

Date: 28<sup>th</sup> September 2018

The Arc  
High Street  
Clowne  
Derbyshire  
S43 4JY

Dear Sir or Madam,

You are hereby summoned to attend a meeting of the Executive of Bolsover District Council to be held in the Council Chamber, The Arc, High Street, Clowne on **Monday 8<sup>th</sup> October 2018 at 1000 hours.**

Register of Members' Interests - Members are reminded that a Member must within 28 days of becoming aware of any changes to their Disclosable Pecuniary Interests provide written notification to the Authority's Monitoring Officer.

You will find the contents of the agenda itemised on page 2.


Yours faithfully



Joint Head of Corporate Governance & Monitoring Officer  
To: Chair & Members of the Executive

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CUSTOMER  
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## EXECUTIVE AGENDA

**Monday 8<sup>th</sup> October 2018 at 1000 hours in the  
Council Chamber, The Arc, Clowne**

<b>Item No.</b>	<b>PART 1 – OPEN ITEMS</b>	<b>Page No.(s)</b>
1	<b>Apologies for absence</b>	
2	<b>Urgent Items of Business</b>  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	<b>Declarations of Interest</b>  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	<b>Minutes</b>  To approve the Minutes of a meeting of the Executive held on 10 <sup>th</sup> September 2018.	3 to 15
5	<b>Items recommended by Scrutiny Committees</b>  None	
6	<b>Policy and Budget Framework Items</b>  None	
7	<b>Non Key Decisions</b>	
	(A) Strategic Risk Register and Partnership Arrangements  <u>Recommendation on Page 20</u>	16 to 28
	(B) Property Investment – next steps  <u>Recommendation on Page *</u>	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 10<sup>th</sup> September 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

Also in attendance with the permission of the Chair was Councillor S. Peake (Chair of the Healthy, Safe, Clean and Green Communities Scrutiny Committee) (in respect of Minute No. 0269) and Councillor T. Munro (Chair of Planning Committee) (in respect of Minute No's 0271 and 0275)

Officers:-

D. Swaine (Chief Executive Officer), K. Hanson (Strategic Director – Place), L. Hickin (Strategic Director – People), S. Sternberg (Joint Head of Corporate Governance), P. Campbell (Joint Head of Housing and Community Safety), S. Brunt (Joint Head of Streetscene) (until Minute No. 0277), N. Calver (Governance Manager) (until Minute No. 0273), R. Routledge (Interim Planning Policy Manager (until Minute No. 0271), A. Bedford (Customer Standards and Complaints Officer) (until Minute No. 0273), T. Fletcher (Chief Accountant), C. Fridlington (Planning Manager) (Minute No. 0273 to 0275), K. Drury (Information, Engagement & Performance Manager) (until Minute No. 0276), I. Barber (Property Services Manager) (until Minute No. 0279), S. Chambers (Communications, Marketing & Design Manager) (until Minute No. 0282) and A. Brownsword (Senior Governance Officer)

### **0265. APOLOGIES**

There were no apologies for absence.

### **0266. URGENT ITEMS OF BUSINESS**

There were no urgent items of business.

### **0267. DECLARATIONS OF INTEREST**

There were no declarations of interest.

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### 0268. MINUTES – 16<sup>TH</sup> JULY 2018

Moved by Councillor S.W. Fritchley and seconded by Councillor M. Dooley  
**RESOLVED** that the Minutes of a meeting of the Executive held on 16<sup>th</sup> July 2018 be approved as a true and correct record.

### 0269. ITEMS RECOMMENDED BY SCRUTINY COMMITTEE REVIEW OF ENFORCEMENT ACTION UNDERTAKEN BY BOLSOVER DISTRICT COUNCIL TO IMPROVE THE QUALITY OF THE ENVIRONMENT ACROSS THE DISTRICT

The Chair of the Healthy, Safe, Clean and Green Communities Scrutiny Committee presented the report on the recent Scrutiny Review of Enforcement Action undertaken by Bolsover District Council to improve the quality of the environment across the District.

The review had begun by looking at levels of dog fouling, litter and fly tipping, but had been extended to address Member perception of enforcement action undertaken by Environmental Health. The report had 18 recommendations and key issues included staffing levels, use of resources, communication internally and externally, online reporting and reputational risk.

Members welcomed the report and noted that the main staffing issue had been addressed. The Chief Executive Officer noted that the Council needed to consider the strategic context and ensure that the team had the right powers and the right skills in place.

Moved by Councillor B.R. Murray-Carr and seconded by Councillor M. Dooley  
**RESOLVED** that (1) the Executive considers and approves the recommendations of the review outlined in section 2 of the report and submit their response to Healthy, Safe, Clean and Green Communities Scrutiny Committee.

(2) a monitoring report be submitted to the Executive in 6 months.

