

EXECUTIVE AGENDA

Monday 22nd May 2017 at 1000 hours in the Council Chamber, The Arc, 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 agenda b) any urgent additional items to be considered c) any matters arising out of those items and if appropriate, withdraw from the meeting at the relevant time.	
4	Minutes To approve the Minutes of a meeting of the Executive held on 24 th April 2017.	4 to 7
5	Items recommended by Scrutiny Committees None.	
6	Policy and Budget Framework Items Joint Disposal and Acquisitions Policy. <u>Recommendation on Page 9.</u>	8 to 31
7	NON KEY DECISION (A) Strategic Risk Register and Partnership Arrangements. <u>Recommendation on Page 36.</u>	32 to 40

8 KEY DECISION

- (A) Insurance Two Year Extension Renewal. 41 to 43

Recommendations on Page 43.

- (B) Corporate Plan Targets Performance Update – January to March 2017 (Q4 – 2016/17). 44 to 60

Recommendation on Page 46.

9 PART 2 – EXEMPT ITEMS

The Local Government (Access to Information) Act 1985, Local Government Act 1972, Part 1, Schedule 12a (relevant exemption paragraph is cited next to the agenda item).

10 NON KEY DECISION

Paragraphs 1, 3 & 4

- (A) Medium Term Financial Plan. 61 to 64

Recommendations on Page 63.

11 KEY DECISION

Paragraph 3

- (A) Procurement of Kerbside Recyclable Waste Collection Service. 65 to 71

Recommendation on Page 69.

- (B) Procurement – Tangent Phase 2. To Follow

EXECUTIVE

Minutes of a meeting of the Executive of the Bolsover District Council held in the Council Chamber, The Arc, Clowne, on Monday 24th April 2017 at 1000 hours.

PRESENT:-

Members:- Councillors T.J. Connerton, S.W. Fritchley, B.R. Murray-Carr, K. Reid and J.R. Ritchie.

Officers:- D. Swaine (Chief Executive Officer), S.E.A. Sternberg (Solicitor to the Council), B. Mason (Executive Director – Operations), P. Hackett (Executive Director – Transformation), A. Westray-Chapman (Assistant Director – Economic Growth), G. Galloway (Assistant Director – Property and Estates) and A. Bluff (Governance Officer).

Also in attendance in the public gallery were Councillors D. McGregor and T. Munro.

Councillor A.M. Syrett in the Chair

0818. APOLOGY

An apology for absence was received on behalf of Councillor M.J. Dooley.

0819. URGENT ITEMS OF BUSINESS

There were no urgent items of business to consider.

0820. DECLARATIONS OF INTEREST

There were no declarations of interest made.

0821. MINUTES – 27TH MARCH 2017

Moved by Councillor K. Reid and seconded by Councillor T.J. Connerton
RESOLVED that the Minutes of an Executive meeting held on 27th March 2017, be approved as a correct record.

0822. ITEMS RECOMMENDED BY SCRUTINY COMMITTEES

There were no items recommended by Scrutiny Committees to consider.

0823. POLICY AND BUDGET FRAMEWORK ITEMS

There were no policy and budget framework items to consider.

EXECUTIVE

0824. NON KEY DECISION UPDATE ON EFFICIENCY PLAN

Executive considered a report in relation to the Council's Efficiency Plan which had been agreed by Executive at its meeting on 3rd October 2016.

In light of revised budgets and financial forecasts provided in the Medium Term Financial Plan (MTFP) and approved by the Council in February 2017, the Council's Efficiency Plan now required updating.

The Efficiency Plan was concerned with identifying and delivering the financial savings that were required in order to balance the Council's budget over the period of the current MTFP, which ended in March 2021.

While some progress had been made in addressing the position set out within the MTFP, the Council was required to identify underlying savings in its net revenue expenditure, estimated to amount to £1.8m by March 2021.

The Efficiency Plan would be supported by a range of more detailed plans and programmes designed to deliver against the Growth and Transformation agendas. These more detailed packages of actual measures would be considered by Executive or Council as appropriate as part of the ongoing development and delivery of the transformation programme.

Moved by Councillor S.W. Fritchley and seconded by Councillor J. Ritchie
RESOLVED that Executive;

- (i) note the report and agree that the updated Efficiency Plan (attached as Appendix 1 to the report), be published on the Council's website and,
- (ii) a further update report concerning the detailed proposals underpinning the Efficiency Plan be brought back to a future meeting of Executive.

REASON FOR DECISION; The Efficiency Plan was a corporate document linked to the Medium Term Financial Plan. The Appendix to the report updated the current approved Efficiency Plan whilst providing a strategic framework against which to progress the Council's Growth and Transformation agenda.

OTHER OPTIONS CONSIDERED; None. The Council was required to publish an Efficiency Plan as it had accepted the Government's offer of greater certainty over the level of resources for the period to 2020/21.

(Executive Director – Operations)

0825. KEY DECISIONS BOLSOVER REGENERATION FRAMEWORK/HIGH STREETS

Executive considered a report in relation to the Council's Regeneration Framework which was adopted by Council at its meeting on 3rd January 2017.

The Regeneration Framework was a strategic plan, which identified a number of interventions required to transform the four main town centres in the District being Bolsover, Clowne, South Normanton and Shirebrook.

EXECUTIVE

Work on high streets had been prioritised along with the introduction of a Portfolio Holder for High Street Regeneration.

The report prioritised projects and set out the resources required to enable the work.

Many of the issues highlighted in the prioritised projects for each town related to highways improvements.

In order to progress matters, officers held a workshop with Derbyshire County Council staff to discuss the issues and identify key actions, which were summarised in the report for each town.

Outside teams were actively involved in looking at funding and a composite bid was being developed for submission to D2N2.

In response to a Member's question, the Assistant Director – Economic Growth advised the meeting that the Empty Properties Officer and the High Street Working Group were monitoring progress on empty properties which included follow up site visits.

Moved by Councillor A.M. Syrett and seconded by Councillor S.W. Fritchley
RESOLVED that Executive agrees to:

- (i) prioritise the projects below for each town as the focus for delivery;
 - Bolsover – development of Sherwood Lodge site- options for mixed use development,
 - Clowne – new civic route; urban design scheme incorporating pedestrian priority treatments and public realm improvements,
 - Shirebrook – remodel and enliven the market place; public realm redesign to create more multi-functional and animated civic space,
 - South Normanton- redesign and re-establish the market place as the heart of the village; and
- (ii) prioritise the following cross cutting projects which operate across the District;
 - Shop front enhancements, piloting South Normanton area for a Town Team to support delivery and utilising the Controlling Migration Fund for Shirebrook,
 - Promotion of the Robin Hood line/ Gateway enhancements improving promotion and signage, financed from the transformation reserve and external funding wherever possible; and
- (iii) further reports being provided regarding the delivery of the agreed priorities when necessary.

REASON FOR DECISION; The Regeneration Framework was a strategic plan which identified a number of interventions required to transform the Council's town centres. The report prioritised projects and set out the resources required to enable this work.

EXECUTIVE

OTHER OPTIONS CONSIDERED; The Council could choose not to implement any of the projects within the Regeneration Framework but this would cause reputational damage as the purpose of the Regeneration Framework was to provide a plan for moving forward regeneration across the District.

(Assistant Director – Economic Growth)

0826. THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Moved by Councillor J. Ritchie and seconded by Councillor B.R. Murray-Carr

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 item of business on the grounds that it involves the likely disclosure of exempt information as defined in the stated Paragraph of Part 1 of Schedule 12A of the Act and it is not in the public interest for that to be revealed.

0827. DEVELOPMENT OF ADDITIONAL CAR PARKING AT THE ARC EXEMPT PARAGRAPH 3

Executive considered a report, which sought approval to construct an overflow car park at the Arc, Clowne, to create increased parking capacity following the success of the enhanced leisure facility. The report also sought additional funding to allow the necessary works to be undertaken. A plan of the proposed car park was attached as an appendix to the report.

The report provided a further option to install a grasscrete type hard stand area at the rear of the building, (subject to planning approval and a case for additional need) to provide overflow parking at peak times.

RESOVLED that (1) the provision of additional car parking at the Arc be approved for inclusion within the Approved Capital Programme at an estimated cost as detailed in the report, with the scheme to be funded from Transformation Reserve,

(2) delegated powers be granted to the Assistant Director – Property and Estates in consultation with the Leader of the Council to enter into contractual arrangements for the extension of the car parking facilities at the Arc.

(Assistant Director – Property and Estates)

REASON FOR DECISION; The current car park was adequate for its original use and had coped well at peak times but since the introduction of new tenants and a new leisure facility there had been increased pressure on parking at peak times. Due to this, an additional 30 car parking spaces were required to ease the impact of parking pressures.

OTHER OPTIONS CONSIDERED; It would make it more difficult to accommodate staff, Members, public and tenant parking if additional spaces were not provided.

The meeting concluded at 1030 hours.

Bolsover District Council

Executive

22nd May 2017

Joint Disposals and Acquisitions Policy

Report of the Leader of the Council

Purpose of the Report

- The purpose of this report is to seek the approval of Executive to introduce a revised Joint Disposal and Acquisitions Policy following consultation with Asset Management Group (AMG), Strategic Alliance Management Team (SAMT) and in consideration of recent Cabinet Office guidance 'Guide for Disposal of Surplus Land' (March 2017)
- The purpose of this document is to make the Council's strategy, guidance and procedures transparent and public. It is intended for use by Council officers and to inform developers and members of the public.

1 Report Details

- 1.1 In July 2014, the Council adopted the Disposals and Acquisitions Policy following government advice which recommended that local authorities have a document describing how they deal with disposals and acquisitions of land and property.
- 1.2 The policy has been updated to reflect the current structure, the views of AMG, along with SAMT and incorporate best practice laid out in Cabinet Office guidance 'Guide for Disposal of Surplus Land' (March 2017). For the purpose of the Policy, a disposal of land means any freehold disposal, by sale or exchange, of Council owned land or buildings and any disposal by the granting of a lease for a period greater than 7 years. Leases of 7 years or less are not covered by this document.
- 1.3 The policy sets out, in sequence, the recommended process to be adopted in connection with the disposal of surplus/under-used property, in addition to the process for acquiring an asset.
- 1.4 The policy outlines how the Council's Asset Management Group (AMG), considers and makes recommendations on all Council owned property transactions. This may be either by making recommendations to Council Committees or recommending delivery through existing delegated powers. The group is made up of key departmental heads and appropriate Portfolio Holders.

2 Conclusions and Reasons for Recommendation

- 2.1 The recommendation is for Executive to approve the adoption of the revised Disposal and Acquisition Strategy to reflect the structure of the organisation and recent government guidance.

3 Consultation and Equality Impact

- 3.1 There are no equality implications arising directly from this report.

4 Alternative Options and Reasons for Rejection

- 4.1 The alternative option would be for Executive to reject the revised Disposals and Acquisitions Policy and seek further amendments prior to considering the policy again. In the mean time the existing Disposal and Acquisitions Policy will be active.

5 Implications

5.1 Finance and Risk Implications

No direct financial implications are as a result of the adoption of the policy.

5.2 Legal Implications including Data Protection

The adoption of the policy provides guidance to officers to ensure compliance with Section 123 duties and state aid compliance.

5.3 Human Resources Implications

None

6 Recommendations

- 6.1 That Executive adopted the Joint Disposals and Acquisitions Policy (May 2017).

