

EXECUTIVE

Minutes of a meeting of the Executive of the Bolsover District Council held in the Council Chamber, The Arc, Clowne on Monday 3rd December 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), L. Hickin (Strategic Director – People), K. Hanson (Strategic Director – Place), D. Clarke (Joint Head of Finance and Resources), M. Broughton (Joint Head of Partnership and Transformation), V. Dawson (Team Leader (Contentious) Solicitor), R. Routledge (Interim Planning Policy Manager) (until Minute No. 0518), A. Bedford (Customer Standards and Complaints Officer) (until Minute No. 0519), N. Etches (Business Estates Manager) (until Minute No. 0523), N. Calver (Governance Manager) (until Minute No. 0525), P. Brown (Chief Executive's and Partnership Manager) (until Minute No. 0525), J. Clayton (Partnership Performance and Sustainability Officer) (until Minute No. 0525) and A. Brownsword (Senior Governance Officer)

0512. APOLOGIES

There were no apologies for absence.

0513. URGENT ITEMS OF BUSINESS

There were no urgent items of business.

0514. DECLARATIONS OF INTEREST

There were no declarations of interest.

0515. MINUTES – 5TH NOVEMBER 2018

An amended version of the Minutes was circulated.

Moved by Councillor S.W. Fritchley and seconded by Councillor B.R. Murray-Carr **RESOLVED** that the minutes of a meeting of the Executive held on 5th November 2018 be approved as a true and correct record.

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0516. ITEMS RECOMMENDED BY SCRUTINY COMMITTEES

There were no recommended items from Scrutiny Committees

0517. POLICY AND BUDGET FRAMEWORK ITEMS

There were no policy and budget framework items.

0518. NON KEY DECISION LOCAL PLAN UPDATE

The Interim Planning Policy Manager gave a presentation which updated Members with regard to progress on the Local Plan.

The presentation gave a recap on the current position and informed Members that a Programme Officer and Inspector were now in place. The Inspector had submitted initial questions to the Council which had been answered. The presentation also gave details of the current work being undertaken and the initial timetable received from the Inspector.

A question was asked regarding whether the Inspector had expressed any initial concerns regarding traveller sites within the District or air quality. The Interim Planning Policy Manager informed Executive that the relevant traveller groups were happy with the approach taken regarding traveller sites. The Chair noted that the Council was currently responding to Government consultation regarding air quality within the District.

Moved by Councillor A.M. Syrett and seconded by Councillor D. McGregor
RESOLVED that the update be noted

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.

0519. NON KEY DECISION CUSTOMER SERVICE STANDARDS AND CCC REPORT 2018/19 1ST APRIL TO 30TH SEPTEMBER 2018

The Portfolio Holder for Corporate Governance presented the report which provided information on the Council's performance in relation to its customer service standards and the number of compliments, comments and complaints for the period 1st April 2018 to 30th September 2018.

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REASON FOR DECISION: (1) The Council's TGG have worked with the relevant Head of Service to develop the transformation ideas into a project which would positively contribute to the Council's Transformation Plan 2018,

(2) TGG recommended that the projects outlined in paragraph 1.5 be supported by Executive and any investment required funded through the Transformation Reserve.

OTHER OPTIONS CONSIDERED: To not pursue the options presented; continue with Customer Service Excellence, and do not install pool cover. These other options were rejected for reasons detailed in Appendix B and C of the report

(Joint Head of Partnerships and Transformation)

**0521. NON KEY DECISION
HS2 PHASE 2B;
CREWE - MANCHESTER AND WEST MIDLANDS – LEEDS**

The Leader and Portfolio Holder for Overall Policy and Strategic Planning explained that the Council had been consulted on the Working Draft Environment Statement and the Working Draft Equality Impact Statement and was now working on a response.

The Chief Executive Officer noted that there were issues with the HS2 approach to non-residential land compensation which did not include any redevelopment monies. The issue had been raised with the LEP.

Moved by Councillor A.M. Syrett and seconded by Councillor S.W. Fritchley
RESOLVED the information set out in the report and the extent of the HS2 Phase 2b consultation be noted and the Chief Executive Officer, in consultation with the Leader, be requested to provide a response.

REASON FOR DECISION: As outlined in the report, the HS2 Phase 2b main and spur lines would have a significant impact on the Council's area and its business and residents. Consequently it was necessary to ensure sufficient Council resources were available to appraise the consultation document and provide an appropriate response outlining key areas of concern. This was in order to ensure the ongoing dialogue with HS2 was reflected in a formal response to the consultation.

OTHER OPTIONS CONSIDERED: The Council could have chosen not to respond to the HS2 consultation, however this would have weakened the Council's position to argue that its impact on communities and businesses should be properly managed and mitigated. It would also have prevented the Council from identifying areas where HS2 needed to add further mitigation actions or modify the route to reduce significant detrimental impacts.

(Chief Executive Officer)

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0522. NON KEY DECISION TECHNOLOGY TO IMPROVE SUPPORT TO MEMBERS AND TRANSPARENCY WITHIN THE DEMOCRATIC FUNCTION

The Portfolio Holder for Corporate Governance introduced the report and explained that the Customer Service and Transformation Scrutiny Committee had been consulted on the proposals contained therein and reported the feedback received.

