

EXECUTIVE

Minutes of a meeting of the Executive of the Bolsover District Council held in the Council Chamber, The Arc, Clowne on Monday 21st May 2018 at 1000 hours.

PRESENT:-

Members:-

Councillor A.M. Syrett in the Chair

Councillors M. Dooley, B.R. Murray-Carr, S.W. Fritchley and M.J. Ritchie

Also in attendance with the permission of the Chair were Councillors R.J Bowler (Chair of Customer Service and Transformation Scrutiny Committee) (until Minute No. 0836) and J.E. Smith (Vice Chair of Customer Service and Transformation Scrutiny Committee) (until Minute No. 0836)

Officers:-

D. Swaine (Chief Executive Officer), K. Hanson (Strategic Director – Place), L. Hickin (Strategic Director – People), S. Sternberg (Joint Head of Corporate Governance and Monitoring Officer), D. Clarke (Joint Head of Finance and Resources), J. Wilson (Scrutiny and Elections Officer) (until Minute No. 0836), K. Apps (Housing Strategy and Growth Manager) (until Minute No. 0837), K. Drury (Information, Engagement and Performance Manager) (until Minute No. 0838), A. Brownsword (Senior Governance Officer) (until Minute No. 0839) and N. Calver (Governance Manager) (from Minute No. 0839)

0832. APOLOGY

An apology for absence was received from Councillor B. Watson.

0833. URGENT ITEMS OF BUSINESS

There were no urgent items of business.

0834. DECLARATIONS OF INTEREST

There were no declarations of interest.

0835. MINUTES – 23RD APRIL 2018

Moved by Councillor M. Dooley and seconded by Councillor S.W. Fritchley
RESOLVED that the minutes of a meeting of the Executive held on 23rd April 2018 be approved as a true and correct record.

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0836. ITEM RECOMMENDED FROM SCRUTINY COMMITTEE REVIEW OF THE STRATEGIC ALLIANCE – INTERIM REPORT

The Chair of the Customer Service and Transformation Scrutiny Committee presented the report which detailed work carried out on the Review of the Strategic Alliance. It was noted that this was an interim report and 3 other areas had been identified for further review. Executive discussed the recommendations of the report.

Recommendation 1 – That the Customer Service and Transformation Scrutiny Committee consider the following areas of the Strategic Alliance for review:

- Delivery of the Environmental Health and Licensing Service.
- The Differences between the Pay Agreements in the 2 Councils in the Strategic Alliance and JE and the Impact this has on forming joint services.
- The Criteria for the creation of new Shared Services.

Members were in support of the first two suggested areas. It was felt that the process for delivering shared services needed strengthening and that an important area was Pay Agreements. It was noted that Bolsover District Council did not use the National Spinal Column Points which created extra difficulties. It was felt that the third area, Criteria for the creation of new Shared Services, should not be progressed until further work had taken place on Pay Agreements and harmonisation.

Moved by Councillor B.R. Murray-Carr and seconded by Councillor A.M. Syrett
RESOLVED that the Executive support Recommendation 1 of the Review

Recommendation 2 - That the Customer Service and Transformation Scrutiny Committee defer consideration of the emerging Transformation Programme whilst receiving regular updates from the Joint Strategic Director - People, on progress.

Moved by Councillor S.W. Fritchley and seconded by Councillor B.R. Murray-Carr
RESOLVED that the Executive support Recommendation 2 of the Review

Recommendation 3 - That the terms of reference for the Strategic Alliance Joint Committee are submitted to the Strategic Alliance Joint Committee for urgent review and then reviewed on an annual basis to ensure the Committee's remit remains fit for purpose in monitoring and developing the work of the Alliance.

Moved by Councillor S.W. Fritchley and seconded by Councillor M. Dooley
RESOLVED that the Executive support Recommendation 3 of the Review

Recommendation 4 - A programme of Member's Briefings covering the Strategic Alliance, our shared services and the achievements to date, either written and/or group presentation, is developed for the 2018/19 municipal year, with a commitment to evaluate the programme following the 2019 elections.

It was felt that if all Members were more involved, better decision making would be in place.

Moved by Councillor M.J. Ritchie and seconded by Councillor B.R. Murray-Carr
RESOLVED that the Executive support Recommendation 4 of the Review

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Recommendation 5 - An increased level of publicity as to the effectiveness of the arrangement is achieved via regular press releases; articles on both authority websites and use of the staff weekly briefings.

It was noted that the new Portfolio arrangements would assist with publicity arrangements

Moved by Councillor A.M. Syrett and seconded by Councillor M. Dooley
RESOLVED that the Executive support Recommendation 5 of the Review

Moved by Councillor A.M. Syrett and seconded by Councillor M. Dooley
RESOLVED that (1) the Executive endorses the recommendations of the review outlined in section 2 of the report,

(2) monitoring of these recommendations by Committee takes place over a twelve month period via the PERFORM system with an update report to Committee at the end of the monitoring period.

