

The Arc
High Street
Clowne
S43 4JY

To: Chair & Members of the Local
Growth Scrutiny Committee

Contact: Jo Wilson
Telephone: 01246 242385
Email: joanne.wilson@bolsover.gov.uk

Tuesday, 29th November 2022

Dear Councillor

**LOCAL GROWTH SCRUTINY COMMITTEE – TUESDAY, 6TH DECEMBER, 2022
AT 10:00 HOURS**

I refer to your recently circulated agenda for the Local Growth Scrutiny Committee on Tuesday 6th December 2022 at 10am and now enclose an additional item of business.

Yours faithfully



Solicitor to the Council & Monitoring Officer

Equalities Statement

Bolsover District Council is committed to equalities as an employer and when delivering the services it provides to all sections of the community.

The Council believes that no person should be treated unfairly and is committed to eliminating all forms of discrimination, advancing equality and fostering good relations between all groups in society.

Access for All statement

You can request this document or information in another format such as large print or **language** or contact us by:

- **Phone:** [01246 242424](tel:01246242424)
- **Email:** enquiries@bolsover.gov.uk
- **BSL Video Call:** A three-way video call with us and a BSL interpreter. It is free to call Bolsover District Council with Sign Solutions, you just need WiFi or mobile data to make the video call, or call into one of our Contact Centres.
- Call with [Relay UK](#) - a free phone service provided by BT for anyone who has difficulty hearing or speaking. It's a way to have a real-time conversation with us by text.
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LOCAL GROWTH SCRUTINY COMMITTEE

*Tuesday, 6th December, 2022 at 10:00 in the Council Chamber,
The Arc, Clowne*

Item No.	PART 1 – OPEN ITEMS	Page No.(s)
a.	Outcome of Call-In of Decision EX41 22/23 - Future Skills Hub	4 - 12

Bolsover District Council

Meeting of the Local Growth Scrutiny Committee on 6th December 2022

Outcome of Call-In of Decision EX41 22/23 – Future Skills Hub

Report of the Chair of Local Growth Scrutiny Committee

Classification	This report is Public
Report By	Chair of Local Growth Scrutiny
Contact Officer	Joanne Wilson, Scrutiny & Elections Officer 01246 242385 joanne.wilson@bolsover.gov.uk

PURPOSE/SUMMARY OF REPORT

- To present to Scrutiny the outcome of Executive’s reconsideration of the report on the Future Skills Hub, following consideration of the Call-In of Decision EX41 22/23 by Scrutiny on 4th October 2022.

REPORT DETAILS

1. Background

- 1.1 The development of a Future Skills Hub within the District has been identified as a key deliverable contained in a number of core strategic documents including Vision Bolsover and the Business Growth Strategy.
- 1.2 The original decision was called-in for review based on the following decision-making principles:
 - Due consultation
 - A presumption in favour of openness
 - Clarity of aims and desired outcomes
 - Regard for equal opportunities
 - Options are considered and reasons given for the decision
 - Consideration of all relevant factors
 - Decision is in the best interests of the district as a whole

2. Details of Proposal or Information

- 2.1 The report on creation of a Future Skills Hub was reconsidered on the 31st October.

2.2 Members of Executive received a detailed summary of the points raised during the Call-In. Scrutiny Members concluded that based on the evidence presented there was sufficient scope for Proposal 2 to be the better option to take forward. Proposal 2 provided greater financial benefits and would also ensure training outcomes for a wider cohort than Proposal 1 with greater scope for further enhancing the facility at Proposal 2's location and the potential to create a wider offer from other providers within the site.

2.3 Scrutiny Members recommendation was as follows:

That the matter be referred back to Executive for reconsideration, as based on the issues raised in the Call-In, the evidence presented and Member considerations, the Scrutiny Committee finds:

- *there was lack of clarity in the original report with the reasoning for the decision unclear;*
- *the option chosen provided more limited outcomes, most notably the lack of Post-16 provision, and did not meet the wider objectives of Vision Bolsover;*
- *there was lack of consultation and wider oversight with Members outside of Executive, with the opportunity for pre-decision scrutiny not taken;*
- *that Proposal 2 within the original report is considered to be the better option offering greater opportunity to achieve key objectives within both Vision Bolsover and the Business Growth Strategy and would urge Executive to reconsider and amend their decision accordingly.*

2.4 Following further discussion Executive resolved the following:

“..that the decision made by Executive at its meeting held on 5th September 2022 as set out below, remain unchanged;

that (1) based on the two options as set out in the report, Proposal 1 was the preferred option,

(2) delegated authority be given to the Business Growth Manager and Assistant Director of Development and Planning, in consultation with the Executive Director of Strategy and Development and the Leader of the Council, to complete negotiations in relation to Proposal 1. “

3. Reasons for Recommendation

3.1 In order to complete the Call-In process, the outcome of Executive's reconsideration is required to be reported back to Scrutiny.