7 Decision Information

Is the decision a Key Decision? (A Key Decision is an executive decision 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)	No
District Wards Affected	None directly
Links to Corporate Plan priorities or Policy Framework	Transforming Our Organisation - Demonstrating good governance

8 Document Information

Appendix No	Title
A	Joint Disposals and Acquisitions Policy
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)	
Cabinet Office - Guide for the Disposal of Surplus Land (March 2017)	
Report Author	Contact Number
Matt Broughton – Commercial Property and Developments Manager	2210



JOINT DISPOSALS & ACQUISITIONS POLICY

March 2017

We speak your language

Polish

Mówimy Twoim językiem

French

Nous parlons votre langue

Spanish

Hablamos su idioma

Slovak

Rozprávame Vaším jazykom

Chinese

我们会说你的语言

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Council on **01246 231111**

CONTROL SHEET FOR [policy title here]

Policy Details	Comments / Confirmation (To be updated as the document progresses)
Policy title	JOINT DISPOSALS & ACQUISITIONS POLICY
Current status – i.e. first draft, version 2 or final version	
Policy author (post title only)	Commercial Property & Developments Manager
Location of policy (whilst in development) – i.e. L-drive, shared drive	S Drive
Relevant Cabinet Member (if applicable)	
Equality Impact Assessment approval date	
Partnership involvement (if applicable)	
Final policy approval route i.e. Joint Strategic Alliance Committee, Cabinet/Executive/Council	
Date policy approved	
Date policy due for review (maximum three years)	
Date policy forwarded to Improvement (to include on Intranet and Internet if applicable to the public)	

RECOMMENDED STRUCTURE OF POLICY

1. Introduction

The policy provides detailed guidance of the process which should be followed for disposal of surplus/under-used Council owned land/property. For ease of reference, Annex 1 contains a flowchart which outlines the process of disposal. The policy is split in to and deals with disposals and acquisitions in turn.

For the avoidance of doubt this policy does not apply to acquisitions through Compulsory Purchase Order (CPO). If a CPO is anticipated, advice from the Council's legal section should be obtained.

- 1.1 Government advice recommends that local authorities have a document describing their strategy, policy and guidance for disposing of land/property.
- 1.2 The purpose of this document is to make the Council's approach transparent and open. It is intended for use by Council Officers, its partners and to inform developers and members of the public.
- 1.3 It is important that each land disposal is treated on its own merits and nothing in this document will bind the Council to a particular course of action in respect of a land disposal. Alternative methods of disposal, not specifically mentioned in this document, may be used where appropriate, subject to obtaining the necessary authority, in line with the constitution.
- 1.4 The Council's actions in disposing of land are subject to statutory provisions; in particular, to the overriding duty on the Council, under section 123 of the Local Government Act 1972, to obtain the best consideration that can be reasonably obtained for the disposal of land. This duty is subject to certain exceptions that are set out in the 'Local Government Act 1972: General Disposal Consent (England) 2003'.

Where there are wider public benefits, consistent with the principles of Best Value, disposing bodies may consider disposal of assets at less than Market Value taking into account wider value considerations such as economic, environmental and social value factors.

Where an asset is being disposed at less than Market Value, a market valuation is needed as part of the process of considering the wider public benefits alongside any financial implications. A market valuation will enable accurate accounting and reporting.

Where less than Market Value is proposed, the ['Circular 06/03: Local Government Act 1972 general disposal consent \(England\) 2003 disposal of land for less than the best consideration that can reasonably be obtained'](#) should be referred to with particular attention to paragraphs 14 (State Aid) and 17 (Valuation).

- 1.5 This document sets out, in sequence, the general procedure to be adopted in connection with the disposal of surplus/under-used land/property.

- 1.6 It should be noted that this document does not provide guidance on budgetary issues such as sources of funding or how any capital receipts are utilised. If proposals for capital receipts (e.g. investing receipts into defective housing stock, etc) are recommended, these should be detailed in the appropriate report.
- 1.7 The Council's Asset Management Group (AMG), facilitated by the Property and Estates team, will consider and make recommendations concerning all Council property/land transactions prior to disposal. This may be either by making recommendations to Council committees or recommending approval through existing delegated powers. The group is made up of key departmental heads and appropriate Portfolio Holders. Where AMG makes a recommendation to the relevant committee, the recommendation from AMG should be included in any report.

2. Scope

This document is in accordance with Government guidelines and details Bolsover District Council and North East Derbyshire District Council's policies relating to the disposal of land and property. For the purpose of this document, a disposal of land means any freehold disposal (General Fund or Housing Revenue Account), by sale or exchange, of Council owned land or buildings and any disposal by the granting of a lease for a period greater than 7 years. Leases of 7 years or less are not covered by this document.

3. Principles

The principles of the policy is to ensure transparency and compliance to statutory provisions; in particular, to the overriding duty on the Council, under section 123 of the Local Government Act 1972, to obtain the best consideration that can be reasonably obtained for the disposal of land.

4. Definition of Surplus/Under-used property/land

4.1 A site (or part of the site) is deemed to be surplus to the Council's requirements if:

- (a) it makes no contribution to the delivery of the Council's services or strategic objectives, nor generates any income, and
- (b) it has potential for future regeneration/redevelopment purposes and/or surplus to the Councils operational requirements or an alternative site can be identified.
- (c) an alternative site has been identified which would achieve more cost effective service delivery.

4.2 A site (or part of the site) is deemed to be under-utilised if either:

- (a) the income being generated from the site is below that which could be achieved from:
 - (i) an alternative use
 - (ii) disposing of the site and investing the income
 - (iii) intensifying the exiting use, or

(b) part of the site is vacant and is likely to remain vacant for the foreseeable future.

(c) The site is unviable due to long-term repair and maintenance liabilities.

5 Site Identification

5.1 Sites for possible disposal may be identified in the following ways:

- (a) Through Local Plan designation
- (b) Through service Departments declaring specific sites as being surplus to requirements or uneconomical*
- (c) Through continually reviewing Council owned assets to ensure the asset is facilitating service delivery or generating an appropriate income.
- (d) Through approaches by third parties.

(*where an **under-utilised** asset is generating an income, a Cost/Benefit analysis should be carried out by the appropriate Assistant Director, in consultation with AMG, to establish whether it is in the Councils best interests to dispose of the site)

6 Site Investigations

6.1 Once a potential site has been identified, the lead department will consult with AMG, Property & Estates, Legal Services, and Planning Services to establish whether there are any development constraints on the site or restrictions to disposal such as designation as Public Open Space, Housing legislation, etc.

6.2 Early notification (before AMG) should be given to ensure local members are aware of the intent to dispose of the site. This is not consultation but more advanced notice that activity (officer visits, surveys, etc), may raise questions from the local community. Formal member consultation will take place ~~prior~~ later in the process.

It is recommended that an email containing the wording below is sent to local members and the relevant portfolio holder:

"I write to inform you that officers are considering options with regards the future use of (Description of land and address if available). Officers and possibly contractors may visit site during this time to fully understand the site details. This is not consultation at this stage, your opinion on any officer recommendations will be sought prior to any decision"

6.3 Limited survey works (e.g. services, desktop site investigation) and desk studies into previous land use history will also be carried out where appropriate to inform the proposed use.

7 Valuations

7.1 In all circumstances, the valuation of sites will be undertaken by the Council's Valuer. However, independent valuation advice by a Royal Institute of Chartered Surveyors (RICS) registered Valuer, should be obtained in the following circumstances:

- Where a disposal is in respect of a major or complex site

- Where the Council has a commercial interest the purchaser (e.g. housing companies, development companies, arms length management organisations (ALMO's), etc)
- Where a member or senior officer has an interest in the purchaser or property (e.g. Councillor making a Right to Buy (RTB) application)
- Where the site is considered for disposal at less than best consideration.

8 Method of Disposal

- 8.1 The Commercial Property and Developments Manger advised by the Councils Valuer will recommend to AMG the most appropriate method of disposal e.g. auction, Private Treaty etc.
- 8.2 Unless a “special purchaser” has been identified i.e. one who is prepared to pay a premium for the site (over and above market value), all potential purchasers are to be given an opportunity to tender/submit an offer, according to the method of disposal recommended. Where AMG decide to pursue a sale with a single party, a Valuation report to confirm best consideration must be obtained.
- 8.3 Where the disposal is by way of a long lease, the Assistant Director of Finance & Revenues and Benefits will be consulted to assess the implications regarding VAT, Capital Accounting and Treasury Management.
- 8.4 The Council will usually use one of the disposal methods identified below as appropriate. Further guidance upon when it will be appropriate to use any particular means of disposal is contained in Annex 1. The means of disposal are:-
- **Private Sale** – a sale of land negotiated with one or a small number of purchasers. The land may or may not have been marketed as available for sale. A binding legal agreement is created on ‘exchange of contracts’ between the Council and the purchaser.
 - **Public Auction** – a sale of land by public auction available to anyone. The sale will be publicly advertised in advance. The auctioneer creates a binding legal agreement upon the acceptance of a bid.
 - **Formal Tender** – a sale of land by a process of public advertisement and submission of tenders by a given date in accordance with a strict procedure. The Council creates a binding legal agreement upon the acceptance of a tender.
 - **Exchange of Land** – a transaction involving the exchange of Council owned land with another land owner. The land acquired by the Council will meet at least one of its corporate objectives and will be of ‘equal’ value (land and cash) to the land exchanged.
 - **Informal Negotiated Tender** – a sale of land after a public advertisement that requests informal offers or bids that meet a given need. The Council may then negotiate further or more detailed terms with one or more individuals submitting the most advantageous bid or bids. A binding legal agreement is not created until the exchange of contracts between the authority and the chosen bidder.

- **Development Partner/Agreement** – a private sector partner who have been established through appropriate means, to jointly deliver and benefit from redevelopment/regeneration schemes.

8.5 European Union (EU) procurement rules list public bodies which are “contracting authorities”. Government Departments are contracting authorities and subject to EU procurement legislation. If a disposal involves works or services then EU procurement rules may apply. The department leading the disposal should seek professional advice as to whether the disposal will be considered to involve a procurement of Works and may be subject to the Public Contract Regulations 2015.

Works or services may for example include where:

- A developer provides professional services to the contracting authority.
- There is a requirement to deliver a certain number of dwellings on a site by certain time or to a certain standard.
- New facilities are provided for the contracting authority.
- There is an obligation to provide infrastructure (e.g. construct a road before development can begin).

If procurement rules apply then the disposal should be undertaken via a stand-alone OJEU procurement or an OJEU procured framework such as the Homes and Communities Agency’s “Delivery Partner Panel” (DPP2 or later versions) - see section 4.3.4.

For advice on whether EU procurement rules apply, departments should the shared procurement unit.

8.6 Since 2016 the Council engaged with both Sheffield City Region and D2N2 Local Enterprise Partnership’s (LEP’s) on the ‘One Public Estate’ programmes. Through this work land swaps, disposals, and any other such property transactions will be considered to promote growth in the region through a collaborative approach to public owned land.

9 Investment Prior to Disposal

9.1 Investment prior to disposal (or de-risking) can help to provide more certainty for potential purchasers for a property and deliver an increased receipt. This is particularly the case when releasing land for housing delivery. The case for investment prior to disposal should be considered as early as possible and clearly set out during the decision making process.

De-Risking activity prior to disposal could include:

- Planning: pre-application engagement offers significant potential to improve both the efficiency and effectiveness of a Departments planning application. The approach should be tailored to the nature and potential of the proposed development and the issues to be addressed.
- Planning: preparing a development brief, securing a planning allocation or securing outline planning approval. Any decision on planning investment will be influenced by the size of the land offered to the market.
- Technical: producing technical reports and surveys such as ecology, topography and ground investigations.

- Prior works: works such as remediation, decontamination and demolition.
- Legal: the resolution of title issues.
- Infrastructure: providing physical or social infrastructure (e.g. roads or community facilities).

The level of investment should be appropriate to the size and nature of the site and be driven by the key disposal objectives. Consideration should also be given to whether investment will reduce the conditionality of bids and increase the certainty of receipt. The final decision to invest should be based on a robust analysis of the 'return on investment' of a range of options and a clear understanding of the site's viability. Where appropriate staff costs, legal costs, marketing costs, consultants costs etc. associated with any potential disposal of an asset (even where such costs do not lead to an actual disposal) will be re-charged to the cost centre where the Capital Receipt is, or would be, placed.

