

To: Chair & Members of the Executive

The Arc
High Street
Clowne
S43 4JY

Contact: Amy Bryan
Telephone: 01246 242529
Email: amy.bryan@bolsover.gov.uk

Friday, 11 June 2021

Dear Councillor

EXECUTIVE

You are hereby summoned to attend a meeting of the Executive of the Bolsover District Council to be held as a Council Chamber, The Arc, Clowne on Monday, 21st June, 2021 at 10:00 hours.

Whilst social distancing is in place Members and officers are required to adhere to the protocol for attending meetings in the Council Chamber. When attending in person you will be deemed to have accepted the following disclaimer as applying.

Risk Assessment Disclaimer

When attending this meeting in person, I confirm that I have read and understood the contents of each of the following risk assessments and agree to act in line with its content.

- Covid-19 ARC RTW RA001
- Working in Offices At The Arc During Covid-19 Pandemic Guidance – ARC – SSW001
- Meetings – EM001 - Committee and Council Meetings during the Covid-19 pandemic



We speak your language
Polish **Mówimy Twoim językiem**
Slovak **Rozprávame Vaším jazykom**
Chinese **我们会说你的语言**

**If you require this agenda in large print
or another format please call us on 01246 217753**

If you require an adjustment to enable you to participate in or access the meeting please contact the Governance Team at least 72 hours before the meeting starts.

These documents have been emailed to Members and are available on the Modern.Gov App library.

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 from page 3 onwards.

Yours faithfully

A handwritten signature in black ink that reads "Sarah Steenberg". The signature is written in a cursive, flowing style.

Solicitor to the Council & Monitoring Officer

EXECUTIVE AGENDA

*Monday, 21st June, 2021 at 10:00 hours taking place as a Council Chamber, The Arc,
Clowne*

Item No.	PART 1 – OPEN ITEMS	Page No.(s)
1.	Apologies For Absence	
2.	Urgent Items of Business 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.	Declarations of Interest 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.	Minutes To consider the minutes of the last meeting held on 24 May 2021.	5 - 11
	<u>MATTERS REFERRED FROM SCRUTINY</u> None	
	<u>BUDGET & POLICY FRAMEWORK ITEMS</u> None	
	<u>NON KEY DECISIONS</u>	
5.	Ambition Plan Targets Performance Update - January to March 2021 (Q4 - 2020/21)	12 - 24
6.	Local Government and Social Care Ombudsman Decision	25 - 43
7.	Contract for the Replacement of External Doors for Bolsover District Council	44 - 47

8. Exclusion of the public

To move:-

“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 Part 1 of Schedule 12A of the Act and it is not in the public interest for that to be revealed.” [The category of exempt information is stated after each item].

PART 2 - EXEMPT ITEMS

KEY DECISIONS

- | | | |
|------------|--|-----------------|
| 9. | Extension to Ashbourne Court | 48 - 51 |
| | (Paragraph 3) | |
| 10. | The Provision of Handyperson and Cleaning Services at Bolsover District Council Business Centres | 52 - 57 |
| | (Paragraph 3) | |
| 11. | Sale of Land in Glapwell | 58 - 87 |
| | (Paragraph 3) | |
| 12. | Review of Additional Restrictions Grant (Second Criteria) and Local Restrictions Support Grant (Open) | 88 - 101 |
| | (Paragraph 3) | |

EXECUTIVE

Minutes of a meeting of the Executive of the Bolsover District Council held in the Council Chamber, The Arc, Clowne on Monday, 24 May 2021 at 10:00 hours.

PRESENT:-

Members:-

Councillor Steve Fritchley in the Chair

Councillors Duncan McGregor (Vice-Chair), Mary Dooley, Clive Moesby, Sandra Peake, Liz Smyth and Deborah Watson.

Officers:- Lee Hickin (Director of Corporate Resources & Head of Paid Service), Karen Hanson (Director of Environment and Enforcement), Grant Galloway (Director of Development), Sarah Sternberg (Solicitor to the Council & Monitoring Officer), Theresa Fletcher (Head of Finance and Resources & Section 151 Officer), Chris Fridlington (Assistant Director of Development and Planning) Ian Barber (Head of Property Services and Housing Repairs), Pam Brown (Head of Leader's Executive and Partnerships), Sarah Kay (Planning Manager), Natalie Etches (Business Growth Manager), Nicola Calver (Governance Manager), and Amy Bryan (Senior Governance Officer).

EX112-20/21 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Nick Clarke.

EX113-20/21 URGENT ITEMS OF BUSINESS

There was no urgent business to be considered at the meeting.