REASON FOR DECISION: The key issues arising from the review are identified in the further work that is proposed for delivery by the Committee in 2018/19, and the recommendations that be implemented immediately, subject to agreement of Executive, to improve existing communications.

OTHER OPTIONS CONSIDERED: Executive could choose not to endorse the recommendations of the review, where they feel the course of action recommended is beyond the delivery capacity of the Authority.

(Scrutiny and Elections Officer)

The Chair of Customer Service and Transformation Scrutiny Committee, the Vice Chair of Customer Service and Transformation Scrutiny Committee and the Scrutiny and Elections Officer left the meeting.

0837. **NON KEY DECISION TENANCY STRATEGY**

The Housing Strategy and Growth Manager presented the report which sought approval of the draft Tenancy Strategy and subsequent amendments. It was noted that the existing Tenancy Strategy had been in place since 2013 and was now due for renewal. The review had identified minor amendments to keep in line with current legislation and statistical data had been updated.

Moved by Councillor M. Dooley and seconded by Councillor B.R. Murray-Carr
RESOLVED that (1) the draft Tenancy Strategy and subsequent amendments be approved,

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(2) the Tenancy Strategy to be reviewed in 3 years unless any major operational or legislative changes need to be incorporated then a review can take place prior to this date.

REASON FOR DECISION: (1) Under the Localism Act 2011 the Council has a statutory duty to adopt a Tenancy Strategy and review periodically.

(2) It is recommended that Cabinet agree to the draft Tenancy Strategy and subsequent amendments with a review date of 3 years, however if future major legislative or operational amendments are required to be incorporated then a review can be conducted before the term ends.

OTHER OPTIONS CONSIDERED: An alternative option would be not to review the Tenancy Strategy, however as the current strategy is outdated, this option was rejected due to the fact that the Council would not be fulfilling its legal duty.

(Housing Strategy and Growth Manager)

The Housing Strategy and Growth Manager left the meeting.

0838. NON KEY DECISION CORPORATE PLAN TARGETS PERFORMANCE UPDATE JANUARY TO MARCH (Q4 – 2017/18)

Executive considered a report of the Information, Engagement and Performance Manager which provided breakdown details of quarter 4 (January to March 2017/18) performance outturn for the Corporate Plan 2015 -2019 targets.

Out of the 61 targets 40 (66%) were on track, 16 (26%) had been achieved (previously) and 2 (3%) had been withdrawn (previously).

Full details of progress were given in the report.

Moved by Councillor M.J. Ritchie and seconded by Councillor M. Dooley

RESOLVED that (1) progress against the Corporate Plan 2015-2019 targets to be noted,

(2) Target **G06** be extended to 30th June 2018,

(3) Target **G07** be extended to 31st July 2018,

(4) Target **H15** be withdrawn and pending further work another measure be introduced that will focus on energy saving/carbon footprint reduction.

REASON FOR DECISION: This is an information report to keep Members informed of progress against the corporate plan targets noting achievements and any areas of concern.

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OTHER OPTIONS CONSIDERED: Not applicable to this report as providing an overview of performance against agreed targets.

(Information, Engagement and Performance Manager)

The Information, Engagement and Performance Manager left the meeting.

The Governance Manager entered the meeting.

0839. THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Moved by Councillor A.M. Syrett and seconded by Councillor B. Watson

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.

The Senior Governance Officer left the meeting.

0840. NON KEY DECISION TRADE UNION NEGOTIATIONS

The Chief Executive Officer presented the report which updated the Executive on the current situation following agreement to settle 42 'traditional' equal pay claims faced by the Council and sought continued support on the recommended approach outlined in the report to resolve the 79 'non traditional' equal value claims.

Moved by Councillor S.W. Fritchley and seconded by Councillor M. Dooley

RESOLVED that (1) Executive continues to support the recommended approach outlined in the body of the report, specifically in paragraphs 1.16 and 1.17,

(2) the Executive supports the use of contingencies to pay for the final settlement of the 79 none traditional cases,

(3) Executive supports the continued use of the current external HR expert to provide support to the Chief Executive Officer both during the further negotiations and the administration process, once negotiated, at an additional cost of £5,000

(4) the Chief Executive Officer updates the Executive as negotiations progress.

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REASON FOR DECISION: The successful resolving of the 42 traditional claims followed by the smooth administration process resulted in the Council gaining a lot of credibility from the trade union legal team. It has made the possibility of reaching an agreement covering the remaining 79 cases more possible. The advantage of a negotiated approach to resolve the 79 non-traditional cases is that it removes them from a long and complicated legal process that would tie up Council resources and the legal team for up to two years. This could be a potentially high profile process which may well attract both local and regional media attention as the process progresses. It could also be an expensive process due to the resources required to manage it over such a long period of time. It could also result in each individual who has a claim successfully receiving 100% of the loss rather than a negotiated percentage.

OTHER OPTIONS CONSIDERED: Settle all 79 claims without negotiation. Such an approach would have meant the Council settled the claims by accepting 100% liability with no room to negotiate. It would have meant it could not reduce its liability.

(Chief Executive Officer)

The meeting concluded at 1107 hours.