10 Timing

10.1 The timing of any marketing/disposals will be considered against the background of the Council's budgetary requirements, together with the current state of the property market. Before recommending that a disposal is to proceed, the following factors should be taken into consideration:

- The Council's requirement for capital income (receipts) to fund its Approved Capital Programme.
- Current property market conditions
- Potential for the site value to increase in the future
- Regional Planning Guidance and the Local Plan (or other such Planning Policy documents) – this will influence decisions on the disposal (and acquisition) of land, as well as the future use of individual sites.

11 Approval for Disposal

11.1 The Executive Director of Operations (in conjunction with any other relevant Assistant Director) and following presentation and consideration at AMG, will prepare a report for the next Executive(BDC)/Cabinet(NEDDC) unless the disposal can be dealt with under delegated authority. The report will recommend the most appropriate method for marketing and disposing of the property, the AMG recommendation, Valuation advice, written responses to member consultation and the terms of the agreement. If the disposal falls within existing delegations, and AMG deems it appropriate **not** to refer the matter to the Executive/Cabinet, the relevant consultations will be undertaken and a Delegated Decision (Officer recommendation with approval through a delegated process) signed by the relevant officer.

11.2 Prior to the disposal of open space and housing land, legal advice should be sought on approvals and the need to be advertise, to enabling comments received to be considered, **before** a decision is made.

11.3 Where there is a disposal of a small development plot suitable for residential development, the Council should have regard to the demand for custom and self build (as defined in the Self-build and Custom House building Act 2015) by reviewing the register of interest which is maintained by the Planning Policy section.

- 11.4 Following a recommendation from AMG to dispose of a site and before a decision is made to dispose; local ward Members should be given the opportunity to comment on the proposals in writing via email. If the local members comment on the disposal, their comments should be included in the committee report.

12 Negotiations

- 12.1 The capital receipt from any disposal is to be maximised unless there are over-riding factors identified in the Corporate Plan that take precedence over the receipt of capital income (see also 10.2 below). Consideration should be given to any opportunities for realising latent value, perhaps through a merger of interests or by obtaining planning consent for a change of use.
- 12.3 Where a property is being sold with the benefit of the best planning permission reasonably obtainable, or market conditions or other factors indicate that it would be beneficial to do so, Departments should consider making provision to share in development profit through overage or clawback clauses.

‘Overage’ means claiming back an element of improved development value where, for example, there is a general uplift in the market, or where the market value of the end development is not known at the time of sale.

‘Clawback’ refers to claims for all or part of windfall gains resulting from, for example, the purchaser obtaining planning permission for a change of use, or a greater volume of development than anticipated by the planning permission obtained prior to disposal.

Examples where these might be used, include:

- Where it is difficult to gauge the commercial potential of a property.
- Where a particular type of purchaser may have a better chance of obtaining consent for a development than the Department.
- Where a developer can improve upon a planning permission obtained by the disposing department.
- The disposal of a listed building.

- 12.2 Where AMG consider that a site should be disposed of at a price below open market value, the matter is to be reported to the Executive/Cabinet for approval, prior to the disposal. A disposal of land at a price below open market value may require the consent of the Secretary of State under the provisions of the Local Government Act 1972. The [‘Circular 06/03: Local Government Act 1972 general disposal consent \(England\) 2003 disposal of land for less than the best consideration that can reasonably be obtained’](#) should be referred to with particular attention to paragraphs 14 (State Aid) and 17 (Valuation).
- 12.3 If possible during negotiations, a timescale for the development of any land will be agreed with the prospective purchaser. If the land is not developed in this timescale then the Council will have the opportunity to repurchase the land at the original sale price or the current market value whichever is the lower. This is to prevent

purchasers 'land banking' and benefiting from any future increases in land values. This may not be possible on large regeneration schemes where significant upfront investment from the buyer is required to enable development (e.g. planning consent, archaeology, etc).

13 Instructions

- 13.1 Consultation with legal services will be undertaken both prior to any proposed disposal or acquisition and throughout the process of completing the transaction. Once a potential purchaser has been identified and all the terms of the disposal have been agreed (or earlier if appropriate), Property & Estates will instruct Legal Services to prepare the relevant legal documentation.

14 Completion

- 14.1 Once the disposal has been completed, Legal Services will advise the Joint Executive Director of Operations, Assistant Director Property & Estates, relevant Members and such others as are appropriate.

15 Method for Acquisition of Land and Property

15.1 This part of the strategy sets out, in sequence, the procedure to be adopted in connection with the acquisition of land and property.

16 Reasons for the acquisition of Land or Property

16.1 Unless there are exceptional circumstances, the Council will only acquire land or property for the following reasons:

- to enable the provision of more effective Council services and deliver wider corporate aims
- economic development
- revenue income generation
- strategic acquisition for regeneration or redevelopment purposes.

17 Market Research

17.1 Once a need to acquire property has been identified by the interested department, market research will be carried out by the relevant Assistant Director, in consultation with the Assistant Director Property & Estates, to establish whether suitable land or property is available on the market to fulfil this need.

17.2 Where a number of potentially suitable properties exist in the marketplace, robust comparisons will be made to establish which is the most suitable for the Council's needs. Criteria against which such decisions will be made include: -

- Price
- Condition of property (Inc lifetime costs)
- Availability (in terms of timing)
- Nature of tenure being offered (freehold or leasehold)
- Locational advantages (where a strategic acquisition is under consideration)
- Return on investment (where a revenue generating asset is being considered).

18 Site investigations

18.1 Once a potential site has been identified, the lead department will consult with AMG, Property & Estates, Legal Services, and Planning Services to establish whether there are any development constraints on the site or restrictions to the proposed use.

18.2 Early notification (before AMG) should be given to ensure local members are aware of the intent to acquire the site. This is not consultation, more advanced notice that activity (officer visits, surveys, etc), may raise questions from the local community.

18.3 Limited survey works (e.g. services, desktop site investigation) and desk studies into previous land use history will also be carried out where appropriate to inform the proposed use.

19 Financial Appraisal

19.1 When a suitable property has been identified, a financial appraisal will be carried out to establish the financial/budgetary implications of acquiring the property at the negotiated asking price. The advice of the Assistant Director of Finance & Revenues and Benefits will be sought regarding current rates of interest on capital invested, to enable the opportunity cost of the acquisition to be fully assessed. The financial appraisal will take into account the following matters:

- The capital cost of acquisition
- Any revenue, or potential revenue, generated from the property, both short and long term
- Availability of external funding sources
- Possibility of joint ventures
- The cost, in asset management terms, of owning the property, including:-
 - immediate maintenance/refurbishment requirements
 - demolition costs, if appropriate
 - ongoing maintenance/life cycle costings
 - national non-domestic rates
 - insurance.
- The overall effect of the expenditure on the Council's budgetary position.
- State Aid compliance and best consideration should also be addressed.

20 Independent Valuation

20.1 In all circumstances, the valuation of sites will be undertaken by the Council's Valuer. However, independent valuation advice by a RICS registered Valuer, should be obtained in the following circumstances:

- Where an acquisition is in respect of a major or complex site
- Where the Council have an interest the seller (e.g. housing companies, development companies, ALMO's, etc)
- Where a member or senior officer has an interest in the seller or property
- Where the site is considered for purchase at above best consideration.

Where such advice suggests that the market value of the property is below the negotiated price and there are overriding factors which justify the purchase, a report shall be prepared for the Executive/Cabinet by the relevant Assistant Director, in consultation with the Executive Director of Operations, seeking approval to continue with the proposed acquisition.

20.2 Where the acquisition is to be by way of a long lease, the Assistant Director of Finance & Revenues and will be specifically consulted to assess the implications regarding VAT, Capital Controls and Treasury Management.

21 Negotiation

21.1 Once the principle of an acquisition has been agreed, detailed negotiations will be commenced with the vendor by the Council's Valuer in consultation with the relevant Assistant Director. Where the sale is by auction or tender, bids will be formulated as appropriate.

22 Approval

- 22.1 Any offer to the vendor will be made “*subject to contract, Council approval*. Where a survey of the premises/site has not been possible prior to an offer “*Subject to survey*” may also be appropriate. A report will be prepared for the next Executive/Cabinet, by the relevant Assistant Director in consultation with the Executive Director of Operations, recommending acceptance of the acquisition and detailing the broad terms.
- 22.2 Where circumstances dictate that an urgent decision is required (and where resources have not been set aside and the principle of the acquisition has not already been agreed) the Leader of the Council and the Joint Chief Executive will be consulted as to whether the use of the Chief Executive’s delegated powers is possible/appropriate after taking advice on the financial and any legal implications arising. Any decisions made in accordance with this condition will be ‘Key Decisions’ (as defined in the Council’s constitution) and must be reported in accordance with the relevant procedures.

23 Instructions

- 23.1 Once Executive/Cabinet approval has been received, and any surveys satisfactorily carried out (or earlier if appropriate), Legal Services will be instructed to complete the documentation associated with the acquisition. The instruction should include the Heads of Terms (HOTs) agreed between the Council and the vendor.

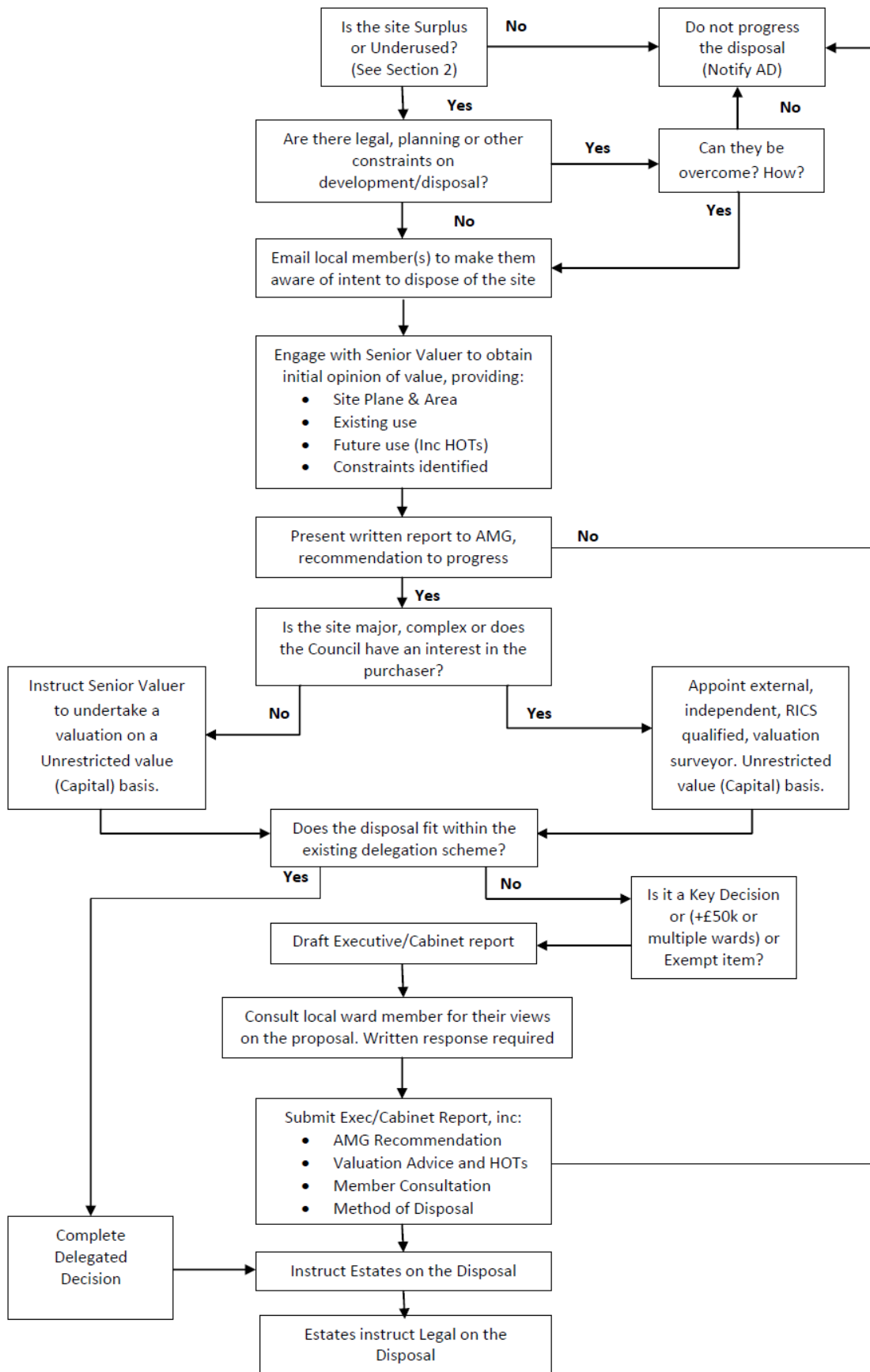
24 Completion

- 24.1 Once the disposal has been completed, Legal Services will advise the Joint Executive Director of Operations, Assistant Director Property & Estates, relevant Members and such others as are appropriate.