**REASON FOR DECISION:** Members appreciate that a range of approaches have been taken by staff to both prevention and enforcement. Where possible staff have endeavoured to maintain this despite staff vacancies, but this has not always been possible. Members hope that the recent situation will reinforce that effective resource levels (both staff and non-staff) are key to good quality service delivery even in times of austerity. It is hoped that the recommendations set out in this review report will help further embed the refreshed approach to enforcement that is being taken now the Environmental Enforcement Team is fully staffed.

**OTHER OPTIONS CONSIDERED:** The 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)

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Councillor S. Peake left the meeting.

### **0270. POLICY AND BUDGET FRAMEWORK ITEMS REVIEW OF JOINT RIPA POLICY**

The Portfolio Holder for Corporate Governance presented the report which detailed the annual review of the joint policy and procedures covering the Council's activities under the Regulation of Investigatory Powers Act 2000 (RIPA).

The Joint Head of Corporate Governance noted that the policy had to be reviewed regularly but had not been used since 2012, the main change was around communications data.

Moved by Councillor D. McGregor and seconded by Councillor M.J. Ritchie

**RESOLVED** that (1) the revised Joint RIPA Policy and Procedure document be approved.

(2) the Executive note that a further review will take place once the provisions of the Investigatory Powers Act 2016 relating to the acquisition and disclosure of communications data are brought into force

**REASON FOR DECISION:** The review of the Joint RIPA Policy has been undertaken to ensure it is up to date, fit for purpose and legally compliant. The revised version amends the structure of the policy in order to create a separate section for the powers to acquire communications data. When the amendments arising from the Investigatory Powers Act are brought into force, a further review will take place focused on this section of the policy only.

**OTHER OPTIONS CONSIDERED:** It is recommended that the Councils review and update the RIPA policy regularly as failure to do so could result in the policy failing to comply with legislative changes and lead to unlawful investigatory actions taking place.

(Joint Head of Corporate Governance)

### **0271. NON KEY DECISION LOCAL PLAN UPDATE**

The Interim Planning Policy Manager gave a presentation which updated the Executive on work carried out with regards to the Local Plan to date.

Following the 6 week consultation period which ended in June 2018, a further meeting had been held with the Planning Inspector and MHCLG at which it was agreed that due to the amount of submissions received during consultation, the Local Plan would be submitted to the Planning Inspectorate by the end of August 2018.

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The Local Plan was submitted on 31<sup>st</sup> August 2018 and it was hoped that hearings would commence by the beginning of December, however this was now down to the Planning Inspectorate.

The Chair of the Planning Committee commended the work of the Planning Policy Team and the Local Plan Steering Group and noted that it was hoped that the Council would soon have a Local Plan to be proud of.

Moved by Councillor D. McGregor and seconded by Councillor A.M. Syrett  
**RESOLVED** that the presentation be received.

**REASON FOR DECISION:** The presentation was to keep Members informed of the progress of the Local Plan.

**OTHER OPTIONS CONSIDERED:** Not applicable, this was a presentation to inform the Executive of progress with regard to the Local Plan process.

The Interim Planning Policy Manager left the meeting

### **0272. NON KEY DECISION ANNUAL LETTER FROM THE LOCAL GOVERNMENT AND SOCIAL CARE OMBUDSMAN (LGSCO) 2017/18**

The Portfolio Holder for Corporate Governance presented the report which detailed an annual summary of statistics on the complaints made about the Authority for the financial year ending 31<sup>st</sup> March 2018. It was noted that 5 enquiries and complaints had been made to the LGSCO during 2017/18, but only one had been subject to a detailed investigation. 5 complaints had been decided - 1 was referred back to the Council, 2 were closed, advice was given in 1 case and the remaining 1 was not upheld.

Members noted that this was a pleasing report which showed that complaints were being resolved at an earlier stage.

Moved by Councillor D. McGregor and seconded by Councillor A.M. Syrett  
**RESOLVED** that (1) the Executive receive the report and the Annual Letter from the Local Government & Social Care Ombudsman 2017/18.

**REASON FOR DECISION:** The report is to keep Elected Members informed of volumes and trends regarding LGSCO/ HO complaints.

**OTHER OPTIONS CONSIDERED:** Not applicable as the report is keep Elected Members informed rather than to aid decision making.

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**0273. NON KEY DECISION  
CUSTOMER SERVICE STANDARDS AND CCC REPORT 2017/18 –  
1<sup>ST</sup> OCTOBER 2017 TO 31<sup>ST</sup> MARCH 2018 AND ANNUAL SUMMARY**

The Portfolio Holder for Corporate Governance presented the report which made the Executive aware of performance in relation to its Customer Service Standards across the Council. It was noted that no trends had been identified and very few complaints received by the Council were justified.

The Customer Standards and Complaints Officer noted that the Customer Service Standards had been recently refreshed.

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

**RESOLVED** the Executive note the overall performance on customer service standards and compliments/comments and complaints.

**REASONS FOR DECISION:** The report is to keep Elected Members informed of volumes and trends regarding customer service standards and compliments, comments, complaints and to remain compliant with the Customer Service Excellence standard.

