding from central government for the additional demand upon its resources upon successful completion of certain key stages.
- 5.4 For information, the Department for Communities and Local Government (DCLG) have made funding available for Parish and Town Councils to support their work on preparing Neighbourhood Plans. However, this funding has been fully allocated and the awarded grants are required to be spent by December 2014. Due to the popularity of the grants, DCLG has made available a new bridging grant pot to cover further expenditure needed from November 2014 March 2015. However, eligibility criteria exist and groups who are awaiting a local authority decision on their area designation are not eligible.
- 5.5 On the 31st October 2014, DCLG also announced their continuing commitment to neighbourhood planning and announced that funding of £22.5 million will be made available over 2015 to 2018 to provide community groups with expert advice, grant

funding and technical assistance to get neighbourhood plans and orders from their inception to their coming into force following a local referendum.

Legal Implications including Data Protection

5.6 The District Council has a statutory duty to support and enable the processes of preparing Neighbourhood Development Plans (or Neighbourhood Plans), Neighbourhood Development Orders and Community Right to Build Orders in its role as local planning authority.

Human Resources Implications

- 5.7 Work to support Parish and Town Councils in the preparation of Neighbourhood Development Plans (or Neighbourhood Plans), Neighbourhood Development Orders and Community Right to Build Orders has the potential to divert resources away from the preparation of the District Council's own Local Plan. On the basis of current expressions of interest it is expected that the additional work can be accommodated within by the current staff resource. However, if further Parish and Town Councils decide to pursue neighbourhood plans; or if the level of officer input required exceeds that set out in the protocol it may be necessary to secure additional resources.
- 5.8 In relation to the Elections and Governance Teams, these are both very small teams which have previously been streamlined to cope with existing work levels. This work would be on top of what was planned and the effect will be monitored. As members are aware, May 2015 presents a challenging set of elections for the Elections team to administer with assistance from the Governance Team.

6 Recommendations

- 6.1 That Executive:
 - 1) Notes the detailed issues set out in the report;
 - 2) Agrees the proposed level of District Council support for neighbourhood planning as set out in the Neighbourhood Planning Protocol Service Level Agreement (attached as Appendix A to this report);
 - Agrees that decisions related to the Designation of a Neighbourhood Area be delegated to the Assistant Director of Governance and Monitoring Officer in consultation with the relevant Portfolio Cabinet Members;
 - 4) Agrees that decisions related to Neighbourhood Plan proposals be delegated to the Assistant Director of Planning and Environmental Health in consultation with the relevant Portfolio Cabinet Members.

7 <u>Decision Information</u>

is the decision a Key Decision?					
(A Key Decision is one which					
results in income or expenditure to					
the Council of £50,000 or more or					

la tha daoisian a Kay DaoisianO

Not at this stage, but will lead to one when an option is finalised

which has a significant impact on two or more District wards)	
District Wards Affected	All
Links to Corporate Plan priorities or Policy Framework	The District Council's Local Plan will set out the vision, key principles and policies that will underpin the sustainable development of each district. It will cover a wide range of economic, environmental and social issues. As such it links to all Corporate Plan priorities.

8 <u>Document Information</u>

Appendix No	Title			
Appendix A	Neighbourhood Planning Protocol Ser	rvice Level Agreement		
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)				
Localism Act 2011 The Neighbourhood Planning (General) Regulations 2012 Letter of the Governments' Chief Planning Officer, 3 rd November 2014				
Report Author Contact Number				
Helen Fairfax		Ext 2299 / 7168		

Report Reference -

APPENDIX A

Bolsover District Council and xxx Parish / Town Council

Localism Act 2011
Neighbourhood Planning Protocol
Service Level Agreement

Contents

- 1. Purpose
- 2. Bolsover District Council responsibilities
- 3. xxx Parish / Town Council responsibilities
- 4. The signed agreement

Appendix A: Is a Neighbourhood Development Plan appropriate? Appendix B: Level of District Council support for Neighbourhood Planning

SUMMARY OF KEY STAGES

INTRODUCTORY MEETING

The Parish / Town Council meet the Council to establish whether a Neighbourhood Plan is the most appropriate route to deliver the objectives of their local communities and whether there are alternative options. Alternative options such as better integration with Local Plan preparation and Regeneration Frameworks could be considered. For further information see Appendix A.

DESIGNATION OF NEIGHBOURHOOD AREA

The Parish / Town Council works with the Council to agree an appropriate neighbourhood area.

PREPARATION OF NEIGHBOURHOOD PLAN

The Parish / Town Council works with the Council and other stakeholders to prepare a neighbourhood plan that is in general conformity with the National Planning Policy Framework and the emerging Local Plan for Bolsover District.

PRE-SUBMISSION CONSULTATION ON DRAFT NEIGHBOURHOOD PLAN

The Parish / Town Council consults the District Council and other stakeholders on the draft plan and makes any appropriate amendments as a result.

SUBMISSION OF DRAFT NEIGHBOURHOOD PLAN & ASSESSMENT

The Parish / Town Council will submit the draft plan to the Council for a view on conformity and any other issues as appropriate.

SIX WEEK PUBLICITY OF SUBMISSION DRAFT PLAN

This is the final opportunity for representations to be made for consideration by the independent examiner.

APPOINTMENT OF EXAMINER

The District Council will agree the appointment of an examiner with the Parish / Town Council.