25 Responsibility for Implementation

- 25.1 All parts of the Council, including any arms length organisations, who are proceeding with the disposal and acquisition of Council owned assets are responsible for the implementation of this policy.

Annex 1 – Disposal General Flowchart



ANNEX 2 - DESCRIPTION OF LAND DISPOSAL METHODS

DISPOSAL BY PRIVATE SALE

- 1.1 A disposal by Private Sale may take place after a period during which the land is put on the market including advertising and generally making known that it is available for sale. In this case, the Council will be able to consider the highest bid as representing the best consideration that can be reasonably obtained.
- 1.2 If land is to be sold by Private Sale without being marketed, then the reasons justifying a private sale must be recorded in writing. In some circumstances the Council may seek an additional independent valuation to verify that 'best consideration' is being obtained.

A private sale without the land being marketed may be justified where:

- (a) the land to be disposed of is relatively small in size and an adjoining or closely located landowner is the only potential or likely purchaser.
 - (b) the nature of the Council's land ownership and that of the surrounding land ownership is such that the land must be sold to adjoining or surrounding landowners if best consideration is to be obtained.
 - (c) the Council's land is part of a larger area of land that is proposed for development, redevelopment or regeneration where the nature and complexity of the proposed development of the overall site is such that the Council's corporate objectives and best consideration can only be achieved by a sale to a purchaser with an existing interest in land in the area.
- 1.3 A legally binding agreement will not be reached until either contracts for the lease or sale of land are exchanged or a development agreement is signed.

DISPOSAL BY PUBLIC AUCTION

- 2.1 Sale by public auction may be appropriate where there is no obvious potential purchaser and where speed and the best price can be obtained by auction.
- 2.2 The authority from the Council's Executive/Cabinet must record in writing
 - (a) the reasons justifying a sale by public auction;
 - (b) delegated powers to agree the reserve price, if any, for the auction;
 - (c) the authority for a Council officer, if required, to attend the auction and to act on behalf of the Council on the sale.
- 2.3 The contract for sale or lease must be ready for exchange at the auction.
- 2.4 A binding contract will be made on the acceptance of the highest bid providing it has reached the reserve price. Contracts for the sale or lease will immediately be signed on behalf of the Council and exchanged with the purchaser.

DISPOSAL BY FORMAL TENDER

NB: Disposal by this method is not straightforward and careful consideration as to why it is necessary to use this method should be recorded. This should only be considered if no other disposal options are available.

- 3.1 A sale of land by formal tender may be appropriate where the land ownership is not complex and the Council is seeking obligations to be placed on the successful tenderer which are clear and capable of specification in advance. For example; the disposal of land to a developer with an obligation to build industrial units for lease, or the conservation of a listed building. In such instances, a process of formal tender may be appropriate in gaining best consideration.
- 3.2 Formal tenders will not be appropriate where the land ownership position is complex or the development proposals for the land are insufficiently identified or otherwise incapable of detailed specification at the pre-tender stage.
- 3.3 The reasons justifying a sale by formal tender must be recorded in the Executive/Cabinet report. The Council's rules for tender offers contained in the Contract Procedure Rules contained within the Council's constitution will be followed.
- 3.4 The nature of the formal tender process is that a legally binding relationship is formed when the Council accepts a tender in writing by exchanging contracts. It is essential therefore, that every aspect of the disposal is specified in the tender documents. The tender documents should include a contract for sale or lease which should be completed with the tenderer's details, the tender price and be signed by the tenderer. It will be released unconditionally to the Council on submission of the tender. If the tender is acceptable the Council will complete and sign its part of the contract, date both parts and send its signed contract to the buyer, at which point a binding contract will be created
- 3.5 Sale of land by formal tender will require a detailed specification to be drawn up. This will specify the land to be sold, any requirements to be met by the tenderer and any obligations that must be met.
- 3.6 The Council will place a public advertisement seeking expressions of interest and publicise the selection criteria by which it will assess tenders. Those individuals selected will then be invited to submit their tender bids.
- 3.7 Legal Services will always be consulted before tender the Council seeks to dispose of land by formal tender

DISPOSAL BY EXCHANGE OF LAND

- 4.1 Disposal by exchange of land will be appropriate when it is advantageous to the Council and other parties to exchange land in their ownerships and will achieve best consideration through equal value (Land and cash) for the Authority.
- 4.2 A binding legal agreement will be created when a contract is exchanged.
- 4.3 The exchange will usually be equal in value. However, an inequality in land value may be compensated for by other means where appropriate. For example, where

the Council in exchange for a larger piece of land receives a smaller piece of land but the recipient of the larger plot agrees to build industrial units on the Council's smaller area to equalise the consideration. In such circumstances the Council may seek an independent valuation to verify that 'best consideration' will be obtained.

DISPOSAL BY INFORMAL/NEGOTIATED TENDER

- 5.1 A disposal by informal/negotiated tender differs from a formal tender in that neither the Council nor the successful bidder is legally obliged to enter into a contract for the disposal of the land. The informal/negotiated tender process allows the Council to identify one preferred bidder with whom it may then negotiate further detailed terms or proposals for the development of the land concerned.
- 5.2 The Council uses a public advertisement to request informal development proposals for land that meet a given specification. This process is particularly useful for large or complex development or regeneration sites requiring development and where the proposals may need to be developed in co-operation with the preferred bidder to meet the Council's corporate objectives and to achieve the best consideration that can be reasonably obtained.
- 5.3 The Council's rules for tender offers contained in the Contract Procedure Rules, contained within the Council's constitution, will be followed in respect of the receipt of tenders. Any exceptions to that process must be authorised and recorded in accordance with these rules.
- 5.4 A binding legal agreement is not created until the exchange of contracts for sale or lease or the signing of a development agreement.

DEVELOPMENT PARTNER/AGREEMENT

A private sector partner who have been procured through appropriate means to jointly deliver and benefit from redevelopment/regeneration schemes. Examples of such Public/Private partnerships can be found in the RICS/Local Partnerships Paper 'Local Asset Backed Vehicles - A success story or unproven concept?' which can be found on the link below:

<http://www.localpartnerships.org.uk/images/PDFs/2012/LocalAssetBackedVehicles.pdf>

EXCEPTIONS

- 6.1 Other methods of disposal may be used where circumstances warrant them.

LATE BIDS AND OTHER CONSIDERATIONS

- 7.1 Guidance from the Local Government Ombudsman recognises the problem caused to local authorities by 'late bids'. The Guidance states that difficulties are less likely if Councils ensure that exchange of contracts take place as quickly as possible after the decision to sell (or lease) is made. It suggests that local authorities should be allowed to sell at an agreed price within a reasonable period of reaching a 'subject to contract' agreement.
- 7.2 In the context of the methods of land disposal dealt with in this document, a late bid may occur:-

- (a) in the case of a private sale, after a sale or lease has been agreed, but before exchange of contracts
- (b) in the case of a public auction, after the auction has been closed, but the reserved price not having been met.
- (c) in the case of a formal tender, after the closing date for tenders, but before selection of the successful tender.
- (d) in the case of an informal or negotiated tender, after receipt of bids, but before exchange of contracts or signing of a development agreement.
- (e) in the case of disposal by exchange after, a sale or lease has been agreed, but before exchange of contracts.

7.3 Each 'late bid' must be considered in the context of the individual circumstances at the time. The Council's approach to 'late bids' will vary depending upon the method of land disposal used. In each case, its overriding duty will be to obtain best consideration that it can reasonably obtain (subject to any exceptions in the General Disposal Consent, see 1.4). The Council's approach to late bids is as follows:

- (a) The Council discourages the submission of late bids in all cases when it is disposing of land. It will attempt to minimise problems by aiming for early exchange of contracts.
- (b) Late bids cannot be considered where land is being disposed of by public auction after a successful bid has been accepted.
- (c) Except as provided herein, until the Council has entered a legally binding contract or agreement with another person it will consider late bids unless there are good commercial reasons for not doing so. This should be explained to any purchaser when a disposal of land by private sale or negotiated/informal tender is agreed.
- (d) Consideration of a late bid does not mean that it will necessarily be accepted even if it is the 'highest' bid. The Council will take into account the likelihood of the late bid proceeding to completion in a timely manner and the possibility of late bids used as a spoiling or delaying tactic.
- (e) Subject to the above, the Council may, in appropriate circumstances, as both the late bidder and the person to whom the land was previously to have been sold, invite both parties to submit their last and final bids in a sealed envelope by a set deadline.
- (f) A decision on whether to accept a late bid for a private sale, informal tender or by exchange are to be made either by the Executive/Cabinet or delegated powers.

7.4 A last minute bid may be rejected for sound commercial reasons. These may include a consideration regarding the certainty of the transaction reaching conclusion, or if there are legitimate grounds for suspecting a spoiling bid.

- 7.5 The Council will not take into account any issues or views regarding what is commonly referred to as “gazumping” – the overriding duty, with certain exceptions as mentioned in the General Disposal Consent, is to obtain best consideration.
- 7.6 In considering what amounts to ‘monetary value’ in terms of best consideration to be obtained, the creation of jobs or desirable social outcomes, will be considered by the Council as part of its general powers of wellbeing under the Local Government Act 2000

ANNEX 3 – SMALL LAND SALES (E.G. GARDEN LAND)

One to One Sales e.g. garden land.

On an approach from an interested party the Council will:

1. Send holding reply.
2. Carry out consultation exercise with other departments (particularly Housing/ALMO where Housing Revenue Account land is involved) and AMG.
3. Respond to applicant detailing what the decision making process is and when a decision will be made.
4. If sale is supported by AMG, send out heads of terms on without prejudice and subject to contract basis and await the applicant to confirm acceptance of terms in writing.
5. Assuming the value is below £50k (Hence, small land sales), complete a Delegated Decision supporting the proposed disposal, assuming it sits within the delegation scheme.
6. Notify applicant of the decision, confirm HOTs and request details of Solicitor.
7. Instruct Legal based upon the HOTs to draft a sale agreement.
8. Prior to completion undertake a measured survey referring to the title plan and GIS mapping and peg out site if necessary.
9. Complete sale and notify the Finance Department and other Departments within the Council and amend their records.

Bolsover District Council

Executive

22nd May 2017

Strategic Risk Register and Partnership Arrangements

This report is public

Report of the Executive Director - Operations

Purpose of the Report

- To update Members concerning the current position regarding Risk Management and Partnership Arrangements and to seek approval for the revised Strategic Risk Register as at 31st March 2017, as part of the suite of Finance, Performance and Risk reports.