EX114-20/21 DECLARATIONS OF INTEREST

Members were requested to declare the existence and nature of any disclosable pecuniary interests and/or other interests, not already on their register of interests, in any item on the agenda and withdraw from the meeting at the appropriate time.

Councillor Liz Smyth declared a Disclosable Pecuniary Interest in Item 9 – Discretionary Grant Funding. Councillor Smyth did not participate in the discussion or the vote on this item.

EX115-20/21 MINUTES

Moved by Councillor Sandra Peake and seconded by Councillor Clive Moesby
RESOLVED that the minutes of a meeting of the Executive held on 26 April 2021 be approved as a true and correct record.

EXECUTIVE

NON KEY DECISIONS

EX116-20/21 LOCAL DEVELOPMENT ORDER - CRESWELL ROAD

Executive considered the report of the Portfolio Holder – Corporate Governance which sought approval to adopt a Local Development Order (LDO) which would grant planning permission for residential development on a Council-owned site. The report recommended adoption of a LDO on land to the rear of 221 Creswell Road, Clowne for custom and self-build subject to conditions.

The LDO would allow the Council to discharge its statutory duties under the Self Build and Custom Housebuilding Act 2015. From a planning perspective, the site had been chosen because it was within the settlement framework where housing was acceptable in principle, had safe and suitable accesses and residential development on the site was unlikely to have a harmful impact on the character, appearance and amenities of the local area, subject to conditions.

Attached to the report at Appendix 1 was a detailed planning analysis of the site, which included any site-specific conditions and the reasons for those conditions.

Moved by Councillor Duncan McGregor and seconded by Councillor Liz Smyth
RESOLVED that a Local Development Order be adopted to grant planning permission for residential development on land at Creswell Road, Clowne, subject to the conditions set out in paragraph 3.5 of the report.

(Assistant Director of Development and Planning)

REASON FOR DECISION:

The principle reasons for approving a Local Development Order for residential development on the site of land at Creswell Road, Clowne are:

- i. to allow the Council to obtain best value for underutilised pieces of land whilst improving the environmental quality of the District;
- ii. to attract private investment in this land through a simplified and less costly planning process which provides a guarantee the land can be developed to address the Council's duties under the Self-build and Custom Housebuilding Act 2015; and
- iii. to ensure a consistent high quality of design was achieved that provided a long-lasting legacy that would benefit the local community, improve the character and appearance of the local area and add variation to the existing housing stock.

OTHER OPTIONS CONSIDERED:

A do nothing option was rejected because the site would become an increasing liability and continue to detract from the character and amenities of the local area. Alternative options for achieving a permission, and the reasons for rejection, were set out in the report.

EXECUTIVE

EX117-20/21 EXCLUSION OF THE PUBLIC

Moved by Councillor Duncan McGregor and seconded by Councillor Sandra Peake
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 Part 1 of Schedule 12A of the Act and it is not in the public interest for that to be revealed. [The category of exempt information is stated after each Minute].

PART 2 - EXEMPT ITEMS

NON KEY DECISIONS

EX118-20/21 B.I.L.D (BUILDING, INFRASTRUCTURE AND LEISURE DEVELOPMENT) PROGRAMME

Executive considered a report by the Portfolio Holder – Leisure, Transformation and Partnerships, which sought approval of the Council's Building, Infrastructure and Leisure Development Programme (BILD) concept, approach and process. This programme included the option for Parish Councils to borrow through the District Council to finance capital works associated with the BILD Programme where appropriate.

The report set out the importance of leisure, recreation and play in communities and their economic impact, as well as the purpose of BILD and how it would work and the potential appetite for the programme.

Executive welcomed the report and hoped Parish Councils would engage with the scheme.

Moved by Councillor Mary Dooley and seconded by Councillor Duncan McGregor
RESOLVED that;

- 1) the Council's BILD Programme concept, approach and process including the option for Parish Councils to borrow through the District Council to finance capital works associated with the BILD Programme where appropriate to do so, be approved.
- 2) Executive receive project proposals for approval on a case by case basis as and when proposals were developed.

(Director of Corporate Resources)

REASON FOR DECISION:

The development of leisure, recreation and play infrastructure was in the interests of all communities. The BILD Programme had been specifically developed/designed to overcome the existing barriers to the development of leisure, recreation and play infrastructure across the district through partnership working between Parish/Town and District Councils.

EXECUTIVE

OTHER OPTIONS CONSIDERED:

There was no other known option that was available to Parish/Town Councils that was designed to operate the way that the BILD Programme would.