EXAMINATION

The District Council will organise and pay for the independent examination.

CONSIDERATION OF EXAMINER'S REPORT

The Parish / Town Council will make any necessary modifications to the plan and the District Council considers whether to move the plan to Referendum if the Plan meets basic conditions.

REFERENDUM

The Council will organise and pay for a Referendum to take place and if there is a 50% + 1 yes vote the plan will be 'made' by the District Council and form part of the statutory Development Plan for Bolsover District.

1. Purpose

This agreement has been prepared to help ensure a clear understanding of the responsibilities for each authority is reached at the outset of any Neighbourhood Planning collaborative work.

Ensuring a clear understanding is achieved will enable both parties to plan appropriately the degree of resources required to ensure the prepared Neighbourhood Plan is given the best chance to be successful at the Neighbourhood Plan Examination.

As a result, Bolsover District Council has considered how it can facilitate the aspirations of local communities to prepare their own Neighbourhood Plans.

This Service Level Agreement confirms:

- how Bolsover District Council will undertake its statutory duties within the Neighbourhood Planning (General) Regulations 2012;
- the level of support that Bolsover District Council will provide to Parish and Town Councils to help them deliver their aspirations regarding the preparation of their own Neighbourhood Plans;
- the responsibilities of Parish and Town Councils ('the qualifying body') regarding the preparation of their own Neighbourhood Plans.

2. Bolsover District Council responsibilities

Under the provisions of the Localism Act 2011 Bolsover District Council is responsible for:

Statutory requirements

- the designation of a neighbourhood area;
- the designation of a neighbourhood forum;
- the publication of a submitted Neighbourhood Development Plan for consultation (Regulation 16 consultation);
- the arrangements for and cost of an independent examination;
- the arrangements for and cost of a Referendum;
- the formal assessment of the agreed Neighbourhood Development Plan against EU Regulations;

- issue screening opinion (Strategic Environmental Assessment, Human Rights) in advance of Regulation 14 consultation;
- making the confirmed Neighbourhood Development Plan part of the Development Plan for Bolsover District.

Support

- to help the Parish / Town Council establish the most appropriate route to achieve its aspirations;
- the provision of assistance to Parish / Town Council during the preparation of the Neighbourhood Development as set out in Appendix B: Level of District Council support for Neighbourhood Planning.

3. The xxx Parish / Town Council responsibilities

Under the provisions of the Localism Act 2011 xxx Parish / Town Council is responsible for the preparation and writing of the Neighbourhood Plan.

This will involve preparing a Neighbourhood Plan on behalf of and in extensive consultation with its local community that is:

- In conformity with the emerging Local Plan for Bolsover District;
- In conformity with national planning policies (National Planning Policy Framework);
- In conformity with European Union environmental regulations (strategic environmental assessment (SEA), Habitats Regulations);
- In conformity with equality and human rights legislation (Equalities Act 2010, Human Rights Act 1998).

For non-planning aspects xxx Parish / Town Council will endeavour to work with the District Council to ensure that:

- Projects are deliverable;
- Where possible, projects are linked to other plans / strategies as appropriate.

To deliver this principal task, xxx Parish / Town Council is required to also undertake the following tasks:

Meetings

- Establish a Steering Group (or similar) to guide the preparation of the Neighbourhood Plan;
- Ensure the Steering Group reports on a regular basis to the xxx Parish / Town Council for the endorsement of decisions;
- Ensure xxx Parish / Town Council remains compliant with the requirements for designation as set out in the Localism Act and Regulations;
- Ensure best use of Bolsover District Council officer time by only inviting the Bolsover District Council representative to attend and advise the Steering Group in accordance with the level of support outlined in Appendix A;
- Wherever possible, an agenda and supporting papers should be sent to the Bolsover District Council representative 5 days in advance of a meeting.

Minutes of Meetings

Minutes of all Steering Group meetings should be forwarded to the Bolsover
District Council representative for information to assist with support and for the
early identification of issues.

Project Plan

- Undertake to work towards the submission of a Neighbourhood Plan with a clear work programme and timetable for delivery;
- Send copies of project plans to the Bolsover District Council representative at regular intervals to assist with general support and resource planning.

Working arrangements

 Work with the District Council during the preparation of the Neighbourhood Plan to enable the District Council to carry out the "duty to support" and to help ensure a successful examination.

Communication

- Inform the District Council on emerging policies and proposals prior to the Pre-Submission draft Plan (as required by Regulation 14) consultation;
- Provide the District Council with the Pre-Submission draft Neighbourhood Plan (as required by Regulation 14), the Submission Plan and supporting documents in electronic format;
- Provide results of primary source data which could be helpful to the District Council;
- Provide regular reports to the District Council on progress and issues as appropriate.

Delivery

If supported through the referendum the District Council, xxx Parish / Town
Council and other relevant organisations will be responsible for delivery of the
Neighbourhood Plan as appropriate.

4. The signed agreement

This agreement is between:
a) Bolsover District Council, and;
b) xxx Parish / Town Council
Signed:
xxx, appropriate officer of Bolsover District Council
date
xxx, Chair of xxx Parish / Town Council
date
This agreement takes place with immediate effect and will be updated as appropriate.

Appendix A – Is a Neighbourhood Development Plan appropriate?