1 Report Details

Background

- 1.1. The Council's Strategic Risk Register has been developed in the light of a consideration of the strategic and operational risks which have been identified by Elected Members and Officers as part of the Council's risk, service management and quarterly performance arrangements.
- 1.2. In its approach to Risk Management the Council is seeking to secure a number of objectives and to operate in line with recognised best practice. In order to appreciate the importance of Risk Management it is useful to reiterate these objectives:
 - To improve the way in which the Council manages its key risks so as to reduce the likelihood of them happening, and to mitigate their impact in those cases where they do materialise. This is a key element in protecting service delivery arrangements, the financial position and the reputation of the Council.
 - To strengthen the overall managerial arrangements of the Council. From a Governance perspective the effective operation of Risk Management is a key element of the managerial framework operating within an authority.
 - Effective Risk Management is a key component in ensuring that organisations are able to achieve their objectives, and that key projects proceed in line with plan.

- The identification of the risks attached to existing service delivery, or to a project or new initiative helps enable a fully informed decision to be made, and helps ensure that all appropriate measures to mitigate (or reduce) the risk are in place from the outset.
- Finally, an appreciation of the risk environment within which the Council operates assists in ensuring the organisation has a good awareness of its overall risk exposure, whilst helping determine an appropriate level of financial reserves.

2. The Strategic Risk Register

2.1. The revised Strategic Risk Register as at 31st March 2017 is set out in **Appendix 1** for consideration by Executive. The intention is that this review of the Register will secure the following objectives:

- Identify any newly emerging risks which need to be added to the Register and removing any risks that have been resolved to maintain a focus on current risks.
- To revisit risk scores assessments and ensure that appropriate mitigation remains in place.

2.2. Overall a key theme which emerges from the Strategic Risk Register is one of an ongoing requirement to maintain our current performance in respect of service delivery, performance and governance. This objective needs to be secured against a background of both declining and less certainty concerning financial resources. Allied to the financial position local authorities are faced with significant legislative change impacting upon Housing, Planning, the welfare system, devolution and finance. These developments are anticipated to entail some significant changes in the manner in which our services to local residents are delivered with the level of change required clearly having the potential to disrupt service provision.

2.3. During the recent round of Quarterly Performance meetings the three key issues that were raised continued to be around the impact of Brexit, the pace of legislative change and the ability to recruit and retain appropriately qualified staff. Both the uncertainties arising from Brexit, together with the impact of Legislative change are covered within the same Strategic Risk (Risk 1) as outlined in Appendix 1. This Risk is concerned with the impact of a wide range of national issues upon the Council and the services it delivers to local residents. Finally, the issue of the loss of key staff and the difficulties being experienced in finding suitable replacements continues to be a widespread concern expressed by managers. While a limited number of services are experiencing significant problems it is clear that all areas of work are now finding it difficult to attract suitable candidates at a time when we are experiencing increased staff turnover. This issue already featured within the Strategic Risk Register and is detailed as Item 3 within Appendix 1. As a result of the growing profile and incidence of cyber crime it is now considered appropriate that this is included within the Strategic Risk Register. Given the links with Business Continuity Cyber Crime has now been incorporated within Strategic Risk 5. The risk mitigation in this area is that the Council adopts industry wide standards to minimise the risk of cyber crime / cyber attack.

- 2.4. In order to develop the understanding of risk together with a culture of risk management throughout the organisations a series of training sessions for senior managers which covered the issue of Risk Management have been held in both the summer of 2014 with further training in the Autumn of 2015. Likewise, as part of the Budget Scrutiny Meeting on 14th September 2015 there was a presentation to Members concerning Risk Management. Consideration is currently being given as to what further training would be appropriate.

Partnership Arrangements.

- 2.5. The Council has recently reviewed its arrangements resulting in Executive agreeing in January 2016 to a revised Risk Management (Including Partnership Working) Strategy. This agreed that a range of strategic partnerships will be reported on and monitored as part of the Council's quarterly report in respect of Risk. These are complementary to the Partnership Funding and Performance Monitoring reports prepared by the Partnership Team to Executive twice a year which sets out the range of partnerships it works directly with. While the Partnership Team co-ordinate the Council's work with these external organisations it should be noted that many of these have been assessed as being of relatively limited risk, with officers adopting a 'light touch' approach in developing appropriate working relationships.

- 2.6. While there will invariably be an overlap between the two reports this report will focus on what might be termed as the Council's strategic partnerships. These are as follows:

- The relationship with the North Midlands authorities (Derbyshire and Nottinghamshire) and Sheffield City Region in progressing the economic development and devolution agenda.
- The strategic alliance with North East Derbyshire District Council which is central to the transformation agenda of delivering services at lower costs whilst enhancing service resilience.
- Shared Services arrangements with Chesterfield, Derbyshire Dales, North East Derbyshire and the Chesterfield Royal Hospital which help secure cost effective arrangements in a number of specialist service areas.
- Arrangements with Derbyshire County Council amongst others to secure aligned services across the public sector in areas such as health and economic development.
- The Community Safety Team and associated statutory partners including the Police.

Although the Partnerships outlined above are very different in terms of scope and working arrangements they all have in place formal governance arrangements between the partners, supported by appropriate internal governance arrangements which cover performance, finance and risk. Appropriate approvals have been agreed through the Council's formal committee arrangements, with partnership issues and developments being considered as is required within this Council's constitution. The arrangements in place are intended to be both risk based and proportionate to the risk exposure of this Council.

3 Conclusions and Reasons for Recommendation

- 3.1 The Strategic Risk Register is intended to highlight those areas where the Council needs to manage its risks effectively. One of the key purposes of this report is to set out the risks that have been identified (see Appendix 1) and to encourage both Members and Officers to actively consider whether the Strategic Risk Register and supporting Service Risk Registers appropriately cover all of the issues facing the Council. The section of Partnerships serves to highlight the extent of these working arrangements, together with the mechanisms which are in place for their successful management.

Reasons for Recommendation.

- 3.2 To enable Executive to consider the risks identified within the Strategic Risk Register / Partnership Arrangements in order to assist in maintaining effective governance arrangements, service and financial performance.

4 Consultation and Equality Impact

Consultation

- 4.1 There are no issues arising from this report which necessitate a formal consultation process.

Equalities

- 4.2 There are no equalities issues arising directly out of this report.

5 Alternative Options and Reasons for Rejection

- 5.1 Under the relevant good practice and to facilitate the development of robust managerial arrangements the Council is required to prepare a Strategic Risk Register as part of its risk management framework. This report is in part intended for Members and Officers to consider whether the Council has adopted an appropriate approach to its management of risk and partnerships. Given that this report is part of the approach to help ensure the effective management of risk / partnerships there is not an alternative to the presentation of a formal report.

6 Implications

6.1 Finance and Risk Implications

Financial

There are no additional financial implications arising out of this report at this stage. While where appropriate additional mitigation measures have been identified and implemented during the course of preparing the Strategic and Operational Risk Registers, the cost of implementing this mitigation will be met from within previously agreed budgets.

Risk

Risk Management Issues are covered throughout the body of the main report.

6.2 Legal Implications including Data Protection

There are no legal or data protection issues arising directly out of this report.

6.3 Human Resources Implications

There are no human resource issues arising directly out of this report.

7 Recommendations

- 7.1 That Executive approves the Strategic Risk Register as at 31st March 2017 as set out in Appendix 1.

8 Decision Information

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 which has a significant impact on two or more District wards)	No
District Wards Affected	None directly.
Links to Corporate Plan priorities or Policy Framework	Robust Governance (including Risk Management) arrangements underpin the effective operation of the Council and its ability to secure all of the Corporate Plan priorities.

9 Document Information

Appendix No	Title
1	Strategic Risk Register as at 30 th September 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
Executive Director – Operations	2431

STRATEGIC RISK REGISTER SUMMARY AS AT: 31st March 2017

	Risk	Consequences	Risk Score (Likelihood x Impact)	Risk Score (Likelihood x Impact) Taking into Account Current Controls	Risk Owner / Lead Officer
1	Government Legislation / impact of Brexit / adverse external economic climate has an accelerating impact on Council (poor financial settlement), or upon the local economy, to which Council is unable to adopt an appropriate change of Strategic direction.	<ul style="list-style-type: none"> Unable to deliver a package of services that meet changing local needs and aspirations. Reduced influence over delivery of local services. Unable to effectively support local communities. Increased demands on Council services at a time when Council resource base is reducing. 	4,4, 16	3,4 12	SAMT / Political Leadership
	<ul style="list-style-type: none"> The Council is outward looking and actively works to understand proposed changes and the approaches that might be adopted to mitigate any adverse impacts of these. The Council has effective political and managerial (governance) arrangements in place to manage change. Appropriate levels of financial reserves / investment funding are maintained to fund strategic shifts in service delivery. Effective engagement with staff to ensure they embrace necessary change. 				
2	Failure to deliver a balanced budget in line with the MTFP, at a time when the Council's reserves are limited to 'adequate' levels.	<ul style="list-style-type: none"> Impact upon ability to deliver current level of services. Unable to resource acceptable levels of service. Significant adverse reputational Impact. 	3,4 12	2,4 8	SAMT / Chief Financial Officer / Political Leadership
	<ul style="list-style-type: none"> The Council has effective financial and wider management arrangements in place to ensure budget / service delivery arrangements are robust. The recent settlement has indicated challenging but manageable savings targets. A key risk is that under 'localism' there is less certainty 				

	<p>concerning income (NNDR, NHB).</p> <ul style="list-style-type: none"> The Council has 'adequate' financial reserves in place to cushion against any loss of income for a period of at least one financial year. 				
3	<p>It becomes increasingly difficult to recruit to key posts or to replace key staff that leave. Staff morale is adversely affected by as a result of pace of change, tightening financial circumstances or external circumstances.</p>	<ul style="list-style-type: none"> Deterioration in services to the public. Increasing inefficiencies in service provision. Weakening of Internal Control arrangements. Increased pressure on other members of staff. 	3,4 12	2,4 8	SAMT / Asst Director HR
	<ul style="list-style-type: none"> The Council has effective communication and working with staff as validated by securing 'silver' accreditation at IIP. There is sufficient funding to bring in agency staff where required to maintain service performance. At this stage the problematic areas are those where there are national 'shortages'. In the majority of areas it has proved possible to recruit appropriate replacement staff. Appropriate training budgets are in place to ensure that staff receive necessary training to maintain service quality. The Council will look at introducing appropriate apprenticeship / training schemes in order to develop employees to meet our requirements. 				
4	<p>Delivery of the Council's Agenda is dependent upon effective delivery of both a number of major initiatives / projects and implementing a range of new government reforms whilst maintaining service quality, which may overstretch our reduced organisational capacity.</p>	<ul style="list-style-type: none"> New initiatives are not delivered in a cost-effective manner. Failure to maintain / improve services in line with local aspirations. Failure to generate the savings required to balance the budget. Financial efficiencies weaken Governance / Internal Control arrangements. Service deterioration / failure arising from capacity issues. 	3,4 12	2,4 8	SAMT / Chief Executive
	<ul style="list-style-type: none"> The Council has effective prioritisation and project management arrangements in place to ensure resources are directed at key objectives. The Council has made efforts to ensure effective use of employees by utilising shared services to protect service resilience, by 				

	<p>maintaining appropriate training arrangements and by investing in transformational ICT projects.</p> <ul style="list-style-type: none"> The Council has a robust performance management framework that should serve to highlight emerging issues. 				
5	<p>Emergency Planning and Business Continuity arrangements fail to meet required standards when tested by flu pandemic, natural disaster (flood), etc.</p> <p>The Council is affected by cyber crime with a loss of data / systems leading to a potential inability to provide core services and incurring reputational damage.</p>	<ul style="list-style-type: none"> Inability of Council to provide services as a consequence of a severe catastrophic external event (e.g. flooding, major terrorist incident, flu pandemic, fire). Failure of IT infrastructure, leading to inability to effectively operate services and to safeguard income streams. Business Continuity Plans prove ineffective in practice. 	3,4 12	2,4 8	SAMT / Director of Transformation
	<ul style="list-style-type: none"> The Council works in partnership with a range of partners on its Emergency Planning arrangements to ensure that we operate in line with best practice. There is an annual 'desktop' scenario to test officers understanding of the arrangements and that they are fit for purpose in a realistic 'trial' scenario. All sections have Business Continuity plans in place which identify key risks and mitigation. Corporate IT systems have been tested against Industry standards for Business Continuity. The Council works in partnership with a range of other agencies that should be able to provide support in the event of the Council's own procedures failing to be effective. The Council has put in place industry standard measures to minimise the risk of cyber crime. 				
6	<p>Lack of strategic direction from Members / Corporate Management, external partners change Strategic direction.</p>	<ul style="list-style-type: none"> Failure to deliver high quality services which address national and local priorities. Deterioration in Governance Arrangements. Refocus of current services necessary with associated disruption. 	3,4 12	2,4 8	Chief Executive / Political Leadership Team
	<ul style="list-style-type: none"> There are appropriate structured training arrangements in place for both Members and Officers. The Council is an outward looking organisation where both Members and Officers are encouraged to network with peer groups to ensure a developed awareness of the broader environment within which we operate. 				