**OTHER OPTIONS CONSIDERED:** Not applicable as the report is keep Elected Members informed rather than to aid decision making.

The Governance Manager and the Customer Standards and Complaints Officer left the meeting.

The Planning Manager entered the meeting.

**0274. NON KEY DECISION  
BUSINESS RATES PILOT**

The Portfolio Holder for Finance, Resources and Sustainable Energy presented the report which gave information on the expansion of the Business Rates Pilot into 2019/20.

The Chief Accountant explained that there had been a successful pool since 2015 and 2018/19 was the first year that the Council had been part of the 100% Business Rates Pilot. However, the Government had announced that successful Pilots in 2019/20 would only receive 75%. Approval was sought for delegated power to be granted to the Joint Head of Finance and Resources, in consultation with the Leader of the Council to submit an expression of interest to enter into a Derbyshire Business Rates Pilot arrangement for 2019/20.

The Chief Executive Officer explained the percentages involved and noted that the Council would hope to be successful in its 2019/20 Pilot submission.

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Moved by Councillor B. Watson and seconded by Councillor S.W. Fritchley  
**RESOLVED** that (1) the Executive note the contents and requirements of the invitation to pilot 75% Business Rates Retention in 2019/20,

(2) the Executive grants approval for the Head of Finance & Resources, in her capacity as the Council's S.151 Officer and in consultation with the Leader of the Council to submit an expression of interest to enter into 75% Business Rates Pool Pilot in 2019/20.

**REASONS FOR DECISION:** The report considers the case for entering into a Business Rates Pilot across a two tier area that should bring additional financial advantages through the retention of a higher proportion of business rates income and to gain additional benefits from any further growth. The pooling arrangement in operation since April 2015 and more recently the pilot have been a success, and we are looking to build upon these successes by participating further in a two tier pilot.

**OTHER OPTIONS CONSIDERED:** The alternative option is not to join and to remain outside a Derbyshire Business Rates Pilot. The reasons for rejecting the option of remaining outside the Business Rates Pilot is that we would be potentially losing out on additional income for the Council and potentially jeopardise and piloting possibilities for other authorities within Derbyshire.

(Joint Head of Finance and Resources)

### 0275.           **NON KEY DECISION** **DRAFT LOCAL ENFORCEMENT PLAN FOR PLANNING**

The Chair of Planning Committee introduced the report and noted that the policy would sit within the Council's suite of enforcement policies.

The Planning Manager noted that the policy aimed to give greater transparency in how the Council would deal with enforcement and how enquiries would be prioritised. The policy also gave information on when the Council could not take enforcement action. It was hoped a clear policy would assist Officers to be more effective.

Members asked whether as part of monitoring the Planning Department worked with other Officers across the Council. It was noted that there was a cross Council working group which included representatives from Environmental Health, Housing and Revenues and Benefits.

The Strategic Director – Place noted that a high level policy was currently being created which would pull together enforcement across all departments and create a corporate approach.

Moved by Councillor D. McGregor and seconded by Councillor A.M. Syrett  
**RESOLVED** that (1) the Executive note the proposals to publish a Local Enforcement Plan and provide feedback on the current draft,



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(2) the proposals to publish a Local Enforcement Plan be referred to the Council's Planning Committee for further consideration,

(3) a report on the implementation of the Local Enforcement Plan be submitted to the Executive in 6 – 12 months.

**REASONS FOR DECISION:** Planning enforcement is carried out across the District and is a front-line service that can have an impact on the reputation of the Council and public confidence in the planning system. It is therefore important that the wider Council is kept informed of proposals that directly affect how planning enforcement will be carried out within the District.

**OTHER OPTIONS CONSIDERED:** Members of the Planning Committee have oversight of planning enforcement and it is considered publication of a Local Enforcement Plan will provide the Planning Committee with greater certainty of how officers will carry out this function within the District. The publication of a Local Enforcement Plan is also consistent with Government guidance on best practice and carrying out effective planning enforcement accords with the Council's corporate priorities and vision for the District. Therefore, no alternative options were considered.

(Planning Manager)

The Planning Manager left the meeting.

### **0276. NON KEY DECISION CORPORATE PLAN TARGETS PERFORMANCE UPDATE APRIL TO JUNE 2018 (Q1 – 2018/19)**

The Portfolio Holder for Corporate Governance presented the report which informed the Executive of the Quarter 1 outturns for the Corporate Plan 2015-2019 targets.

The Information, Engagement & Performance Manager noted that out of the 61 targets, 38 (62%) were on track, 16 (26%) had been achieved (14 previously), 5 (8%) had been withdrawn (previously), 1 (2%) was on alert and 1 (2%) had been extended previously.

A discussion took place regarding target T10 - *Reduce the level of former tenants' arrears by 10% through early intervention and effective monitoring by March 2019* which had been flagged as an alert and it was noted that more written background was needed and the target had previously been affected by the removal of the spare room subsidy and would also be affected by the introduction of Universal Credit.