4 Alternative Options and Reasons for Rejection

4.1 There are no alternative options. Once Executive has reconsidered their decision, it is not open to further scrutiny challenge.

RECOMMENDATION(S)

1. That Local Growth Scrutiny Committee note the outcome of Executive’s reconsideration.

<u>IMPLICATIONS:</u>	
<u>Finance and Risk:</u>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Details: None from this report.	
On behalf of the Section 151 Officer	
<u>Legal (including Data Protection):</u>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Details: None from this report.	
On behalf of the Solicitor to the Council	
<u>Environment:</u>	
Please identify (if applicable) how this proposal/report will help the Authority meet its carbon neutral target or enhance the environment.	
Details: N/A	
<u>Staffing:</u>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Details: None from this report.	
On behalf of the Head of Paid Service	

DECISION INFORMATION

<p>Is the decision a Key Decision? 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:</p> <p>Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i></p>	Yes
<p>Is the decision subject to Call-In? <i>(Only Key Decisions are subject to Call-In)</i></p>	No

District Wards Significantly Affected	District wide proposal and impact. In relation to the development – Shirebrook South and Ault Hucknall In relation to service provision – All wards
Consultation: Leader / Deputy Leader <input type="checkbox"/> Executive <input checked="" type="checkbox"/> SLT <input type="checkbox"/> Relevant Service Manager <input checked="" type="checkbox"/> Members <input type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/>	Details: Consulted with LEP prior to original report, who have no objections to either option providing 50% match funding is offered (capital expenditure only) and the outputs identified in the original expression of interest are achieved.

Links to Council Ambition: Customers, Economy and Environment.
Economy

DOCUMENT INFORMATION	
Appendix No	Title
1.	Decision Notice 021122

Background Papers
<i>(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 Executive you must provide copies of the background papers).</i>
Documents relating to the Call-In can be found in past papers of Executive and Local Growth Scrutiny Committee.

To: All Members

The Arc
High Street
Clowne
S43 4JY

Contact: Alison Bluff
Telephone: 01246 242528
Email: alison.bluff@bolsover.gov.uk

Date: 2nd November 2022

Dear Councillor

EXECUTIVE MEETING – MONDAY 31ST OCTOBER 2022 – DECISION NOTICE

I have pleasure in enclosing herewith, for your attention, a copy of the Decision Notice of the Executive held on Monday 31st October 2022.

Set out below is the procedure for calling in decisions of the Executive. **Only Key Decisions may be called in.** Request forms to call in a decision of the Executive may be obtained from the Governance Team.

Deadline date for calling in Key Decisions contained in the Decision Notice:

WEDNESDAY 9th NOVEMBER 2022

Number of Members required to call in an item:

Three Scrutiny Members

Method by which items may be called in:

By completion of the form available from the Governance Team

Recording of called in items:

Governance shall be responsible for keeping and maintaining a log of called in items. In practice this log will be kept by the Governance Officers who are themselves authorised to accept notifications from Members.

A log shall be maintained in chronological order according to when requests are received. This log will be open for inspection by any Member of the Council, upon request.

Yours sincerely



Solicitor to the Council and Monitoring Officer

DECISION NOTICE OF THE EXECUTIVE HELD ON

MONDAY 31ST OCTOBER 2022

AGENDA ITEM	DECISION
NON KEY DECISIONS	
5	<p>Creation of a local nature recovery champion and appointment.</p> <p>RESOLVED that (1) the creation of a local nature recovery champion Member role be agreed,</p> <p>(2) Councillor Tom Munro be appointed as the local nature recovery Member Champion.</p> <p>Reasons for Recommendation To enable the Members to consider the advice of the Local Plan Implementation Advisory Group in relation to Local Nature Recovery and particularly the suggestion of creating a Local Nature Recovery Champion Member role.</p> <p>Therefore, the agreement of the Executive is sought to create a Local Nature Recovery Champion Member role and to appoint a Member to the role.</p> <p>Alternative Options and Reasons for Rejection It would be possible to not create a Local Nature Recovery Champion, although this would not achieve the benefits stated in the report. Therefore, officers have not considered this option.</p>
6	<p>Risk Management Strategy</p> <p>RESOLVED that (1) the refreshed Risk Management Strategy be approved, subject to the following amendments;</p> <p>a) include reference to 'fraud' on page 6, b) include reference to the data protection officer on pages 17 to 20.</p> <p>(2) the report and Strategic Risk Register as set out in Appendix 2 be noted.</p> <p>Reasons for Recommendation The Audit and Corporate Overview Scrutiny Committee has considered and noted this report from the Risk Management Group as part of the Council's robust approach to risk management. The Risk Management Group provides a comprehensive oversight of risk throughout the organisation.</p> <p>The Risk Management Group has made significant progress in ensuring that risk is effectively managed within</p>