Communities should not regard a Neighbourhood Development Plan approach as the only option or planning tool open to them, there are many other forms of community planning and ways of delivering development locally that may be more appropriate.

The following points should be carefully considered before embarking on Neighbourhood Planning:

- Are you clear on why you need a Neighbourhood Plan? For example, can
 the outcomes sought be delivered through other planning mechanisms such as
 a Parish / Town or Community Plan, a Neighbourhood Development Order, a
 planning application or other routes?
- Have you considered the length of time the process may take? It could take at least 2 years from start to finish, and probably longer.
- Have you considered the time and financial resource implications needed to produce a Neighbourhood Development Plan? Communities and Local Government (CLG) stated that the average cost of a Neighbourhood Development Plan is between £17,000 and £63,000 and after ten years the cost of reviewing a Plan is around 70% of the initial cost.
- Are there the skills and enthusiasm within the community to undertake a Neighbourhood Plan, and are you confident this enthusiasm can be maintained through the process?
- Are you prepared to engage with land owners and developers and to have constructive conversations with people who may hold opposing views from your own?

There are a number of alternatives to Neighbourhood Development Plan that a community can undertake in their area and may be more appropriate. These include:

- Parish / Town or Community Plans, which provide an opportunity for the
 community to work together to decide on what they want to improve or achieve,
 in their area, at present or in the future. The final document is generally sets out
 how the community intend to make improvements to the local area, for example
 community led initiatives such as street cleaning, refuge and recycling collection
 or traffic calming measures.
- Village & Urban Community Design Statements, which is a document that
 describes the qualities and characteristics that the community value in their
 area. It sets out clear and simple guidance for the design of all future
 development in a village.

The **advantages** of these alternative methods are they are potentially cheaper, quicker than Neighbourhood Plans, and do not have to go through examination or be subject to a referendum.

The **disadvantages** of these alternative methods are that they cannot make specific land use proposals, have limited input from developers and the Council, can raise expectations unrealistically; and do not have the material weight of a Neighbourhood Plan.

Appendix B – Level of District Council support for Neighbourhood Planning

Stage of the process		District Council duty / support	Proposed action		Departmental responsibility
1)	Application for designation of a neighbourhood area (Regulation 5)	Support Provide support on whether a Neighbourhood Plan is the most appropriate route for the community to achieve its aspirations. Alternatives for consideration to include better engagement in the Local Plan making process and Regeneration Frameworks Duty Determine whether the application includes the	One two-hour meeting to discuss, assess and provide advice to the Parish or Town Council. One week from receipt		Planning Policy Team Economic Development Team Governance
		required documentation.	of the application (in cases when not acceptable the District Council will also respond to resubmissions with three weeks).		Team
2)	Publicising an area application (Regulation 6)	Duty Publicise the receipt of the application in order to bring it to the attention of people who live, work or carry on business in the area to which the	Three weeks from determining the application includes the	Whole stage to	Governance Team

		application relates. Duty Publicise how interested parties can make representations about the application. Note – the period for representations must be at least six weeks.	required documentation. (included within timescale above)	take no longer than 10 weeks	
		Duty Consider whether or not to designate a neighbourhood area.	Three weeks from the closing date of the period for representations.		
3)	Publicising a designation or refusal of a neighbourhood area (Regulation 7)	Duty Publicise the designation or refusal in order to bring it to the attention of people who live, work or carry on business in the area to which the designation relates.	Three weeks from the closing date of the period for representations.		Governance Team
4)	Plan proposals (Regulation 15)	Support Provide support on how to commence preparation of a Neighbourhood Plan.	One two-hour meeting to operate or Town Council to • population and other statistical information advice on possible requirements for Sustainability Apprairs and Habitat Regular	er on; aisal / essment	Planning Policy Team

		Support Provide comments on emerging draft Neighbourhood Plan. Support Provide comments on pre-submission Neighbourhood Plan. Duty Determine whether the submitted Neighbourhood Plan includes the required supporting documentation and complies with all the relevant statutory requirements.	Assessment;	
5)	Publicising a plan proposal (Regulation 16)	Duty Publicise the receipt of the proposed Neighbourhood Plan in order to bring it to the	Three weeks from determining the Neighbourhood Plan includes the	Planning Policy

		attention of people who live, work or carry on business in the area to which the Neighbourhood Plan relates.	required documentation.	Team
		Duty Publicise how interested parties can make representations about the proposed Neighbourhood Plan.	(included within timescale above)	
		Note – the period for representations must be at least six weeks.		
6)	Submission of the plan proposal to examination (Regulation 17)	Duty Appoint a person to examine the Neighbourhood Plan.	Within six weeks of close of consultation on proposed Neighbourhood Plan (Stage 5 Regulation 16)	Planning Policy Team
		Duty Send the Neighbourhood Plan and its supporting documentation, including copies of received representations, to the appointed examiner.	(included within timescale above)	
		Duty Make the necessary arrangements for them to examine the Neighbourhood Plan, potentially including a Hearing.	(included within timescale above) Note – if an appropriate examiner is not available a timescale will be agreed between both parties.	