The Chief Executive Officer suggested that the issue could be addressed by the introduction of a new Performance Indicator when the Corporate Plan was refreshed next year.

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Moved by Councillor D. McGregor and seconded by Councillor A.M. Syrett  
**RESOLVED** that progress against the Corporate Plan 2015-2019 targets to be noted.

**REASONS 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.

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

The Information, Engagement & Performance Manager left the meeting.

### 0277.           **KEY DECISION** **VEHICLE REPLACEMENT – STREETSCENE WASTE SERVICES** **TEAM**

The Portfolio Holder for Streetscene presented the report which sought approval for the purchase of 2 32 tonne refuse collection vehicles. It was noted that investigations had taken place regarding the possibility of electric drive refuse collection vehicles, but there were currently none available to meet the Council's requirements.

The Joint Head of Streetscene noted that the replacement vehicles would provide improved efficiencies and met the highest available emission standards. Smaller vehicles would result in an increase of resource requirement.

The Chief Executive Officer noted that a 26 tonne electric drive refuse collection vehicle was currently being trialled at Sheffield City Council and that further investigations should take place as technology was moving quickly.

Moved by Councillor B.R. Murray-Carr and seconded by Councillor B. Watson  
**RESOLVED** that (1) Executive approves replacement of 2 No refuse collection vehicles as set out at 5.1.1 of this report, procured by way of the Nottinghamshire Procurement Partnership Framework Contract for the provision of Refuse Collection Vehicles,

(2) Financing of the vehicles is undertaken by way of Prudential Borrowing, as previously approved within the Council's (2018\19) Capital Programme and Treasury Management Strategy.

(3) The Joint Head of Service - Streetscene be requested to look into options for the conversion of the remaining Refuse Collection Fleet to electric power and report the findings to the Portfolio Holder - Streetscene for further consideration and that these investigations give regard to the need for flexibility in the fleet to reflect future housing demands and the growth of residential developments in the District.

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**REASON FOR DECISION:** Large commercial vehicles identified in this report fall due for replacement in 2018\19. It is proposed they are replaced by way of an established framework contract and financed via prudential borrowing.

**OTHER OPTIONS CONSIDERED:** (1) Vehicle replacement proposed in this report are diesel (combustion) engine powered; in particular, as alternative electric (EV) or ultra-low emission (ULEV) vehicle options are not available in this vehicle class and weight range. Vehicles proposed meet current Euro-VI emission standards. Vehicles are also fitted with electric bin hoist which further reduce engine emissions.

(2) Currently, there is no large goods EV chassis configuration to meet the Council's refuse vehicle specification requirements; albeit, Dennis Eagle is developing a 26tonne (6x2 chassis) configuration, this will not go in to production until 2020 at the earliest. EV chassis configuration vehicles being developed at this time do not meet the Council's payload requirements and would demand increased vehicle and staffing resource as set out at 5.1.7 to 5.1.9 in the report.

(Joint Head of Streetscene)

The Joint Head of Streetscene left the meeting.

### **0278. KEY DECISION SAFE AND WARM UPGRADE SCHEME AND WIDER WORKS – ORCHARD CLOSE AND SANDHILLS ROAD, BOLSOVER**

The Portfolio Holder for Housing and Community Safety presented the report which sought approval to appoint a contractor to undertake the Safe and Warm Scheme and wider works following a tender exercise.

The Property Services Manager noted that the project included a communal heating system that served 13 block of 2 storey flats and wet room conversions to a standard design.

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

**RESOLVED** that the Executive agree to award the contract to Matthews & Tannert Ltd for the tender sum of £566,059.52.

**REASON FOR DECISION:** The evaluation group were in unanimous agreement that the most competitive and impressive tender submission had been received from Matthews & Tannert Ltd who scored top on both price and quality respectively.

**OTHER OPTIONS CONSIDERED:** Due to the existing condition of the communal heating system there is potential risk for failure of the boilers. It is not economically viable to replace the boilers and there is further complication due to the deteriorating condition of the existing pipe work infrastructure.

(Joint Head of Housing and Community Safety)

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**0279. KEY DECISION  
RENEWAL OF ROOFS, SOFFITS AND FASCIAS AND ASBESTOS  
REMOVAL AT HIDES GREEN AND THE APDDOCK, BOLSOVER**

The Portfolio Holder for Housing and Community Safety presented the report which sought approval to appoint a contractor to undertake replacements of roofs, soffits and fascias and asbestos removal following a tender exercise.

The Property Services Manager noted that due to the discovery of asbestos, a specialist contractor was required.

Moved by Councillor H.J. Gilmour and seconded by Councillor M.J. Ritchie  
**RESOLVED** that (1) Executive agree to award the contract to Avonside Roofing Ltd for the Tender sum of £416,288.24,

(2) progress on this contract is reported through the Housing Stock Group,

**REASON FOR DECISION:** The Evaluation group unanimously agreed that the overall most competitive and impressive tender was submitted by Avonside Roofing Ltd.