The Governance Manager advised that the introduction of an electronic system for agendas and minutes would help the Authority achieve its transparency goals whilst supporting a paper light approach for Members. In addition this approach was complementary to the transformation agenda, including the carbon reduction management plan. Full training would be provided for Members.

It was noted that many other local authorities had introduced such a system successfully and that it would make service improvements for the public, Members and officers alike.

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

RESOLVED that (1) the options available to improve transparency within the democratic function be noted including how technology and new systems may improve the professional image of the Authority in respect of democracy,

(2) the recommendations and views of the Customer Service and Transformation Scrutiny Committee be noted,

(3) entry in to a procurement exercise for a Committee Management system be supported and authority delegated to the Monitoring Officer, in consultation with the Portfolio Holder for Corporate Resources, to award a contract within the financial perimeters of the proposals put forward.

REASON FOR DECISION: There was a long identified need for a system to provide Members with greater support and better promotion of the Council's democratic functions. The proposals put forward fulfilled that need and opened options for future development.

OTHER OPTIONS CONSIDERED: Executive may have rejected the proposals put to them to procure a committee management system.

(Governance Manager)

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0523. NON KEY DECISION COMMERCIAL PROPERTY PERFORMANCE UPDATE

The Leader and Portfolio Holder for Overall Policy and Strategic Planning noted that the report was the latest in a series which formed the basis of the development of an Investment Strategy.

The Authority had a mix of properties within its commercial portfolio and the strategic objectives aimed to provide appropriate commercial accommodation to support local small businesses to develop and grow.

A discussion took place regarding the future of Oxcroft House and Pleasley Vale Business Park.

Moved by Councillor A.M. Syrett and seconded by Councillor B.R. Murray-Carr
RESOLVED that information provided be noted including how it may be used to formulate an investment strategy.

REASON FOR DECISION: At the previous meeting on 5 November, Executive considered a report concerning the development of an Investment Strategy for the Council. As an outcome of that meeting, a request was made to provide a report which provided an update with regards the performance of the existing commercial property portfolio.

This report set out to inform Executive of the mix of property within the existing non-housing property stock, focusing on its overall performance, supply and demand, occupancy and vacancy rates, as well as the management tools and controls implemented to reduce the ongoing financial risk to the authority.

OTHER OPTIONS CONSIDERED: The purpose of the report was to provide the Executive with a detailed analysis of the performance of the Council's non-housing property portfolio. It was for information purposes only and did not include alternative options for consideration. Any work resulting from the report would be considered in further reports as required.

(Strategic Director – Place)

The Business Estates Manager left the meeting.

0524. NON KEY DECISION STRATEGIC RISK REGISTER AND PARTNERSHIP ARRANGEMENTS

The Portfolio Holder for Finance and Resources introduced the report which updated the Executive on the current position regarding Risk Management and Partnership Arrangements and sought approval for the revised Strategic Risk Register as at 30th September 2018.

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The Joint Head of Finance and Resources advised that the risks remained the same as reported previously and that Audit Committee had identified no new risks. The Chief Executive Officer noted that there were issues to be considered around Brexit.

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

RESOLVED that the Strategic Risk Register as at 30 September 2018 as set out in Appendix 1 of the report be approved.

REASON FOR DECISION: The report was provided to enable Executive to consider the risks identified within the Strategic Risk Register and Partnership Arrangements in order to assist in maintaining effective governance arrangements, service and financial performance.

OTHER OPTIONS CONSIDERED: 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. The report was 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 the report was part of the approach to help ensure the effective management of risk / partnerships there was not an alternative to the presentation of a formal report.

(Joint Head of Finance and Resources)

0525. KEY DECISION PARTNERSHIP BI-ANNUAL REPORT APRIL TO SEPTEMBER 2018

The Portfolio Holder for Partnerships and Transformation introduced the report and explained that the report highlighted the success and hard work carried out by the Partnership Team, who had a track record of delivering projects to a high standard.

The Chief Executive's and Partnership Manager presented the report which gave details of key activities that the Partnership Team had been working on between April and September 2018 including an overview of programmes commissioned using Public Health Locality Funding, a snapshot of the Council's Business Growth Fund, progress made through the B@Home Partnership, updates on the Building Resilience Programme and the Grants to Voluntary Organisations Programme.

The report also gave key statistics and trends for the District in respect of employment, business, skills and education. Members welcomed the report and felt that the statistics were a useful resource.

Moved by Councillor M. Dooley and seconded by Councillor B.R. Murray-Carr

RESOLVED that the Partnership Bi-Annual Report 2018 be noted.

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REASON FOR DECISION: There were no decisions relating to this report, it was presented for information only. The report summarised and highlighted the community impact of publically funded programme active in the District

OTHER OPTIONS CONSIDERED: None, the report was for information only

(Chief Executive's and Partnership Manager)

The Chief Executive's and Partnership Manager, Partnership Performance and Sustainability Officer and the Governance Manager left the meeting.