7)	Publication of the examiner's report and plan proposal decisions (Regulations 18)	Duty Consider the examiner's report and prepare a Decision Statement that sets out its decision and the reasons for this decision.	Four weeks from receiving examiner's report.	Planning Policy Team
		Note – decisions may include 1) to decline to consider; 2) to refuse; 3) what action to take in response to the examiner's report, such as send the plan to referendum; 4) what modifications, if any, are needed; 5) whether to extend the referendum area; or 6) if the LPA is not satisfied with the Neighbourhood Plan.	Note – in cases when there are issues with the examiner's report that prevent or delay a referendum the Council will discuss timescales for taking the plan forward on an individual basis.	
		Duty Publicise the Decision Statement (and in some instances the examiner's report) in order to bring it to the attention of people who live, work or carry on business in the area to which the Neighbourhood Plan relates.	(included within timescale above)	
		Duty Note the need to arrange the Neighbourhood Plan referendum if appropriate.	(included within timescale above but will involve notification to the Elections Team)	
8)	Referendum (see the Neighbourhood Planning (Referendums) Regulations 2012)	Duty Organise, hold and publicise the results of the Neighbourhood Plan referendum. Note – if more than half of those voting have voted in favour of the Neighbourhood Plan, the	To be arranged to take place within twelve weeks of the decision statement. Note – in cases when there is an	Elections Team

		District Council must make the plan and bring it into force as part of the Development Plan for that area. If the referendum result is against the Neighbourhood Plan, the plan would not come into force and the process would need to begin again to proceed.	impending election in the area the Council will investigate whether the referendum can be carried out in tandem with that election.	
		Duty Note the referendum decision. Duty Prepare a Decision Statement that sets out whether the District Council will make or refuse to make the Neighbourhood Plan.	(included within timescale above but will involve notification to the Planning Policy Team) Three weeks from decision of the Neighbourhood Plan referendum.	
9)	Decision on a plan proposal (Regulation 19)	Duty Publicise the Decision Statement in order to bring it to the attention of people who live, work or carry on business in the area to which the Neighbourhood Plan relates.	Four weeks from decision of the Neighbourhood Plan referendum.	Planning Policy Team
10)	Publicising a neighbourhood development plan (Regulation 20)	Duty Publicise the made Neighbourhood Plan in order to bring it to the attention of people who live, work or carry on business in the area to which the Neighbourhood Plan relates.	Three weeks from the decision of the Council to make (adopt) the Neighbourhood Plan.	Planning Policy Team

Bolsover District Council

Executive

5 January 2015

Joint ICT Service Strategy

Report of the Leader and Portfolio Holder for Policy

This report is public

Purpose of the Report

- To advise Executive of the outcomes against the action plan from the Joint ICT Strategy covering 2011 to 2013.
- To advise Executive of the Joint ICT Service ICT Strategy
- To seek approval of a new Joint ICT Service Strategy covering 2014 to 2017

1 Report Details

- 1.1 The previous Joint ICT Service Strategy covered the period 2011 to 2013. The focus of the strategy was to develop and embed the Joint ICT Service and to deliver the key technology roadmap items.
- 1.2 The action plan for the 2011-13 Strategy (appendix 2) has been delivered.
- 1.3 The 2014 to 2017 strategy (appendix 1), whilst still detailing key technology related activities (appendix 3), notes the support for the Growth and Transformation agendas being pursued within the Strategic Alliance.
- 1.4 The new strategy has been reviewed by both the Joint ICT Management Team and the Joint ICT Committee and has been recommended for approval.

2 Conclusions and Reasons for Recommendation

- 2.1 All actions form the 2011 to 2013 Joint ICT Service action plan have been delivered. Project Closure reports, where applicable, have been shared within the Joint ICT Management Team and, in the case of the Windows 7 Migration project, with the Joint ICT Committee.
- 2.2 A new Joint ICT Strategy was required to reflect the focus on Growth and Transformation agendas within the Strategic Alliance and further technical projects required.

3 Consultation and Equality Impact

3.1 This report has been considered by the: Joint ICT Management Team; Joint ICT Service Committee; ICT Service Managers and Joint ICT Service staff.

4 Alternative Options and Reasons for Rejection

4.1 No other options have been considered as a current Joint ICT Service Strategy is required for to meet the obligations of the Joint ICT Service Service Level Agreement with partners.

5 **Implications**

5.1 <u>Finance and Risk Implications</u>

5.1.1 Costs to deliver the Joint ICT Service Strategy are covered by the annual budget setting process for each partner. In addition 5 year capital expenditure plans are maintained which cover any technology refreshes required.

5.2 Legal Implications including Data Protection

None.

5.3 <u>Human Resources Implications</u>

None.

6 Recommendations

- 6.1 That Executive notes the progress against the action plan for the 2011-14 Joint ICT Service Strategy.
- 6.2 That Executive approves the new Joint ICT Service Strategy for 2014-17.

7 <u>Decision Information</u>

Is the decision a Key Decision?	No
(A Key Decision is one which	
results in income or expenditure to	
the Council of £50,000 or more or	
which has a significant impact on	
two or more District wards)	
District Wards Affected	
Links to Corporate Plan priorities	
or Policy Framework	

8 <u>Document Information</u>

Appendix No	Title			
1 2	Joint ICT Strategy (2014-2017) Action Plan for the Joint ICT Strategy covering 2011-2013)			
3	Technology Roadmap (2014-2017)			
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet (NEDDC) or Executive (BDC) you must provide copies of the background papers)				
Report Author Contact Number				
Nick Blaney		7097		

Joint ICT Service – ICT Strategy 2014-17 OFFICIAL

Document History

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This document is only valid on the day it was printed. The source of the document will be found in (see footer)

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Date of next revision:

Revision date	Ver	Summary of Changes	Author	Changes marked
19/05/14	0.1	Draft Document	Nick Blaney	No
24/9/14	0.2	Following feedback from JMT	Nick Blaney	No

This document requires the following approvals.