7	<p>A major operational or failure of data protection risk materialises resulting in a significant impact upon the Council's ability to secure its corporate objectives. Given the efficiency measures that have been introduced to date this is considered to be an increasing issue for the Council.</p>	<ul style="list-style-type: none"> • Deterioration in services to the public, potentially a major initial impact upon a local resident or a group of local residents. • Significant staff and financial resources required to resolve position, impacting on other services. • A major service has its operating capacity significantly impact and is required to introduce major reform in its approach to service delivery. 	3,4 12	2,4 8	SAMT / Assistant Directors
<ul style="list-style-type: none"> • The Council has appropriate managerial arrangements in place supported by staff recruitment and training to ensure these risks are effectively managed. • Performance is formally managed on a quarterly basis to ensure that any emerging issues re service performance are effectively identified and resolved at the earliest possible opportunity. 					
8	<p>Governance Arrangements including Performance, Finance and Risk Management need to be maintained in order to continue to operate effectively in a rapidly changing environment.</p>	<ul style="list-style-type: none"> • Adverse Impact upon Service Quality. • Failure to deliver high quality services which address national and local priorities. • Significant adverse reputational impact. 	3,4 12	2,4 8	Chief Financial Officer / Monitoring Officer
<ul style="list-style-type: none"> • The Council has appropriate managerial arrangements in place supported by staff recruitment and training to ensure these risks are effectively managed. • The Council has an active Standards and Audit Committee which provide independent review of the Governance arrangements in the Council. • The Annual Governance Report sets out an evidence based structured assessment of the operation of the Council's governance arrangements. 					

Bolsover District Council

Executive

22nd May 2017

Acceptance of two year extension to Long Term Insurance Agreement

Report of the Leader of the Council

Purpose of the Report

- The Authority's insurance policies are on the basis of a Long Term Agreement (LTA) which was entered into from October 2014. The LTA was for a period of three years with an option to extend for a further two. The initial three year period is now coming to an end and it is recommended that the Council take the option of extending for a period of a further two years.

1 Report Details

Background

- 1.1 While the current LTA does not end until 30th September 2017 if the Council decides to take the option of ending the current agreement and going out to tender this process will take some time to undertake. If the Council decided to go to tender rather than agreeing the recommended option of accepting the proposed extension then it needs to commence the tender process in the near future in order to comply with the required timescales.
- 1.2 Against this background Council Officers advised by our independent insurance advisors Aon are of the view that the most cost effective option is to extend the existing LTA for a period of a further two years. While it can never be certain as to what terms and prices a tender to the market would generate Aon our brokers represent a large number of local councils and have a significant level of knowledge concerning current market trends. On the basis of the current market they have concluded that if Bolsover went to tender at this stage then we would be looking at an increase approaching 10%.
- 1.3 On the basis that we continue with the current LTA for a further two years Zurich have confirmed that all rates will be maintained at current levels, with the exception of Public Liability (PL) which would be increased by an amount of 1.5%. While the majority of our policies are with Zurich the motor policy is with Protector which allows us to renew on existing terms provided that our loss ratio is maintained at a reasonable level. While we will not know the actual loss ratio until nearer renewal it is currently anticipated that renewal will be offered at current rates.
- 1.4. On the basis of the above it is recommended that we extend the LTA in respect of all our insurance policies with Zurich. It should be noted that Motor Vehicles

and Computer Equipment are with other insurers. With regard to Motor Insurance it is recommended that the preferred option is to renew with the current insurer Protector. Should the terms of renewal offered by Protector change significantly from those which currently apply, it is recommended that delegated powers be granted to the Executive Director – Operations in consultation with the appropriate Portfolio member to negotiate and agree appropriate alternative arrangements. Any decision would be taken in the light of advice from Aon our specialist insurance brokers.

2 Conclusions and Reasons for Recommendation

- 2.1 It is recommended that Executive approve the option of exercising the two year extension to the current Long Term Insurance Agreement and renew with Protector the current insurer in respect of motor vehicles. These options are recommended on the basis that they offer best value to the Council.

3 Consultation and Equality Impact

- 3.1 The issues considered within this report concern the Council's insurance arrangements and as such do not at this stage require any consultation. There are no Equality Impact issues arising directly from this report.

4 Alternative Options and Reasons for Rejection

- 4.1 The only alternative option to that recommended is that the Council goes out to retender its insurance policies. That course of action is against the advice of the Council's insurance brokers who consider that going out to tender in the present market would result in an increase in costs approaching 10%.

5 Implications

5.1 Finance and Risk Implications

- The overall annual cost of the Council's insurance policies is currently just below £0.3m. On the basis that the recommendations within this report are accepted that will increase in respect of public liability by 1.5% (less than £1,000). In addition the charge will be adjusted to reflect changes in the volumes insured (eg changes in number of staff, vehicles and property). Finally, all insurance contracts will be affected by the increase in Insurance Premium Tax (IPT), which rises from 10% to 12% on the 1st June 2017.
- The costs as outlined above will be met from within existing approved budgets.

5.2 Legal Implications including Data Protection

- There are no Legal or Data Protection issues arising directly from this report.

5.3 Human Resources Implications

- There are no Human Resource arising directly from the report.

6 Recommendations

- 6.1 That Executive agree to extending the Council's Long Term Agreement in respect of Insurance for a further two years from October 2017.
- 6.2. That delegated powers be granted to the Executive Director – Operations in consultation with the relevant portfolio Member to renew the Council's motor insurance policies with the preferred option being an extension of the current arrangements with Protector insurance.

7 Decision Information

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 which has a significant impact on two or more District wards)	Yes
District Wards Affected	N/A
Links to Corporate Plan priorities or Policy Framework	N/A

8 Document Information

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
Tony Cheetham	01246 (242426)

Bolsover District Council

Executive

22nd May 2017

**Corporate Plan Targets Performance Update – January to March 2017
(Q4 – 2016/17)**

Report of the Assistant Director – Customer Service and Improvement

This report is public

Purpose of the Report

- To report the quarter 4 outturns for the Corporate Plan 2015-2019 targets.

1 Report Details

1.1 The attached contains the performance outturn as of 31st March 2017.
(Information compiled on 09/05/2017)

1.2 A summary by corporate plan aim is provided below:

1.3 Unlocking our Growth Potential

- 14 targets in total (3 target achieved previously – G02, G04 and G14)
- 9 targets on track with **G08** achieving its annual target. **G01** has achieved its corporate target but will be left open for monitoring purposes.
- 2 targets have been flagged as an ‘alert’ i.e. they may not achieve their intended outcome by the target date:
 - **G11** ‘*Through a programme of targeted refurbishment bring 15 empty private sector properties back into use per annum*’. No properties brought back into use to date during 2016/17. Some conversions expected in June 2017 (6x1bed flats). Consideration is being given to using another partner in addition to Action Housing to support this target. The lead officer has advised that this target is being proactively progressed now that the Empty Homes Officer is in post.
 - **G 13** - *Work with partners to deliver an average of 20 units of affordable homes each year. 7 units were completed at Rogers Avenue under the B@home scheme during 2016/17. With regard to private sites the Interim Planning Policy, which waives the affordable housing requirement in return for an early start on site, has had an effect on the number of affordable housing units coming through s106 sites. This has now been discontinued so it may lead to more s106 affordable units coming through on viable sites in the future.*

1.4 Providing our Customers with Excellent Service

- 16 targets in total (1 target previously withdrawn – C16)
- 15 targets on track with **C04, C06, C07, C10, C12** achieving their annual targets.

1.5 Supporting our Communities to be Healthier, Safer, Cleaner and Greener

- 16 targets in total (3 target previously achieved – H06, H13, H14)
- 11 targets on track with **H01, H03, H07, H08, H10, H11, H12** and **H16** achieving their annual targets.
- 2 targets have been flagged as an ‘alert’ i.e. they may not achieve their intended outcome by the target date:
 - **H02** *‘Increase participation/attendances in leisure, sport, recreation, health, physical and cultural activity by 3,000 per year’*. - The new Go Active facility has helped pull back a substantial amount of lost figures due largely to the partial closure of the Clowne facility and the decline of Creswell running up to closure. Actual figures achieved 229,195 against a target of 234,000 so just 4805 short of the target. Lead Officer fully expects figures to be pulled back (and improved upon) over the remaining corporate plan period.
 - **H05** *“Support 417 inactive 16+ individuals per year & increase their activity levels to more than 30 minutes of moderate intensity physical activity per week.”* March 2017 position - 638 individuals engaged during the project period (Dec 2014 to Mar 2017) against a corporate plan target of 834 (Apr 2015 to Mar 2017). The project targets have been revised to reflect the shortfall in year one of the project – revised target 340 per year. Good progress has been made against the revised project target – see appendix for details. The difference in the project reporting period and frequency of reports (six monthly) makes it difficult to compare directly with the corporate plan target. However, it is unlikely to match the original corporate plan target.

1.6 Transforming our Organisation

- 14 targets in total (3 targets achieved previously – T02, T03 & T07)
- 8 targets on track
- 1 target has been achieved – **T12** *“Develop a series of strategies and plans to support the ambition of a sustainable leisure service by March 2017.”*
- 1 target has been achieved behind target - **T05** *‘Initiate a build programme for the new Clowne leisure facility by December 2015 and complete by December 2016.* The facility successfully opened in January 2017.
- 1 target has been put forward for withdrawal. **T01** *“Retain accreditation against the Investors in People (IiP) extended framework by July 2015 and full external assessment in 2018”.* Agreed at Executive on 27/02/17 to withdraw from the IiP process at the end of the current accreditation period. As such requested to withdraw this corporate plan target.

- 1.7 The Corporate Plan has completed its second year milestone and an Annual Report will be provided to Council.

2 Conclusions and Reasons for Recommendation

- 2.1 Out of the 60 targets 43 (72%) are on track, 11 (18%) have been achieved (2 this time and 9 previously), 4 (7%) have been flagged as an 'alert' i.e. they may not achieve their annual target, 2 (3%) have been withdrawn (1 this time and 1 previously).
- 2.2 This is an information report to keep Members informed of progress against the corporate plan targets noting achievements and any areas of concern.

3 Consultation and Equality Impact

- 3.1 Not applicable to this report as consultation was carried out on the original Corporate Plan.

4 Alternative Options and Reasons for Rejection

- 4.1 Not applicable to this report as providing an overview of performance against agreed targets.

5 Implications

5.1 Finance and Risk Implications

No finance or risk implications within this performance report.

5.2 Legal Implications including Data Protection

No legal implications within this performance report.

5.3 Human Resources Implications

No human resource implications within this performance report.

6 Recommendations

- 6.1 That year two progress against the Corporate Plan 2015-2019 targets be noted.
- 6.2 T01 be withdrawn as noted in the report.