0527. KEY DECISION MEDIUM TERM FINANCIAL PLAN – REVISED BUDGETS 2018/19

The Portfolio Holder for Finance and Resources introduced the report which sought approval of the 2017/18 revised budget for the General Fund Housing Revenue Account and Capital Programme.

The Joint Head of Finance and Resources advised that the revised budget showed that the Net Cost of Services had increased to £10.552m, which was £1.84m above the original budget figure. However, the savings target had been delivered. The Council was waiting to hear what the Government's settlement figure was to be.

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

RESOLVED that (1) the revised General Fund budget for 2018/19 as set out in Appendix 1 and detailed in Appendix 2 of the report be approved,

(2) the revised HRA budget for 2018/19 as set out in Appendix 3 of the report be approved,

(3) the revised Capital Programme for 2018/19 as set out within Appendix 4 of the report be approved.

REASON FOR DECISION: The purpose of the report was to set revised budgets as early as possible within the financial year to ensure that identified budget savings were realised, that all budget managers were working to the revised budgets and to allow any planned changes to be delivered. The improved position on both the Council's main revenue budgets reflected a combination of favourable circumstances during the year, together with careful budget management and the ongoing polices of progressing the transformation agenda in order to reduce the underlying level of expenditure in line with the ongoing reductions in the level of government grant. The savings achieved would be used to support service delivery to residents and tenants in future financial years.

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OTHER OPTIONS CONSIDERED:

(1) General Fund and HRA

The anticipated surplus on the Council's two main revenue accounts would result in an increase in financial reserves at the year-end which were available to protect services at a time of declining central government support. How these additional resources are utilised would be a decision for Members taken as part of the 2019/20 budget process.

Formatting of this paragraph needs sorting.

(2) Capital

There were no alternative options considered with regard to the proposed allocations from the Capital Programme budget as it ensured the Council's assets met health and safety requirements in that they be maintained in a fit for purpose state that ensured they remain fully operational.

(Joint Head of Finance and Resources)

0528. THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

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

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.

0529. NON KEY DECISIONS

There were no exempt Non Key Decisions.

0530. KEY DECISION STAFFING REVIEW IN CHIEF EXECUTIVE'S AND PARTNERSHIP TEAM EXEMPT – PARAGRAPH 3

The Portfolio Holder for Partnership and Transformation introduced the report which sought to review the service provided by the current Chief Executive's and Partnership Team in order for them to become fit for purpose to support the Local Authority's Partnerships and Transformation Programme.

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The Joint Head of Partnership and Transformation noted that the current staff had been informally consulted on the proposals.

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

RESOLVED that (1) the proposals made within the report for staffing changes be approved,

(2) Subject to no substantial changes or issues raised through formal consultation with staff and Trade Unions, and that the cost of the structure following Job Evaluation is within the budget identified in this report, that the CEO, in consultation with the Leader, is requested to exercise his delegated power to implement the resulting structure.

REASON FOR DECISION: (1) The recommendations in the report addressed an organisational gap to provide up to date policy information to enable decision making. In addition the proposals would enable the Council to understand the impact on an ever changing landscape as well as effective management of the Council's key transformation priorities ensuring that its actions delivered the organisational aims;

(2) The restructure allowed for the team to be more flexible and added resilience in its approach to providing services and improved job continuity;

(3) Increased learning and sharing of best practice would stretch the current members of staff and will provide positive challenge; and

(4) The changes proposed would give some focus and engage staff in the new approach to delivering transformation and improving even further the way in which the Council works in partnership both internally and externally.

OTHER OPTIONS CONSIDERED: The alternative option was to take no action and keep the existing structure, roles and titles. The team would be less resilient, with less capacity and struggle to undertake the new duties.

(Joint Head of Partnerships and Transformation)

**0531. KEY DECISION
PROVISION OF FACILITIES MANAGEMENT SERVICES
BOLSOVER DISTRICT COUNCIL
EXEMPT – PARAGRAPHS 3 AND 5**

The Portfolio Holder for Property and Commercial Services introduced the report which sought approval to extend the existing Facilities Management Services Contract for Council owned buildings for a further six months.

The Strategic Director – Place explained that an unsuccessful joint tender exercise had taken place with North East Derbyshire District Council and the extension of the existing contract would allow time for a Bolsover District Council tender to be prepared.

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Moved by Councillor M.J. Ritchie and seconded by Councillor B. Watson

RESOLVED that J Tomlinson's Ltd be appointed to provide Facilities Management Services as outlined within the report for a further interim period of six months to enable a further tender exercise to be carried out.

REASON FOR DECISION: Following the approved tender procedure and subsequent evaluation it was recommended that an interim extension of six months be sought to the existing contract in order to allow sufficient time to undertake a re-tender exercise.

OTHER OPTIONS CONSIDERED: Consideration was given to letting the contract to J. Tomlinson's Ltd following their tender submission, however because of the lack of competition, uplift and uncertainty of pricing, this option was discounted.

(Strategic Director – Place)

The meeting concluded at 1151 hours.