Approvals

Signed approval forms are filed in the project/documentation files.

Name	Signature	Title	Date of Issue	Version
Minuted		Joint Management Team	15/10/14	0.1
Minuted		ICT Shared Service Committee	1/12/14	0,2
		BDC Executive	15/12/14	0.2
		NEDDC Cabinet	15/12/14	0.2
		Derbyshire Dales Committee	15/12/14	0.2

Distribution This document has been distributed to:

Name	Title	Date of Issue	Version
	Joint Management Team	5/10/14	0.1
	Shared Service Committee BDC executive NEDDC Cabinet Derbyshire Dales Committee Joint ICT Service Staff at all service partners via intranets	5/1/14 15/121/4 15/12/14 15/12/14	0.2 0.2 0.2 0.2

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1. Executive Summary

The Joint ICT Service is a shared service partnership between Bolsover, Derbyshire Dales and North East Derbyshire District Councils. The full three partner service came into effect on January 1st 2011 with three key aims:

- Deliver cost savings in an increasingly difficult financial climate
- Mitigate the risk to the partners due to lack of resource
- Provide a platform for delivery of shared solutions, shared expertise and future shared services

The previous Joint ICT Service Strategy, covering 2011-2013, focussed primarily on delivering cost savings, embedding the new shared service and delivering the identified technology strategy. This strategy and associated action plan was delivered.

Across all three partners there is now a focus on Growth and Transformation and ICT is correctly acknowledged as a key delivery mechanism for the partner's strategies. At the time of writing specific projects have not been clearly defined across the partners but the overall programmes are noted.

The strategy will focus on the following areas:

- Service Delivery
- Service Improvement
- Customer engagement
- Procurement
- Partnership working
- Emerging Information Trends
- Technology roadmap
- Measures of Success
- Business Planning
- Financial Management
- Risk Management
- External influences
- Governance

For each partner, based on the technology roadmap, a five year capital investment programme will be produced which will be reviewed at least annually.

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2. Service Delivery

The fundamental principles of the Joint ICT Service delivery are that ICT users will receive an improved service, increased capability and flexibility in capacity to meet demand. To attain this, the ICT Service will work to the best practice processes of the IT Infrastructure Library (ITIL).

To determine the success of service delivery key performance indicators(KPI's) are defined in the Service Level Agreement(SLA), monitored on a monthly basis and targets reviewed annually.

Annual Customer Satisfaction Surveys are undertaken to gauge the perception of users of the service in conjunction with the KPI's. Moving forward we will look to undertake randomised ad hoc surveys against incidents and service requests.

Management Information from the Service Desk Application will be used to monitor trends through categorisation and analysis of incident and problems to deliver continuous improvement.

Projects will be delivered using the NEDDC Project Management Methodology to ensure that project benefits are understood and a full analysis of the realisation of those benefits is undertaken. Projects are monitored through a project register and reported via Service Reviews and governance channels.

3. Service Improvement

The joint ICT service will also work with service areas at all partners to_assist in the delivery of innovative solutions to support partner service improvement plans and transformation agendas. Best practice will be noted and shared where appropriate across partners.

Opportunities to share or host applications across two or all partners at one site will be considered and recommendations made as appropriate. In addition economies of scale therefore may provide opportunities for Councils to have access to software that they previously couldn't afford as a single Council.

Consideration of Open Source tools for development will be considered as a means of avoiding vendor 'lock in' and to deliver savings.

Whilst the website of each council is managed outside of IT, the joint service will contribute towards the enabling of transactional websites allowing for a reduction in transaction costs.

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Seek to maximise productivity and efficient use of ICT tools through their delivery of ICT Training to staff, members and external partners through a variety of mediums, such as e-learning, one-to-one, departmental workshops in addition to the traditional classroom based delivery.

Planned service improvements are in the Service Improvement Action Plan in Appendix A.

4. Customer Engagement

In addition to the measure of success through KPI's and surveys the joint ICT Service will engage with the partners, service areas and users to ensure a fuller understanding of the needs and issues facing our users and partners. This will be achieved by:

- User representation on a Joint Management Team
- Monthly Service Review meetings with partners
- Regular briefings with portfolio members for ICT
- · Quarterly attendance at Directorate meetings
- Participation at User Group meetings
- Participation at vendor meetings
- Floor walking and ad hoc feedback
- Building positive relationships
- ICT information section on Intranets

5. Procurement

To ensure that best value is achieved the Joint ICT Service will seek to maximise opportunities for joint procurements between the partners and where possible with partners outside of the service. The Joint ICT Service will continue to seek external funding opportunities and for partnership solutions within Local Government and the 3rd sector.

The Joint ICT Service will work to ensure that all procurement will provide value for money and ensure procurement policies of the partners are followed. Joint procurement of products or services will be undertaken by NEDDC as the host authority and will abide by the procurement policies of NEDDC.