**OTHER OPTIONS CONSIDERED:** There were no alternative options considered, as asbestos is a hazardous substance which must be removed by specialist contractors.

(Joint Head of Housing and Community Safety)

The Property Services Manager left the meeting.

**0280. KEY DECISION  
MEDIUM TERM FINANCIAL PLAN BUDGET MONITORING REPORT  
QUARTER 1 – APRIL TO JUNE 2018**

The Portfolio Holder for Finance, Resources and Sustainable Energy presented the report which updated the Executive on the financial position of the Council following the 1<sup>st</sup> quarter budget monitoring exercise.

The Chief Accountant noted that there were no real budget pressures in quarter 1 and the outcome of the Governments Fair Funding Review and Business Rates Reset were awaited to give more clarity to the position for 2020/21.

Moved by Councillor B. Watson and seconded by Councillor M.J. Ritchie  
**RESOLVED** that (1) the Executive note the monitoring position of the General Fund at the end of the first quarter as detailed on Appendix 1 and 5 (A net favourable variance of £0.073m against the profiled budget) and the key issues highlighted within the report,

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(2) the Executive note the position on the Housing Revenue Account (HRA), the Capital Programme and Treasury Management at the end of the first quarter.

**REASON FOR DECISION:** The report summarises the financial position of the Council following the first quarter's budget monitoring exercise for the General Fund, the Housing Revenue Account, Capital Programme and Treasury management activity.

**OTHER OPTIONS CONSIDERED:** The Budget Monitoring report for 2018/19 is primarily a factual report which details progress against previously approved budgets. Accordingly, there are no alternative options to consider.

### **0281. THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985**

Moved by Councillor M.J. Ritchie 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 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.

### **0282. NON KEY DECISION PROPOSED RESTRUCTURE OF THE COMMUNICATIONS, MARKETING AND DESIGN TEAM EXEMPT – PARAGRAPHS 1 AND 3**

The Portfolio Holder for Town Centre Renewal, Media and Marketing presented the report which sought approval for a restructure of the Communications, Marketing and Design Team. The report also sought approval for additional publications and an increased budget to support the changes.

The Communications, Marketing & Design Manager gave an update on the work currently being carried out by the Team.

Moved by Councillor S.W. Fritchley and seconded by Councillor A.M. Syrett

**RESOLVED** that (1) Executive support the change to the establishment and request the Chief Executive Officer to establish the new full time post and increase the existing 0.5 FTE to full time on the establishment,

(2) Executive approve the increased revenue budgets up to the maximum cost detailed in the finance section of the report to be met from the Transformation Reserve.

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**REASON FOR DECISION:** The current structure does not have sufficient capacity/depth to meet the present and future demands in a timely and efficient manner. The proposed structure adds additional capacity and knowledge to the team by adding 1 additional full time Web Developer post and increasing the current 0.5 x FTE Communications Officer post to 1 x FTE.

**OTHER OPTIONS CONSIDERED:** To continue with existing structure, this is inadvisable considering the existing and future demands identified.

(Joint Strategic Director – People)

The Communications, Marketing & Design Manager left the meeting.

**0283. KEY DECISION  
CONTACT CENTRE RESTRUCTURE  
EXEMPT – PARAGRAPHS 1 AND 3**

The Portfolio Holder for Partnership and Transformation presented the report which sought approval of a voluntary redundancy request from the Customer Services Manager.

The Joint Strategic Director noted that the team had been supportive and that savings would be made.

Members thanked the Customer Services Manager for her hard work over the years.

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

**RESOLVED** that (1) Executive ask the Chief Executive Officer to exercise his delegated power to;

- I. Approve the request for voluntary redundancy
- II. Establish the new structure
- III. Recruit into the post of Customer Services Manager as outlined in the report.
- IV. Disestablish one Contact Centre Manager post,

(2) the costs outlined in the report are met from the Transformation Reserve.

**REASON FOR DECISION:** The option would present a considerable saving for the Council whilst ensuring the standard and quality of the service provided remained unaffected.

**OTHER OPTIONS CONSIDERED:** Request for voluntary redundancy be refused. Rejected at this stage as there is a potential option for consideration which could meet

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the needs of the service, the needs of the individual and generate considerable savings for the Council as part of the Transformation Programme.

(Joint Strategic Director – People)

**0284. KEY DECISION  
ALDER HOUSE, SHIREBROOK  
EXEMPT – PARAGRAPH 3**

The Portfolio Holder for Housing and Community Safety presented the report which updated the Executive on issues at Alder House.

The Joint Head of Housing and Community Safety noted that there were problems with design and location of Alder House which had resulted in low demand. The property was now empty and could be decommissioned.

Moved by Councillor H.J. Gilmour and seconded by Councillor A.M. Syrett

**RESOLVED** that (1) the Executive confirm the decisions previously made by Asset Management Group, the Leader, Portfolio Holders and local Members to offer empty Alder House, and to offer Home Loss Payments to qualifying tenants,

(2) the Executive support the decision made by Asset Management Group, the Leader, Portfolio Holders and local Members to demolish Alder House,

(3) that CMEC are appointed to carry out demolition work at Alder House.