7 Decision Information

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 which has a significant impact on two or more District wards)	No
District Wards Affected	Not applicable
Links to Corporate Plan priorities or Policy Framework	Links to all Corporate Plan 2015-2019 aims and priorities

8 Document Information

Appendix No	Title
1.	Corporate Plan Performance Update – Q4 January to March 2017
<p>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)</p>	
All details on PERFORM system	
Report Author	Contact Number
Kath Drury, Information, Engagement and Performance Manager on behalf of Assistant Director – Customer Service and Improvement	01246 242280 / 217641

Report Reference –

Bolsover District Council
Corporate Plan Targets Update – Q4 January to March 2017

Aim – Unlocking our Growth Potential

Key Corporate Target	Directorate	Status	Progress	Target Date
G 01 - Through the use of Key Account Management develop a relationship with a minimum of 50 local businesses by March 2019.	Growth	On track	Q4 - 65 Businesses Engaged to date. The service has worked to support potential growth businesses including the Hilcote Country Club Blackwell, HW Martin, Veritas Management, Bladon Box, SOS Waypoint, Ansini, Napit Training, Windsor Chairs, Greewood, Meedon Mouldings, Bodytec, Sunbed and Leisure Systems, KFT Fire Systems, Spafix and QC Electrical. – Target achieved	Sun-31-Mar-19
G 03 - Optimise business growth (as measured by gross NNDR) by £2.5m by March 2019	Growth Operations	On track	Q4 (2016/17) Actual NNDR income figure at 31/3/17 is £26,270,072 per NNDR3 form submitted. (Baseline: £23,476,638 Gross NNDR for 2014/15)	Sun-31-Mar-19
G 05 - Through the Bolsover North East Derbyshire LEADER Approach collectively support the creation of 65 sustainable jobs in the combined programme area by December 2020.	Growth	On track	Q4: There are currently 8 live Outline Applications in the process, 1 from the BDC area; a further bid from the BDC area is currently being appraised. 3 projects totalling £108,606.08 have been approved to date in NED. The Chancellor's Autumn Statement (23/11/2016) confirmed that Brexit would have no immediate impact on the LEADER programme, removing the imposed hiatus in publicity and contracting. Defra advised on 29/03/17 that local programmes "will be able to enter into funding commitments up to the point that the UK leaves the EU, and that these commitments will be honoured by the UK Government." Significant marketing commenced in early 2017 and included Flyers circulated with 2017/18 Business Rates letters, a two week radio campaign on Peak FM and promotion on Elastic FM, offers to attend Parish/Town Council meetings, a programme of visits to	Thu-31-Dec-20

Key Corporate Target	Directorate	Status	Progress	Target Date
			twenty-two business/industrial centres across the districts (already visiting Barlborough, Clowne, Creswell, Holmewood and Pleasley), and promotion in LEADER and partner publications and websites.	
G 06 - Undertake statutory public consultation on the Local Plan (Strategic Policies and Site Allocations) in line with the adopted Local Development Scheme timetable by July 2017.	Growth	On track	Q4: April 2017 Work is ongoing to supplement the evidence base and inform the Publication Version of the Local Plan.	Mon-31-Jul-17
G 07 - Submit Local Plan (Strategic Policies and Site Allocations) for examination by the Planning Inspectorate by November 2017.	Growth	On track	Q4: Work is ongoing to supplement the evidence base and inform the Publication Version of the Local Plan.	Thu-30-Nov-17
G 08 - Process all major planning applications 10% better than the minimum for special measures per annum.	Growth	On track	Q4: 100% of all major applications (16 out of 16) determined within the deadline or agreed extension of time. 24 out of 27 applications for major development determined within the 13 week deadline or agreed extension of time. 2016/17 = 88.8% Achieved (Target 2016/17: 60%, National Target 50%)	Sun-31-Mar-19
G 09 - Deliver a minimum of 100 new Council properties by March 2019.	Operations	On track	Q4: Fir Close Shirebrook (8 units) work started. Derwent Drive, Tibshelf (7 units) and Hilltop Avenue Shirebrook (37 units) work to commence this financial year. Future sites being considered. Blackwell Hotel site (6 units) due for completion April 2017. Rogers Avenue (7 units) completed previously.	Sun-31-Mar-19

Key Corporate Target	Directorate	Status	Progress	Target Date
G 10 - Enable the development of at least 1,000 new residential properties within the district by March 2019.	Growth	On track	Q4 - Monitoring is carried out annually at the end of the financial year, so figures should be available for the next quarterly update at the end of June 2017. A number of large sites are making progress and the clean up of the Coalite site has begun.	Sun-31-Mar-19
G 11 - Through a programme of targeted refurbishment bring 15 empty private sector properties back into use per annum.	Growth	Alert	Q4- 3x2 Bed Houses are currently being converted in to 6x1bed flats, 2 will be handed over in April, 2 in May and 2 in June. Consideration is also being given to using an another partner in addition to Action Housing to support this target. A baseline is being created for Empty Properties in Bolsover and an action plan will then be put in place to tackle these properties. 2016/17 Not achieved	Sun-31-Mar-19
G 12 - Achieve an increase of £850,000 in additional New Homes Bonus from the government by March 2019.	Growth	On track	Q4 - £257,091 is the additional bonus being received in 2016/17. (For the corporate plan target period we have received £542,821 in additional bonuses)	Sun-31-Mar-19
G 13 - Work with partners to deliver an average of 20 units of affordable homes each year.	Growth	Alert	Q4 - No affordable units have been completed this quarter. The site in Blackwell under the B@home scheme is now expected to be completed in April 2017 and will provide 6 units of affordable housing. A further 57 affordable housing units have received planning permission this year. With regard to private sites the Interim Planning Policy, which waives the affordable housing requirement in return for an early start on site, has had an effect on the number of affordable housing units coming through s106 sites. This has now been discontinued so it may lead to more s106 affordable units coming through on viable sites in the future. 2016/17 – 7 units completed (Rogers Avenue) - Not achieved	Sun-31-Mar-19

Aim – Providing our Customers with Excellent Service

Key Corporate Target	Directorate	Status	Progress	Target Date
C 01 - Retain Customer Service excellence accreditation year on year.	Transformation	On track	Q4 Online evidence submitted in readiness for the annual assessment in April 2017. A timetable for the onsite assessment has been put together and shared with relevant staff. The onsite assessment will take place on 25th and 26th April 2017.	Sun-31-Mar-19
C 02 - Achieve an overall biennial external satisfaction rate of 85% or above for services provided by the Contact Centres.	Transformation	On track	Q4 The last survey was run in 2015/16 (biennial). Results show 89% satisfaction with the Face to Face service, 87% satisfaction with the telephone service and 93% with the Meet & Greet Service giving an overall satisfaction with the service of 89%.The next survey will be run in 2017/18.	Sun-31-Mar-19
C 03 - Achieve an overall annual satisfaction rate of 80% or above for leisure, recreation and cultural activities and services.	Transformation	On track	Q4 We have not conducted any surveys this quarter - we are in the process of reviewing the way we do these and in an effort to improve the quality of return. 2016/17 Achieved (for the areas measured).	Sun-31-Mar-19
C 04 - Promote the Council website and increase (unique) visitor numbers by 7% year on year.	Transformation	On track	Q4 - Statistics from Google Analytics for the period 1 January to 31 March 2017 show that we have had 80,386 users visiting the website, of which 48.19% (38,741) are new unique users of the website. The total number of visitors to the site from 1 April 2016 to 31 March 2017 is 277,262 (133,496 new visitors). More detailed analysis of these figures is being undertaken to make sure they are accurate.	Sun-31-Mar-19
C 05 - Implement the new EU Regulations on Data Protection within the timescales stipulated by the Information Commissioners Office.	Transformation	On track	Q4 - Work plan for implementing General Data Protection Regulation (GDPR) approved by SAMT in February 2018. Actions to be completed during 2017/18. Work continues to improve our internal data protection processes in line with the new regulations e.g. developing a database of personal data held by the Council. Data Protection refresher training which includes reference to the new regulations have now been	Sun-31-Mar-19

Key Corporate Target	Directorate	Status	Progress	Target Date
			completed. Training sessions on Privacy Impact Assessments have been delivered to build capacity/raise awareness. (GDPR to take effect from May 2018).	
C 06 - Prevent homelessness for more than 50% of people who are facing homelessness each year.	Operations	On track	Q4 April 2016 - March 2017 - 252 approaches from people seeking assistance, of which 156 cases were prevented from becoming homeless - 62% prevented cases. 2016/17 Achieved	Sun-31-Mar-19
C 07 - Install 150 new lifelines within the community each year.	Operations	On track	Q4 April 2016 - March 2017 - 190 units of careline equipment installed. 2016/17 Achieved	Sun-31-Mar-19
C 08 - Process all new Housing Benefit and Council Tax Support claims within an average of 20 days.	Operations	On track	Annual for 2016/17 = 18.87 days (Quarter 4 2016/17 = 17.84 days)	Sun-31-Mar-19
C 09 - Process changes to Housing Benefit and Council Tax Support within an average of 10 days.	Operations	On track	Annual 2016/17 = 6.62 days (Quarter 4 2016/17 = 4.37 days)	Sun-31-Mar-19
C 10 - Carry out 300 disability adaptations to Council houses each year.	Operations	On track	Q4 April 2016 - March 2017 - 374 adaptations 2016/17 Achieved	Sun-31-Mar-19
C 11 - Fully deliver the equality objectives identified in the Single Equality Scheme by March 2019.	Transformation	On track	Q4 - Good progress continues against the action plan. Notable actions this quarter: Equality information published 24 January 2017. Article publicising Customer Specific Information Needs service in March 2017 edition of In Touch. Examples of customer benefits highlighted in the article. Data on migrant worker communities for Shirebrook Community Cohesion Group updated and shared with partners, January 2017. Age discrimination awareness resources being produced for training; age awareness quiz trialled in induction training and by Equality Panel.	Sun-31-Mar-19

Key Corporate Target	Directorate	Status	Progress	Target Date
C 12 - Ensure a minimum of 50% of clients experiencing Domestic Violence each year are satisfied with the support they received.	Operations	On track	<p>Quarter 4: A total of 32 new referrals were received during Q4, 9 of which were high risk. A total of 6 did not engage with the service and a total of 4 have not yet completed the feedback form. Positive responses were received from 22 service users who were asked:</p> <ul style="list-style-type: none"> • Did the service meet your needs? • Did the service make a difference? • How satisfied are you with the service you have been given? <p>2016/17 142 new referrals received of which 100 provided feedback. 92 of those (92%) expressed satisfaction with the service.</p>	Sun-31-Mar-19
C 13 - Reduce average relet times of Council properties (not including sheltered accommodation) to 20 days by March 2019.	Operations	On track	<p>Q4 - Relet times on average of 35.5 days, this would be 45.8 days if sheltered housing is included. This is disappointing, however this can partially be explained by two factors. Firstly, there have been some longer term voids relet during this period. Secondly, historically there has always been deterioration in the final quarter. This is because there is a reduction in people who want to move just before or after Christmas, and that there is no service over this period. This means, for example, that if a property is offered on 19th December but the new tenant does not move until 9th January – this is 22 working days later. If the indicator was measuring working days only the performance would be 24.3 days. Awaiting an outturn figure for 2016/17.</p>	Sun-31-Mar-19
C 14 - Attend 99% of repair emergencies within 6 working hours	Operations	On track	<p>Q4 - 97.20% of Emergency call outs attended within 6hrs during the quarter. This represents an increase from 91% at the start of the corporate plan period and we are on track to ensure that we hit the 99% target in the later part of the plan period.</p>	Sun-31-Mar-19

Key Corporate Target	Directorate	Status	Progress	Target Date
C 15 - Ensure a minimum of 50% of clients receiving parenting support each year express a positive outcome.	Operations	On track	Q4 - New course in Creswell now completed. 13 parents started the course and 12 completed. Feedback forms have been received however they have not yet been evaluated. Awaiting Q4 and an outturn figure for 2016/17	Sun-31-Mar-19