Where appropriate framework agreements, including the G-Cloud, will be used where they can demonstrate best value.

The impact on the environment will be considered in all ICT Procurements to ensure ICT contributes to the Climate Change objectives of all partners.

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Specialist procurement advice is available to the Joint ICT Service through a service agreement in place between Bolsover, North East Derbyshire and Chesterfield NHS Trust.

6. Partnership Working

The Joint ICT Service will consider further partnership working where there are clear benefits to the current partners, benefits would be improved service, risk mitigation or cost reductions.

Due to the existing Growth and Transformation agendas at all partners the focus of the Joint ICT Service will be on supporting these and will not be actively pursuing any extension of the current Joint ICT Service with further partners,

7. Emerging Trends and External Influence

7.2 Cloud/G-Cloud

Cloud computing is not a new concept but is essentially a 'rebranding' of the concept of vendors hosting both infrastructure and technology solutions for their customers. In recent years this has however become more prevalent and cost effective due to lower cost communication links and new technology solutions that enable 'cloud' suppliers to deliver more cost effective solutions. The partner organisations have already taken advantage of some smaller scale solutions such as mobile inspection software and public room bookings. The most significant cloud procurement so far is the Customer Information Systems deployed at Bolsover and North East Derbyshire. In many cases however cloud solutions have been unable to demonstrate savings over locally hosted solutions. The Joint ICT Service will consider cloud solutions and further adoption is likely as solutions become more competitive.

Government Cloud Computing (also called G-cloud) is a U.K. government programme to promote government-wide adoption of cloud computing. The initiative focuses on cloud computing's capability for economic growth, capitalizing on cloud's cost savings and flexibility to create a more efficient, accessible means of delivering public services. The G-Cloud includes the framework agreements that were formally availble via the Government Procurement Service(GPS). In addition this is the prime vehicle for sourcing Public Service Network(PSN) accredited solutions. The G-Cloud has been used to procure Wide Area Networks(WAN) for Bolsover district Council and

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the Customer Information System adopted at Bolsover and North East Derbyshire. The G-Cloud should become the first point of call when looking for new technology solutions but equally any solutions must also demonstrate best value.

7.2 Bring or Choose Your Own Device

Bring Your Own Device(BYOD) has been much lauded in the trade and national press over the last couple of years as a means to save organisations money through avoiding equipment replacement costs and to allow employees to work the device of their choice. However many organisations and particularly the public sector, have found the security implications and the necessary mitigation costs prohibitive. In addition, other than email and calendar public sector vendors do not yet have applications that are tablet or smartphone ready. The Joint ICT Service will be trialling Mobile Device Management(MDM) solutions and provide guidance to senior management on the opportunities that can be BYOD can deliver. In addition features of the Customer Information System recently implemented at Bolsover and North East Derbyshire through the self service forms may provide opportunities for mobile working which may provide further demand for BYOD solutions.

Choose Your Own Device is also a prevalent concept. This proposes that staff should have a wider choice of which device the organisation should provide. Cost and they additional support complexity are currently a barrier to promoting a solution such as this.

7.3 Open Data

The concept of Open Data is that organisations make available data that can be beneficial for 3rd parties to conduct research or stimulate economic growth. The Government is now promoting the use and re-use of data though it's own open data initiative through the data.gov.uk website. In addition we are now required by the EU Inspire Directive to make spatial data available for public use. This has recently been kick started through government funding and work is underway to make the required spatial data available. It is likely that further requirements to publish data will come from both Government and EU directives but we should also consider how we can promote economic growth and public research through publishing datasets we have available.

7.4 Big Data

Again this has been a hot topic across the trade and national press. Again this is nothing new as organisations have been performing analytics on very large

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data sets for over 20 years. Given the nature of the service we deliver and the relatively small data sets we work with this is not an area we should invest time in at present.

7.5 Digital By Design/Digital First

A part of the <u>Government ICT Strategy</u> a new <u>Government Design Service</u> (GDS)has been set up to promote the use of digital as the first choice of delivering transactional services across the public sector. The GDS provides a list of principles and advice on the delivery of digital services. All three Councils are embracing channel shift as part of their transformation programmes and the Joint ICT Service will continue to advise and seek out best practice across the public sector.

8. Technology Roadmap

8.1 Key Issues

Major technology refreshes have been completed as part of the action plan for 2011-2013 and we now have a broadly common Infrastructure in place at all three partners. The key area for consideration over the period of this strategy is:

- Server Operating Systems support for Windows Server 2003 will cease in July 2015
- End of Support for Office 2007 in 2017, This will affect Bolsover and North East Derbyshire only. BDC have licenses in place for an upgrade, NEDDC do not and this will be a significant cost.

We are required to ensure we maintain supported patched software to comply with controls of the Government Public Service Network Connect Code of Connection (CoCo).

8.2 Internal opportunities

The rationalisation of disparate technologies amongst the three partners has lead to cost savings and increase the ability to fully support these solutions. There are still a number of areas in how we deploy directory services and resources such as filing systems across the partners.