**REASON FOR DECISION:** That Alder House is no longer fit for purpose and should be decommissioned and then demolished.

**OTHER OPTIONS CONSIDERED:** As the property is being empty incurs costs to the authority, and is a potential risk Members have previously requested that options for demolition were considered as soon as practicable. No other options were considered.

(Joint Head of Housing and Community Safety)

The meeting concluded at 1217 hours.

**Bolsover District Council**

**Executive**

**8 October 2018**

**Strategic Risk Register and Partnership Arrangements**

This report is public

**Report of Cllr B Watson, Portfolio Holder with Responsibility for Finance & Resources**

**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 30 June 2018, 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.

## The Strategic Risk Register

- 1.3. The revised Strategic Risk Register as at 30 June 2018 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.
- 1.4. 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 and of ensuring that the Council mitigates the risk of a catastrophic event or service failure impacting upon our community . 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.
- 1.5 During the recent round of Quarterly Performance meeting one of the key issues discussed was the uncertainties associated with Brexit, the roll out of Universal Credit, the pace of legislative change and the ability to recruit and retain appropriately qualified staff were all viewed as remaining of concern. In addition, in light of the level of savings that needed to be identified over the period of the current MTFP, concerns were reiterated regarding the challenges in respect of securing these savings, against a background in which some services were experiencing increased pressures as a result of other agencies withdrawing services. The uncertainties arising from Brexit, the roll out of Universal Credit and legislative changes are incorporated within the same Strategic Risk (Risk 1) as outlined in Appendix 1. 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. This issue already featured within the Strategic Risk Register and is detailed as Strategic Risk 5 within Appendix 1, while the issue of financial pressures is covered by Strategic Risk 2 within Appendix 1.

- 1.6 There were a further two key risks identified for inclusion on the Strategic Risk Register. These were failure to have appropriate measures in place to safeguard children and vulnerable adults (risk 10) and failure of the local plan to progress to submission stage and to be found sound at independent examination (risk 11).
- 1.7 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 were held in early summer 2017. Likewise, as part of the Budget Scrutiny Meeting in September 2015 there was a presentation to Members concerning Risk Management.

### **Partnership Arrangements.**

- 1.8 As part of the Council's Risk Management (including Partnership Working) Strategy a range of strategic partnerships are reported on and monitored within 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.
- 1.9 While there will invariably be an overlap between the two reports but 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.
  - 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.

## **2 Conclusions and Reasons for Recommendation**

- 2.1 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.**

- 2.2 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.

## **3 Consultation and Equality Impact**

### **Consultation**

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

### **Equalities**

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

## **4 Alternative Options and Reasons for Rejection**

- 4.1 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.

## **5 Implications**

### **5.1 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.

## 5.2 Legal Implications including Data Protection

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

## 5.3 Human Resources Implications

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

## 6 Recommendations

- 6.1 That Executive approves the Strategic Risk Register as at 30 June 2018 as set out in Appendix 1.

## 7 Decision Information

<b>Is the decision a Key Decision?</b> A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: <i>BDC: Revenue - £75,000</i> <input type="checkbox"/> <i>Capital - £150,000</i> <input type="checkbox"/> <i>NEDDC: Revenue - £100,000</i> <input type="checkbox"/> <i>Capital - £250,000</i> <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
<b>Is the decision subject to Call-In?</b> (Only Key Decisions are subject to Call-In)	No
<b>Has the relevant Portfolio Holder been informed</b>	Yes
<b>District Wards Affected</b>	None directly
<b>Links to Corporate Plan priorities or Policy Framework</b>	All

## Document Information

Appendix No	Title
1	Strategic Risk Register as at 30 June 2018
<b>Background Papers</b> (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)	
Service Plan Risk Registers	
<b>Report Author</b>	<b>Contact Number</b>
Dawn Clarke – Head of Finance & Resources	01246 217658

## STRATEGIC RISK REGISTER SUMMARY AS AT: 30 June 2018

	<b>Risk</b>	<b>Consequences</b>	<b>Risk Score (Likelihood x Impact)</b>	<b>Risk Score (Likelihood x Impact) Taking into Account Current Controls</b>	<b>Risk Owner / Lead Officer</b>
1	Government Legislation / Parliamentary uncertainty / 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"> <li>• Unable to deliver a package of services that meet changing local needs and aspirations.</li> <li>• Reduced influence over delivery of local services.</li> <li>• Unable to effectively support local communities.</li> <li>• Increased demands on Council services at a time when Council resource base is reducing.</li> </ul>	4,4, <b>16</b>	3,4 <b>12</b>	SAMT / Political Leadership
	<ul style="list-style-type: none"> <li>• 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.</li> <li>• The Council has effective political and managerial (governance) arrangements in place to manage change.</li> <li>• Appropriate levels of financial reserves / investment funding are maintained to fund strategic shifts in service delivery.</li> <li>• Effective engagement with staff to ensure they embrace necessary change.</li> </ul>				