		<p>the Council. By leading on the development and review of all risk related policies, plans and strategies across the Council, the Group provides consistency of approach and alignment of all service areas in relation to risk management.</p> <p>Alternative Options and Reasons for Rejection It is good practice for the Council to develop and regularly review its Risk Management Strategy, Strategic Risk Register and associated risk management processes and policies. Given the importance of these arrangements for the overall performance and governance of the Council the alternative of not providing them is rejected.</p>
BUDGET AND POLICY FRAMEWORK ITEMS		
7	Budget Monitoring Quarter 2 – 2022/23	<p>RESOLVED that (1) the monitoring position of the General Fund at the end of the second quarter as detailed in Appendix 1 to the report (a net favourable variance of £0.907m against the profiled budget), and the key issues highlighted within the report be noted,</p> <p>(2) the position on the Housing Revenue Account (HRA), the Capital Programme and Treasury Management at the end of the second quarter (Appendices 3, 4 and 5 to the report) be noted.</p> <p>Reasons for Recommendation The report summarises the financial position of the Council following the second quarter’s budget monitoring exercise for the General Fund, the Housing Revenue Account, Capital Programme and Treasury Management activity.</p> <p>Alternative Options and Reasons for Rejection The Budget Monitoring report for 2022/23 is primarily a factual report which details progress against previously approved budgets. Accordingly, there are no alternative options to consider.</p>
	KEY DECISION	
8	Safe and Warm Upgrade at Jubilee Court, Pinxton	<p>RESOLVED that Davlyn Construction be awarded a contract to carry out Safe & Warm Upgrade at Jubilee Court Pinxton in accordance with tendered specification and following tender evaluation,</p> <p>(2) progress on the contract be reported through the Housing Stock Management Group.</p> <p>Reasons for Recommendation The evaluation group were in unanimous agreement that this tender represented a competitive submission received</p>

		<p>from Davlyn Construction Ltd (Derby).</p> <p>Alternative Options and Reasons for Rejection None.</p>
	<p>URGENT ITEM OF BUSINESS</p> <p>NON KEY DECISION</p>	
2a	<p>Creswell Heritage and Wellbeing Centre Staffing Proposal</p>	<p>RESOLVED that the District Council enters into a service level agreement with Creswell Heritage and Wellbeing Trust to manage the new leisure facility in Creswell on behalf of the Trust, subject to there being no risk to the Council,</p> <p>(2) the service level agreement be signed off under delegated authority following consultation with the Portfolio Holder for Leisure and Tourism, and Head of Paid Service.</p> <p>Reasons for Recommendation To assist the Trust in managing and operating a leisure facility in a much needed, deprived area of the district, making access to physical activity more achievable for local residents of the area.</p> <p>Alternative Options and Reasons for Rejection The Trust could operate the site direct but this was rejected by the Trustees as they had no formal experience of operating such a site and therefore requested the input from an established team with back office support through HR, payroll, legal and finance.</p>
9	<p>EXEMPT ITEMS</p> <p>NON KEY DECISION</p> <p>BUDGET AND POLICY FRAMEWORK ITEM</p>	
10	<p>Management of Corporate Debt – Write Off of Outstanding Amounts Exempt Paragraphs 1 & 3</p>	<p>RESOLVED that (1) the amounts included at paragraph 2.1 of the report and individually detailed in Appendix 1 to the report, be approved for write-off,</p> <p>Reasons for Recommendation Given that all available options to recover this debt have been explored, it is important that the Council recognises the position and approves the write-off of the uncollectable debt.</p> <p>Alternative Options and Reasons for Rejection These are outlined in the main body of the report.</p>
	<p>KEY DECISIONS</p>	

11	<p>Outcome of Call-In of Key Decision EX41-22/23 – Future Skills Hub Exempt Paragraph 3</p>	<p>RESOLVED that the decision made by Executive at its meeting held on 5th September 2022 as set out below, remain unchanged;</p> <p><i>that (1) based on the two options as set out in the report, Proposal 1 was the preferred option,</i></p> <p><i>(2) delegated authority be given to the Business Growth Manager and Assistant Director of Development and Planning, in consultation with the Executive Director of Strategy and Development and the Leader of the Council, to complete negotiations in relation to Proposal 1.</i></p> <p>Reasons for Recommendation As detailed in the report dated 5th September 2022.</p> <p>Alternative Options and Reasons for Rejection As detailed in the report dated 5th September 2022.</p>
12	<p>Potential Lease of a Commercial Property</p>	<p>RESOLVED that (1) delegated authority be given to the Assistant Director of Development and Planning to negotiate and agree the terms of the tenancy with the company as stated in the report in consultation with the Solicitor to the Council,</p> <p>(2) delegated authority be given to the Executive Director of Strategy and Development to use the previously approved dilapidations budget included in the Transformation Reserve plus any additional funds required to complete the Landlord works from the Transformation Reserve, up to the maximum figure as stated in the report.</p>

Only **Key Decisions** may be called in. All other decisions will be actioned immediately with the exception of those referred to Council.