

EXECUTIVE

Minutes of a meeting of the Executive of Bolsover District Council held in the Council Chamber, The Arc, Clowne, on Monday 16th July 2018 at 1000 hours.

PRESENT:-

Members:-

Councillor A.M. Syrett in the Chair

Councillors M.J. Dooley, S.W. Fritchley, H.J. Gilmour, D. McGregor, B.R. Murray-Carr, M.J. Ritchie and B. Watson.

Officers:-

D. Swaine (Chief Executive Officer), K. Hanson (Strategic Director – Place), L. Hickin (Strategic Director – People), G. Galloway (Joint Head of Property and Commercial Services), P. Campbell (Joint Head of Housing and Community Safety), D. Clarke (Joint Head of Finance and Resources), V. Dawson (Team Leader (Contentious) Solicitor, N. Etches (Business Centres Manager) (until Minute No. 00156), B. Woodward (Engineering Technician), (until Minute No. 00156), A. Bedford (Customer Standards and Complaints Officer) (until Minute No. 00154), C. Smith (Work Experience) (Observing) and A. Brownsword (Senior Governance Officer)

0148. APOLOGIES

There were no apologies for absence.

0149. URGENT ITEMS OF BUSINESS

There were no urgent items of business.

0150. DECLARATIONS OF INTEREST

The Following Declaration was received:

Member	Minute No/Title	Type of Interest/Reason
M.J. Ritchie	00160 - Capital Investment in Joint Venture	Significant Other Interest due to being a Board Member of Dragonfly Development Ltd.

0151. MINUTES – 18TH JUNE 2018

Moved by Councillor D. McGregor and seconded by Councillor M.J. Ritchie
RESOLVED that the minutes of a meeting of the Executive held on 18th June 2018 be approved as a true and correct record.

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0152. ITEMS RECOMMENDED BY SCRUTINY COMMITTEES

There were no items recommended by Scrutiny Committee.

0153. POLICY AND BUDGET FRAMEWORK ITEMS

There were no Policy and Budget Framework Items.

0154. NON KEY DECISION REVIEW OF THE COMPLIMENTS, COMMENTS AND COMPLAINTS POLICY

The Strategic Director – People presented the report which detailed the review that had taken place into the Compliments, Comments and Complaints Policy. It was noted that the Citizens Panel had indicated that they would prefer a response time of 10 working days, but officers felt that the current response time of 15 working days should be kept for the forthcoming year whilst a monitoring exercise took place.

Members noted that the statistics demonstrated that the Council's procedure was good and there was no reason to change the response time at this stage.

Moved by Councillor D. McGregor and seconded by Councillor M. Dooley

RESOLVED that (1) the timescale for straightforward complaints continue to be monitored to see if it can be reduced from 15 working days to 10 working days,

(2) the Executive approves the revised Joint Compliments, Comments and Complaints Policy for adoption.

REASON FOR DECISION: (1) The policy meets amended external drivers and compliance requirements.

(2) Support will be given to officers dealing with compliments, comments and complaints and training is delivered more widely to all new appointees to both Councils within the mandatory Customer Services training.

(3) Publicity will be carried out at both Councils to raise awareness that the Policy has been reviewed.

OTHER OPTIONS CONSIDERED: In reviewing the policy, consideration has been given to how best the required actions can be achieved within existing resources.

(Customer Standards and Complaints Officer)

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0155. NON KEY DECISION RESURFACING WORKS AT PLEASLEY VALE BUSINESS PARK

The Business Centres Manager presented the report which sought permission for capital works to undertake extensive repairs to the road surface in areas through Pleasley Vale Business Park. The road through the site had been damaged as a result of bad weather and heavy snow as well as the volume of vehicles and HGV's to the site.

It was noted that the road through the site was a private road, but also a bridle path and public right of way. The current condition of the surface posed a risk to the safety of riders/walkers and forklift operatives.

Moved by Councillor M.J. Ritchie and seconded by Councillor A.M. Syrett

RESOLVED that (1) the Executive agrees to allocate the additional sum of £95,100 from the transformation reserve to the current asset management capital programme budget to enable the completion of these works,

(2) the Executive agrees to delegate authority to the Head of Property and Commercial Services to appoint the contractors to undertake the works.

REASON FOR DECISION: (1) Following the site survey, it is evident that there are areas of the road through the site which are in a poor state of repair, made worse by the freezing conditions on a number of different occasions through the recent winters.

(2) Because the road through the site is a Bridle path for walkers and visitors, there is an increased likelihood of personal injury to those unfamiliar with the site and underfoot conditions, especially in the rain. This leaves the Council open to an increased risk of personal injury claims.

(3) The uneven road surface in areas where forklift trucks operate also presents an increased risk of injury / accident, as the forklifts carrying a load are more likely to have an accident on an uneven road surface. Whilst this risk should be assessed and mitigated by the employer, the Council has a role to play in the maintenance of common areas.

(4) Unfortunately, alternative routes are not available for vehicles, forklifts, and footfall across the site. The low bridge at Mansfield Woodhouse also restricts HGV's to only using Outgang Lane.