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"> <li>• Impact upon ability to deliver current level of services.</li> <li>• Unable to resource acceptable levels of service.</li> <li>• Significant adverse reputational Impact.</li> </ul>	4,4 <b>16</b>	3,4 <b>12</b>	Political Leadership / Chief Executive / Chief Financial Officer / SAMT
<ul style="list-style-type: none"> <li>• The Council has effective financial and wider management arrangements in place to ensure budget / service delivery arrangements are robust.</li> <li>• The current MTFP indicates challenging but manageable savings targets. A key risk is that under 'localism' there is less certainty concerning income (NNDR, NHB).</li> <li>• The Council has 'adequate' financial reserves in place to cushion against any loss of income for a period of at least one financial year.</li> </ul>					
3.	The Council is affected by a operational service failure which has a major impact upon the local community, this impact being reflected in the Council's sustainability and reputation. Failure could arise from services – inc Data Protection – failing to adhere to best practice. Resulting in a potential impact upon the Council's ability to secure its	<ul style="list-style-type: none"> <li>• A significant service failure associated with a major impact on the local community, leading to a wider detrimental corporate impact.</li> <li>• Deterioration in services to the public, potentially a major initial impact upon a local resident or a group of local residents.</li> <li>• Significant staff and financial resources required to resolve position, impacting on other services.</li> <li>• A major service has its operating capacity significantly impact and is required to introduce major reform in its approach to service delivery.</li> </ul>	3,5 <b>15</b>	2,5 <b>10</b>	SAMT / Assistant Directors

	<p>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"> <li>The Council has appropriate managerial arrangements in place supported by staff recruitment and training to ensure these risks are effectively managed.</li> <li>The Council has a Performance Management Framework in place to help ensure that services are delivered in line with good practice and industry standards. On going monitoring and regular reporting will help ensure that any emerging issues re service performance are effectively identified and resolved at the earliest possible opportunity.</li> </ul>				
4	<p>It becomes increasingly difficult to recruit to key posts or to replace key staff who 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"> <li>Deterioration in services to the public.</li> <li>Increasing inefficiencies in service provision.</li> <li>Weakening of Internal Control arrangements.</li> <li>Increased pressure on other members of staff.</li> </ul>	3,4 12	2,4 8	SAMT / Asst Director HR
	<ul style="list-style-type: none"> <li>The Council has effective communication and working with staff as validated by securing 'silver' accreditation at IIP.</li> <li>There is sufficient funding to bring in agency staff where required to maintain service performance.</li> <li>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.</li> <li>Appropriate training budgets are in place to ensure that staff receive necessary training to maintain service quality.</li> </ul>				

	<ul style="list-style-type: none"> <li>The Council will look at introducing appropriate apprenticeship / training schemes in order to develop employees to meet our requirements.</li> </ul>				
5	<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"> <li>New initiatives are not delivered in a cost-effective manner.</li> <li>Failure to maintain / improve services in line with local aspirations.</li> <li>Failure to generate the savings required to balance the budget.</li> <li>Financial savings measures weaken Governance / Internal Control arrangements.</li> <li>Service deterioration / failure arising from capacity issues.</li> </ul>	3,4 <b>12</b>	2,4 <b>8</b>	SAMT / Chief Executive
	<ul style="list-style-type: none"> <li>The Council has effective prioritisation and project management arrangements in place to ensure resources are directed at key objectives.</li> <li>The Council has made efforts to ensure effective use of employees by utilising shared services to protect service resilience, by maintaining appropriate training arrangements and by investing in transformational ICT projects.</li> <li>The Council has a robust performance management framework intended to highlight emerging issues.</li> </ul>				
6	<p>Emergency Planning and Business Continuity arrangements fail to meet required standards when tested by flu</p>	<ul style="list-style-type: none"> <li>Inability of Council to provide services as a consequence of a severe catastrophic external event (e.g. flooding, major terrorist incident, flu pandemic, fire).</li> <li>Failure of IT infrastructure, leading to inability to effectively operate</li> </ul>	3,4 <b>12</b>	2,4 <b>8</b>	Chief Executive / SAMT



	<p>pandemic, natural disaster (flood), etc.</p> <p>The Council is exposed to cyber crime with a loss of data / systems resulting in a potential inability to provide core services and incurring reputational damage.</p>	<p>services and to safeguard income streams.</p> <ul style="list-style-type: none"> <li>• Business Continuity Plans prove ineffective in practice.</li> </ul>			
	<ul style="list-style-type: none"> <li>• 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.</li> <li>• 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.</li> <li>• 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.</li> <li>• The Council has put in place industry standard measures to minimise the risk of cyber crime.</li> </ul>				
7	<p>Lack of strategic direction from Members / Corporate Management, external partners change Strategic direction.</p>	<ul style="list-style-type: none"> <li>• Failure to deliver high quality services which address national and local priorities.</li> <li>• Deterioration in Governance Arrangements.</li> <li>• Refocus of current services necessary with associated disruption.</li> </ul>	3,4 <b>12</b>	2,4 <b>8</b>	Chief Executive / Political Leadership Team
	<ul style="list-style-type: none"> <li>• There are appropriate structured training arrangements in place for both Members and Officers.</li> <li>• 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.</li> </ul>				