Key areas of focus are:

- Shared hosting of business applications
- Innovative in house solutions

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Use of open source software

8.3 External opportunities

A number of external initiatives may deliver opportunities to the partnership. The Joint ICT Service will look to influence these initiatives where possible. Key areas of interest are:

- Provision of software applications through a Government Application Suite (G-AS), a list of recommended applications within agreed procurement framework agreements in place.
- The Delivery of services and business applications through a 'Government Cloud' or 'G-Cloud', a web based delivery of business software with an agreed procurement framework.
- Taking advantage of the Public Sector Network for future sahared service solutions within the public sector

8.4 Risks and Barriers

8.4.1 Funding

A five year capital expenditure plans have been produced for all partners and funding is in place to cover the key expenditure areas. These plans will be updated annually in advance of the budget setting process.

8.4.2 Resource and capability

Whilst the Joint ICT Service has inherent flexibility of resource, the demands of major projects require the Joint ICT Service to implement more sophisticated resource management activities to ensure resource demands are managed and full analysis of capability over demand can be understood. A quarterly update of planned projects and capacity will be produced for review by senior management and for presentation to the Joint Management Team.

Maintaining a skilled workforce is critical for the delivery of key projects and the ongoing support and maintenance of the technologies employed. The Joint ICT Service will produce training plans on an annual basis through the Employee Development and Performance Review Process (EDPR). Training will be provided through peer knowledge transfer, self learning and targeted external training.

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The ICT Structure will be reviewed annually to ensure that the required resource and capabilities are in place to meet the requirements of the service. In addition if staff leave the structure will be reviewed to consider if replacement has to be made or if savings can be delivered to the service with suitable adjustments to meet service requirements.

8.4.3 Roadmap

Planned improvements are in the Service Improvement Action Plan in Appendix A.

9. Measures of Success

The Joint ICT Service employs a number of measures to monitor performance.

9.1 SLA Metrics

As part of the SLA a number of KPI's are defined:

- Systems availability
- First time fix percentage
- Percentage of incidents and service requests resolved within agreed timescales

These KPI's are reported monthly to management and staff and reviewed quarterly by the Joint Management Team and ICT Shared Service Committee.

9.2 Annual User Satisfaction Surveys

Annual surveys are undertaken with all ICT Users. The survey is based on 12 criteria which initially formed part of baseline reviews undertaken by the Audit Commission at each partner. The results are analysed and published and contribute to the service improvement planning process.

9.3 Ad Hoc Satisfaction Surveys

The Joint ICT Service is looking to introduce ad hoc user surveys using feature within our Incident and Request management tool, SupportWorks. This will enable us to undertake satisfaction surveys based on resolved incidents and service requests.

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9.4 Feedback from User Groups

User representatives on the Joint Management Team (JMT) co-ordinate views of user groups to feed back to the JMT. These will supplement the satisfaction surveys to feed into or validate the service improvement plans of the Joint ICT Service.

10. Risk Management

A risk register will be maintained for the Joint ICT Service in accordance with the Risk Management Processes in use at NEDDC which acts as the host authority.

In addition the Joint ICT Service will contribute to the partner service risk registers and associated action plans.

11. Business Development

The Joint ICT Service will work with partners to produce partner business plans according to the local standard reporting framework and timetables.

The Joint ICT Service will pro actively work with partners to explore opportunities for common solutions to business challenges and facilitate the sharing of best practice between the partners.

The Joint ICT Service will provide appropriately skilled resource to deliver business solutions to the partners. All projects will be approved through agreed processes at the partners. Resource usage will be monitored and reported back on a quarterly basis.

Customer engagement activities will be a key source for these activities.

12. Financial Management

The Joint ICT Service has the following financial responsibilities:

- Management of the Joint ICT Service budget
- Budget setting advice and monitoring of delegated partner ICT budgets
- Provision and annual review of 5 year Capital Investment plans for each partner

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- Management of Project budgets either from external funding or partner capital budgets
- Ensuring best value procurement is undertaken in accordance with partner procurement rules

13. External Influences

A number of external influences do or may influence the ICT Strategy and delivery of key elements. These include:

- Changes in Government policy
- Comprehensive Spending Reviews
- Local Government reorganisation
- Government ICT Strategy
- National, regional and local funding streams
- Revised requirements for connection to the Public Service Network

14. External Input

To develop this strategy and continue to review technologies and services the following are key inputs:

- SOCITM Covers ICT and it's role in the public sector
- Local CIO Council The ICT Manager represents District authorities on this body
- Cabinet Office responsible for Government ICT
- Government ICT Strategy
- Networking with peers both in the public and private sectors
- Conferences, seminars and webinars
- Trade publications
- Vendor roadmaps for products used by partners

Best practice and proven technologies will underpin the ICT Strategy.

14. Governance

A strong governance model is in place for the Joint ICT Service:

14.1 Shared Service Joint Committee

Membership: 3 members each from BDC, DDDC and NEDDC

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Support Officers ICT Service Manager, Joint ICT Service

Client Manager, Derbyshire Dales Client Manager, Strategic Alliance Monitoring Officer, Strategic Alliance

Responsibilities: Strategic and budgetary Frequency: At least twice annually

14.2 Joint Management Team

Membership: Client Manager, Strategic Alliance

ICT Service Manager, Joint ICT Service

Client Manager, Derbyshire Dales User Representative, NEDDC

User Representative, Derbyshire Dales

User Representatives, BDC

Responsibilities: Service Review

Financial Monitoring Project Prioritisation

Act as Change Advisory Board (CAB)

Frequency: Quarterly

The terms of the Service Level Agreement will be governed by the Joint Service Partnership Agreement and will be reviewed annually by the Shared Service Joint Service Committee.