(5) We can undertake short term fills of the repairs on site, but due to the number of pot holes the time and cost to undertake these repairs would be more expensive in the long term than undertaking the comprehensive repairs now. In addition, this type of repair in a heavy use area is unlikely to last through the winter period

OTHER OPTIONS CONSIDERED: (1) By not undertaking the works, the site would continue its operation and the roads would be passable. However this would continue to deteriorate and worsen in time requiring further works and cost at a later date. Whilst ever the repairs are not undertaken the risk of injury/claim remain.

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(2) There are some works which can be carried out without undertaking the full schedule. The pricing schedule is broken down in to 5no. different 'lots' across the site This has been discounted, as undertaking the works in stages will result in increased contractor mobilisation costs as there will be multiple site set up costs resultant in an overall cost increase to the Council.

(Business Centre Manager)

0156. NON KEY DECISION THE ARC CAR PARKING

The Joint Head of Property and Commercial Services submitted a report which sought permission to undertake alterations to the car park at The Arc, Clowne to reduce health and safety risks to pedestrians and drivers.

There were a number of ongoing safety issues to be addressed including bus parking, vehicular access to the rear of the building via the installation of an access controlled barrier and the possibility of the installation of electric vehicle charging points.

Moved by Councillor M.J. Ritchie and seconded by Councillor B.R. Murray-Carr
RESOLVED that Members approve the work as outlined within the report and approve a budget of £45,000 financed from the transformation reserve.

REASONS FOR DECISION: To address health and safety concerns for both vehicular and pedestrian users of The Arc.

OTHER OPTIONS CONSIDERED: Take no action, or introduce a parking order with parking fines. Taking no action was rejected as it would not deal with the health and safety issues. Introducing a parking order would result in fines being issued which may have a negative impact on leisure centre users with the potential outcome resulting in a reduction in members and income.

(Joint Head of Property and Commercial Services)

0157. KEY DECISION SAFE AND WARM DESIGN WORK

The Joint Head of Housing and Community Safety presented the report which sought to agree HLP as lead design consultants for the Safe and Warm Scheme for sheltered accommodation. It was noted that the Safe and Warm Scheme was a refurbishment project for the Council's sheltered accommodation (with the exception of Alder House, Shirebrook). Works had already been completed at Victoria House, Creswell. The work would be extensive and would address concerns regarding fire risks, legionella and asbestos.

The Council would need extensive architectural support and were part of the Efficiency East Midlands Architectural Framework which allowed direct award of work to any contractors on the framework. The Council had previously worked with HLP who had

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a good record. Once the designs were completed a further report would be submitted to the Executive.

Moved by Councillor H.J. Gilmour and seconded by Councillor M.J. Ritchie

RESOLVED that (1) HLP be appointed as lead consultants on the Safe and Warm project, up to the stage of preparing tender documents,

(2) HLP's suggestions for the appointment of Quantity Surveyor and Structural Engineers be agreed to,

(3) Any further work is subject Member's approval in a future report.

REASON FOR DECISION: (1) To appoint HLP as lead consultant for the Safe and Warm project, using the EEM framework.

(2) The complexity of the Safe and Warm project requires additional specialist skills that are not available from within the Council

OTHER OPTIONS CONSIDERED: (1) To manage the project using existing Council resources - this has been rejected as the specialist skills are not available internally.

(2) To tender for this work – this has been rejected as EEM has a pre-tendered framework for this purpose and it is unlikely that a project specific tender would offer comparable rates.

(Joint Head of Housing and Community Safety)

0158. THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Moved by Councillor D. McGregor and seconded by Councillor A.M. Syrett

RESOLVED that under Section 100(A)(4) of the Local Government Act 1972 (as amended), the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in the stated Paragraph 3 of Part 1 of Schedule 12A of the Act and it is not in the public interest for that to be revealed.

0159. NON KEY DECISIONS

There were no private non key decisions.

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Councillor M.J. Ritchie, having previously declared his Significant Other interest in the following item of business, as a Board Member of Dragonfly Development Ltd stayed for the presentation of the item, but left and took no part in the discussion or voting thereon.

0160. KEY DECISION CAPITAL INVESTMENT IN JOINT VENTURE

The Joint Head of Property and Commercial Services presented the report which sought Executive approval to invest £150,000 into Dragonfly Development Ltd (match funded by Woodhead Regeneration Ltd) which would increase the working capital in the company to enable the Joint Venture Company to accelerate development across the District.

Councillor M.J. Ritchie left the meeting at this point.

A discussion took place.

Moved by Councillor S.W. Fritchley and seconded by Councillor B. Watson

RESOLVED that for the reasons outlined in the report and to match the £150,000 WRL have approval to invest, that Executive approve the investment of £150,000 into Dragonfly from the transformation reserve

REASON FOR DECISION: In order for Dragonfly to continue to take a direct and active lead in the development of residential properties across the district, an injection of working capital will need to be invested by both of the partner organisations.

OTHER OPTIONS CONSIDERED: That Executive choose not to invest more capital into the Joint Venture Company and that prior to proceeding with additional sites, Dragonfly wait until the working capital is topped up through sales. However, this would limit the effectiveness of Dragonfly and would mean that there would be a pause in production while planning permission was obtained for a further site(s).

(Joint Head of Property and Commercial Services)

The meeting concluded at 1035 hours.