8	Governance Arrangements including Performance, Finance and Risk Management need to be maintained in order to continue to operate effectively in a rapidly changing environment.	<ul style="list-style-type: none"> <li>• Adverse Impact upon Service Quality.</li> <li>• Failure to deliver high quality services which address national and local priorities.</li> <li>• Significant adverse reputational impact.</li> </ul>	3,4 <b>12</b>	2,4 <b>8</b>	Chief Financial Officer / Monitoring Officer
<ul style="list-style-type: none"> <li>• The Council has appropriate managerial arrangements in place supported by staff recruitment and training to ensure these risks are effectively managed.</li> <li>• The Council has an active Standards and Audit Committee which provide independent review of the Governance arrangements in the Council.</li> <li>• The Annual Governance Report sets out an evidence based structured assessment of the operation of the Council's governance arrangements.</li> </ul>					
9	HS2 preparation and delivery. without considerable environmental mitigation measures will have a negative impact on the visual amenity of the district, disruption to businesses, home owners and communities. It also has the potential to sterilise areas of development due to uncertainty. Impact	Without considerable environmental mitigation measures will have a negative impact on the visual amenity of the district, disruption to businesses, home owners and communities. It also has the potential to sterilise areas of development due to uncertainty.	4,4, <b>16</b>	4,4, <b>16</b>	SAMT / Political Leadership

	on the motorway and main arterial routes during construction.				
	<ul style="list-style-type: none"> <li>• CEX and senior management actively engaged with HS2 staff to discuss proactive business mitigation measures.</li> <li>• Political leadership working with relevant community groups and agencies lobbying for enhanced mitigation measures.</li> <li>• Contributing to the East Midlands HS2 growth strategy and also that we part of the mitigation study</li> </ul>				
10	Failure to have in place robust, comprehensive and up to date policies and procedures for safeguarding children and vulnerable adults.	<ul style="list-style-type: none"> <li>• Profile of safeguarding is poor</li> <li>• Staff and members do not know what safeguarding is and their role within it</li> <li>• Staff and members do not know how to spot the signs</li> <li>• Staff and members do not know how to report it and to who?</li> <li>• Lack of public confidence in Council policies plans and staff</li> <li>• Reputational damage</li> <li>• Potential significant harm to individuals resulting from abuse and neglect of Children and/or Vulnerable Adults possibly leading to personal harm, injury and death</li> </ul>	4,4, <b>16</b>	2,4, <b>8</b>	SAMT/Political Leadership
	<ul style="list-style-type: none"> <li>• The Council has in place up to date policies for safeguarding both Children and Vulnerable Adults. These policies are aligned to DCC policies which in turn are in line with legislation, regulation and statutory duties placed on Local Authorities.</li> <li>• The Council has in place and maintain systems of working practice to safeguard children and vulnerable adults at Council activities and those who receive Council services.</li> <li>• Staff recognised as appropriate to do, are DBS/CRB checked</li> <li>• All staff receive mandatory safeguarding training</li> <li>• Safeguarding is widely promoted and embedded throughout the organisation with all staff being issued with a wallet sized 'safeguarding quick reference guide' which details what to look out for and what to do</li> </ul>				

	<ul style="list-style-type: none"> <li>• The Council has an internal safeguarding group which meets quarterly which has representation from all service areas of the Council.</li> <li>• The Council host and Chair the Countywide Derbyshire Safeguarding Leads Sub Group of the Derbyshire Safeguarding Childrens Board and Derbyshire Safeguarding Adults Board</li> <li>• The Council are represented on both the Derbyshire Safeguarding Children's Board (DSCB) and the Derbyshire Safeguarding Adults Board ( DSAB)</li> </ul>				
11	Failure of BDC Local Plan to be found sound at independent examination.	<ul style="list-style-type: none"> <li>• Potential Government intervention</li> <li>• Undermining the local plan</li> <li>• Reputational damage</li> <li>• Loss of control of planning and development</li> </ul>	4,4, <b>16</b>	2,4, <b>8</b>	SAMT / Political Leadership
	<ul style="list-style-type: none"> <li>• At an advanced stage in preparation of the Local Plan. Public consultation on the main document took place in May 2018, and submitted at the end of August 2018.</li> <li>• Successfully avoided Government intervention in the plan-making process and it is important that the revised timetable continues to be met.</li> <li>• The Council has taken reasonable steps in the preparation of the Plan to ensure that it is based on sound evidence and meets procedural and legal requirements. This has included taking external legal advice and securing an advisory visit with the Planning Inspectorate.</li> </ul>				