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Appendix A – Service Improvement Action Plan

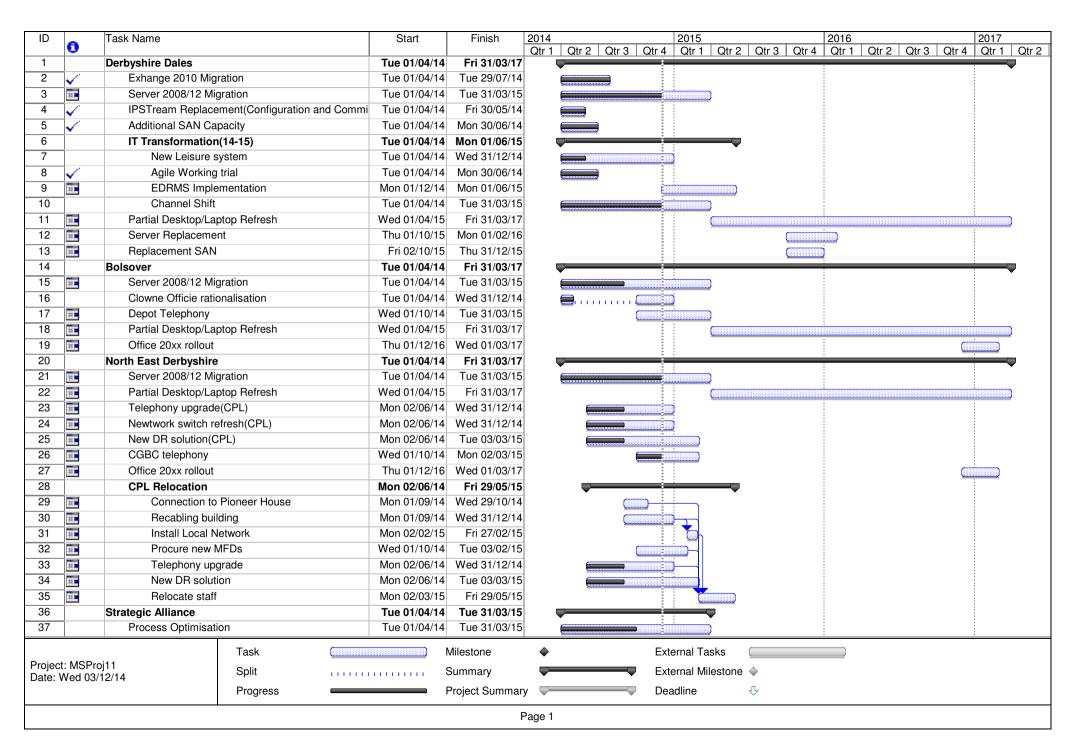
Improvement	Lead Officer	Target Date	Expected Outcome	Resources	Progress Update	Actual Outcome
Build Capacity within the Service Desk	Service Desk Manager	March 2015	Efficiency improvements Improved KPI targets Improved customer satisfaction	Staff time		
Work within the Local CIO Council and SOCITM to lobby Government and vendors on pragmatic solutions for the public sector	ICT Manager	March 2015	Transformation opportunities	Staff time Travel expenses		
Quarterly resource management updates	Business Development Manager	July 2015 and ongoing	Identify capacity constraints by team	Staff time		
Continued professional development for ICT staff	ICT Manager	April 2011 and annually thereafter	Staff with relevant skills and professional qualifications where appropriate	Staff time £10,000 per annum	Requirements identified for 2014-15.	
Maintain compliance with the PSN Code of Connection	ICT Manager	November 2014 and annually thereafter	Ensure compliance at all partners	Staff time		

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Improvement	Lead Officer	Target Date	Expected Outcome	Resources	Progress Update	Actual Outcome
Common ICT Policies	ICT Manager	August 2014	Common policies based on best practice guidelines	Staff time	Approved at NEDDC and BDC, progressing at Derbyshire Dales	
Introduction of full formal change control	Business Development manager	March 2015	Improved resource planning	Staff time	Release requests embedded in ways of working.	
Contribution to the Transformation programmes at each partner	Business Development Manager/ ICT Manager	March 2017	Delivery of transformational projects leading to savings and service delivery improvements	Staff time		
Review joint backup solution	ICT Manager	March 2015	Recommendation on common solution	Staff time and targeted expenditure		
Introduce ad hoc user surveys	Service Desk Manager	December 2014	Ongoing review of performance leading to targeted improvements	Staff time, some consultancy may be required		
Introduce telephone call reporting	Service Desk Manager	September 2014	Ability to measure abandoned calls and call wait times to facilitate	Staff time and targeted expenditure	Continuing issue with the proposed	

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		Target Expected Outcome Date		Resources	Progress Update	Actual Outcome	
					vendor solution delaying implementation		
Review storage capacity	ICT Manager	August 2014 and annually thereafter	System that is correctly sized to meet business needs	Staff time and targeted investment			
Disaster recovery tests	ICT Manager	March 2015	Full annual test at each partner site	Staff time	New procedures now tested and tests undertaken at all partners		
Migrate to Server 2008 or 2012	ICT Manager	June 2015	Ensure supported platforms for server infrastructure at all partners	Staff time and targeted investment	Work underway and key risk areas identified		



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