Aim – Supporting our Communities to be Healthier, Safer, Cleaner and Greener

Key Corporate Target	Directorate	Status	Progress	Target Date
H 01 - Deliver a minimum of 8000 hours of positive activity through community based culture and leisure engagement per year.	Transformation	On track	Q4 At this stage of the year the target figure is 8000 hours, actual performance to date is 9349 - substantially exceeding target 2016/17 Achieved	Sun-31-Mar-19
H 02 - Increase participation/attendances in leisure, sport, recreation, health, physical and cultural activity by 3,000 per year.	Transformation	Alert	Q4 The new Go Active facility has helped us pull back a substantial amount of lost figures due largely to the partial closure of the Clowne facility and the decline of Creswell running up to closure. The annual total target is 234,000 the actual is 229,195 - just short of target. New throughput targets and profiles will be set for next financial year and Qtr 4 to account for change in facility offer following new Arc facility opening in January 2017.	Sun-31-Mar-19
H 03 - Deliver a health intervention programme which provides 900 adults per year with a personal exercise plan via the exercise referral scheme.	Transformation	On track	Q4 - BDC is commissioned to deliver a health intervention programme by County Public Health. The scheme covers two programmes, the Derbyshire Integrated Wellbeing Approach and Bolsover Wellness Plus. A combined figure of 900 referrals has been set from these two programmes. To the end of March 2017 we have seen 1120 clients at a number of different locations including Clowne Sports Centre, Creswell	Sun-31-Mar-19

Key Corporate Target	Directorate	Status	Progress	Target Date
			Leisure Centre, Shirebrook Leisure Centre, Welbeck Road Doctors surgery and Frederick Gent Sports Centre. 2016/17 Achieved	
H 04 - Tackle childhood obesity through the delivery of a child focused health intervention programme to all Key Stage 2 year groups by the end of each academic year.	Transformation	On track	Q4 sees the final tranche of school delivery for the Five:60 for the year. The programme will be delivered to all key stage 2 pupils, mainly year 3, within all 28 schools in the Bolsover Schools Sports Partnership.	Sun-31-Mar-19
H 05 - Support 417 inactive 16+ individuals per year & increase their activity levels to more than 30 minutes of moderate intensity physical activity per week.	Transformation	Alert	<p>March 2017 position - 638 individuals engaged during the project period (Dec 2014 to Mar 2017) against a corporate plan target of 834 (Apr 2015 to Mar 2017).</p> <p>Q4: Please note that targets for year 2 changed having had discussions with funders and having taken into account shortfall in year 1. Amended target for year 2 (Dec 2015 to Nov 2016) was 340 engaged participants. Total number of engaged participants up to current time (Dec 2014 - March 2017) is 638. This is higher than the end of year target.</p> <p>Please note 'engaged' refers to individuals who officer has consulted with, signposted to activities or who have tried activities. Additional outcome targets have been set for the stages 2 and 3 of the project. These are:</p> <ol style="list-style-type: none"> 1. Establish a community group that identifies and controls ownership of a local health issue. 2. Create a shared vision for the identified health issue 3. Facilitate the group to mobilise positive change of the health issue <p>Work has begun to create community groups in Creswell, Whitwell and New Bolsover/Carr Vale. This has included identifying and recruiting local leaders, connecting with</p>	Sun-31-Mar-19

Key Corporate Target	Directorate	Status	Progress	Target Date
			existing community groups and successfully engaging the numbers of 'hard to reach' residents. Unfortunately there has been no further progress with regards to the Girls Hub despite trying to join up with other providers and managing to do some consultation work in Bolsover School. The project will end in May 2017.	
H 07 - Assist partners in reducing crime by delivering 12 Crime Cracking events in the community each year.	Operations	On track	Q4 - 7 Crime Cracking events held engaging with approximately 290 people: Creswell Health Centre Patient Participation Group AGM Peartree Estate Shirebrook Residents Association meeting Clowne Eats and Treats event Crime Prevention talk to the U3A Group at Bolsover Assembly Rooms Crime Cracking event with SNT officer at The Hub, South Normanton SHIP event on Shirebrook Market Place Sports Direct employee engagement event jointly with Shirebrook SNT and Victim Services 2016/17 – 16 events held - Achieved	Sun-31-Mar-19
H 08 - With partners organise 3 community cohesion events each year to bring communities together in identified areas.	Operations	On track	Q4 - The Community Cohesion Officer has helped the newly established Shirebrook Polish Community Association to organise an Easter event at the Shirebrook Christian Centre on 12th April 2017. 2016/17 – 5 events held - Achieved	Sun-31-Mar-19
H 09 - Achieve a combined recycling and composting rate of 49% by March 2019.	Operations	On track	Q4 It is estimated 2,330 tonnes of recyclable/compostable waste will be collected between January to March 2017 yielding a combined recycling rate of 30.7% between April to December 2016	Sun-31-Mar-19

Key Corporate Target	Directorate	Status	Progress	Target Date
			(estimated based on 2016 data). Totalling tonnes over Q1,Q2,Q3 &Q4 periods yields an estimated combined recycling rate of 43.25%.The information will be updated when qualified WDF data is available at ending June 17.	
H 10 - Sustain standards of litter cleanliness to ensure 96% of streets each year meet an acceptable level as assessed by Local Environment Quality Surveys (LEQS).	Operations	On track	Q4 LEQS's established 4% of streets and relevant land surveyed fell below grade B cleanliness standards resulting in 96% meeting the target standard for this quarter. Combined (Q1,Q2,Q3 & Q4) performance is 4% falling below grade B, resulting in 96% meeting the standard and achieving the 96% overall target. 2016/17 Achieved	Sun-31-Mar-19
H 11 - Sustain standards of dog fouling cleanliness to ensure 98% of streets each year meet an acceptable level as assessed by Local Environment Quality Surveys (LEQS).	Operations	On track	Q4 LEQS's established 0% of streets and relevant land surveyed fell below grade B cleanliness standards resulting in 100% land surveyed meeting the target standard. Combined (Q1,Q2,Q3 & Q4) performance is 1% of land surveyed falling below grade B (99% above) therefore achieving the 98% target. 2016/17 Achieved	Sun-31-Mar-19
H 12 - Annually undertake 10 local environmental enforcement and educational initiatives in targeted areas to deal with dog fouling, littering or fly tipping.	Growth	On track	Q4 - Three enforcement/educational initiatives were delivered during the fourth quarter. One at South Normanton, one at Shirebrook, and one at Pinxton. 2016/17 - 10 initiatives undertaken - Achieved	Sun-31-Mar-19
H 15 - Reduce energy use in sheltered housing schemes by 10% by March 2019.	Operations	On track	Q4 The safe and warm scheme has been tendered and we are awaiting a start date from contractors. Architect has been appointed for phase 2 properties. Baseline data to be provided in readiness for Q1.	Sun-31-Mar-19
H 16 - Replace each year 200 gas fired back boilers in our Council houses with more efficient 'A' rated combi boilers.	Operations	On track	Q4 Fitted the following numbers of boilers 38 fitted by BDC operatives 571 fitted by contractor Total 609 2016/17 Achieved	Sun-31-Mar-19

Aim – Transforming our Organisation

Key Corporate Target	Directorate	Status	Progress	Target Date
T 01 - Retain accreditation against the Investors in People (IiP) extended framework by July 2015 and full external assessment in 2018.	Transformation	Withdrawn	<p>Q4 Executive agreed on 27/02/17 to withdraw from the IiP process at the end of the current accreditation period.</p> <p>To recommend to Executive that this target be withdrawn for completeness.</p>	Tue-31-Jul-18
T 04 - Access the potential revenue impact and develop an action plan to address issues arising from the implementation of the Minimum Energy Standards on commercial properties by April 2018.	Operations	On track	Well within timescale. Legislation understood, quotes for relevant survey works obtained and in a position to place an order for a survey to assess the impact of the legislation. Guidance to landlords published February 2017 is currently being reviewed to fully understand the impact.	Mon-30-Apr-18
T 05 - Initiate a build programme for the new Clowne leisure facility by December 2015 and complete by December 2016.	Transformation	Achieved (behind target)	Q4 Build programme is now complete barring for final snags and finishing touches. Facility fully operational.	Sat-31-Dec-16
T 06 - Introduce alternative uses to 20% of garage sites owned by the Council by March 2019.	Operations	On track	Q4 All sites surveyed during the year some brought forward for BDC development. (Baseline data - 152 sites of which 20% = 30 sites)	Sun-31-Mar-19
T 08 - Fully deliver the electoral changes to District and Parish wards as a result of the Local Government Boundary Commission for England's electoral review by 1 December 2018.	Growth	On track	Q4 - A public consultation on the LGBCE proposed draft boundaries has commenced and ends on 19th June. Final proposals due September 2017.	Sat-1-Dec-18
T 09 - Reduce the percentage of rent arrears by 10% through early intervention and effective monitoring by 2019.	Operations	On track	Q4 - The baseline figure (April 2015) is £562,328 (2.7% of the annual rent roll) and a reduction in Council Housing Tenants arrears by 10% by March 2019. If 10% reduction the figures will be £506,095.	Sun-31-Mar-19

Key Corporate Target	Directorate	Status	Progress	Target Date
			<p>At the end of Quarter 4 2016 the figure stands at 2.3% (£496,135.01) which is a decrease of 14.8%. <u>This means the corporate plan target has been met at the year end.</u> To continue to monitor this target until March 2019.</p> <p>Members should be aware that rent arrears are likely to rise in the first nine months of the year, but reduce in the last quarter which has been the pattern for several years.</p> <p>Members should also be aware that the impact of Government policies on welfare reform, are likely to make maintaining rent arrears at this level challenging.</p> <p>(Note: this target is a reduction in the percentage rather than the monetary value - this is common in measuring rent arrears and allows comparisons with other, and over time. A reduction from 2.8% to 2.6% is measured as $((2.8 - 2.6) / 2.8) \times 100 = 8\%$).</p>	
<p>T 10 - Reduce the level of Former Tenants Arrears by 10% through early intervention and effective monitoring by 2019.</p>	<p>Operations</p>	<p>On track</p>	<p>Q4 The baseline figure is £570,254 and a reduction in former Council housing tenants arrears by 10% by March 2019 if 10% is collected then that will be £513,227.</p> <p>At the end of Quarter 4 the figure was £667,197.93 which is an increase of 15% - the majority of these are newly arising (i.e. people being evicted or leaving their tenancy with debt).</p>	<p>Sun-31-Mar-19</p>

Key Corporate Target	Directorate	Status	Progress	Target Date
			Since the start of the Corporate Target £111,205.12 former tenancy arrears has been collected and £109,529.11 written off which has been a reduction of £220734.23.	
T 11 - Through successful delivery of projects within the Transformation programme achieve total income/savings of £600,000 by March 2019.	Transformation	On track	Q4 A total of £558k in transformation savings have been identified and built into budgets up to the end of the current corporate plan. For 2016/17, £113k has been achieved. Final figures for quarter 4 will not be available until May 2017.	Sun-31-Mar-19
T 12 - Develop a series of strategies and plans to support the ambition of a sustainable leisure service by March 2017.	Transformation	Achieved	Q4 : The following documents have been completed: Subsidy Reduction Plan Marketing Plan, Sport Development and Physical Activity Plan. The built facilities strategies and playing pitch strategies are now complete with final versions in circulation for approval.	Fri-31-Mar-17
T 13 - Increase on-line self service transactions dealt with by the Contact Centre by 20% each year.	Transformation	On track	Q4 On line transactions = 226 Final total for 2016/17 = 925 transactions and 298 SELF accounts. (2015/16 (12 month) Baseline data is 555 transactions). 2016/17 Achieved	Sun-31-Mar-19
T 14 - Achieve the Member Development Charter by December 2018.	Growth	On track	Q4 - Amendments are being made to the documentation prior to resubmission to East Midlands Councils.	Mon-31-Dec-18