(Paragraph 3)

KEY DECISIONS

EX119-20/21 BRAMLEY VALE IMPROVEMENTS

Executive considered a report by the Portfolio Holder – Housing that sought a decision regarding the scope of works for the refurbishment of Council owned properties at Bramley Vale, which would enable officers to procure a contractor to carry out the essential remedial work.

The report recommended Option C, which included Option B. This included carrying out structural stability works to walls, footings and drains to Council owned properties. It also included external wall insulation work, for which eco funding would be sought for part of the cost.

Moved by Councillor Sandra Peake and seconded by Councillor Duncan McGregor **RESOLVED** that Option C (which included Option B) as set out in the report be endorsed. This Option would allow the repairs team to get detailed designs and costs agreed, contractors procured and then report back to Executive for a contract decision.

(Director of Development)

REASON FOR DECISION:

This decision would address all of the historical and ongoing repairs associated with the structural instability and the poor thermal efficiency of the properties.

OTHER OPTIONS CONSIDERED:

A number of alternative options and the reasons they were not recommended were set out in the report.

(Paragraph 3)

EX120-20/21 DISCRETIONARY GRANT FUNDING

Executive considered a report of the Deputy Leader which provided an update on the allocation of funding from the first round of Additional Restrictions Grant (ARG) and to consider criteria for the allocation of funding from a further allocation of Additional Restriction Grant monies.

The report set out information regarding the allocation of the first round of ARG, which had been successful in supporting a number of businesses across the district. The report also set out the intended criteria for allocating the second top-up of ARG funding.

EXECUTIVE

Moved by Councillor Duncan McGregor and seconded by Councillor Sandra Peake
RESOLVED that;

- 1) the report be noted and the awards that were made on the basis of the priorities and criteria set out for the original ARG funding be endorsed.
- 2) the details of the forthcoming Additional Restrictions Grant be noted and the following proposals be endorsed:
 - i) a new scheme is open, inviting businesses from across the district to apply through a new application process;
 - ii) businesses who have been, and continue to be, affected by the Coronavirus pandemic and the roadmap to easing lockdown restrictions are priorities for the Additional Restrictions Grant, including:
 - businesses closely related to visitor economy, hospitality or leisure, or part of their supply chain and ineligible for the mandatory grants
 - start-ups, sole traders and self-employed ineligible for the mandatory grants
 - businesses who do not hold a business rates account
 - businesses who have not received any previous ARG funding and who are still closed under the roadmap for lockdown restrictions
 - iii) the following criteria be used to assess the level of grant funding to be awarded from the ARG scheme:
 - level of fixed costs faced by the business
 - no. of FTE employees within the applicant business
 - trading status of the business i.e. whether some trading has continued or a business has had to close completely, and when likely to resume trading
 - any previous grant award through ARG or other discretionary grant scheme
 - iv) the level of any future awards will be set at a maximum of £10,000 for a single business with discretion to award a grant of £1,500 / £3,000 / £5,000 / £7,500 / £10,000 based on an officer assessment using the above criteria.

(Assistant Director of Development and Planning)

REASON FOR DECISION:

The original ARG discretionary grant fund had been successful in supporting 265 businesses across the district. The top-up award of additional funding presented an opportunity to offer further support to businesses over the coming months as the country eases out of lockdown and restrictions were lifted.

OTHER OPTIONS CONSIDERED:

The option to do nothing with the Additional Restrictions Grant could not be countenanced by the Council. The option to do the same as before was rejected for the reasons set out in the report.

(Paragraph 3)

EXECUTIVE

EX121-20/21 **COMMERCIAL PROPERTY DEVELOPMENTS**

Executive considered a report of the Portfolio Holder – Economic Development which set out outline business cases for a potential phase-3 development of industrial units at land adjacent to The Tangent Business Hub, Shirebrook and a potential commercial property development on land on Portland Drive, Shirebrook.

The report sought approval to allocate a provisional sum from the Transformation Reserve to undertake RIBA Stages 1-3, which would include site surveys, architectural drawings, cost plan, planning application and associated fees, as well as an outline specification and design programme. The report set out information about submitting a Levelling Up Fund application to secure grant funding for the two projects but also sought endorsement for alternative financing (subject to Council approval) should the Levelling Up application be unsuccessful or to lengthy a process for award and delivery.

Moved by Councillor Liz Smyth and seconded by Councillor Duncan McGregor

RESOLVED that;

- 1) a provisional sum, as detailed in the report, be allocated from the Transformation Reserve to undertake pre-contractor works up to and including RIBA Stage 3, on the basis that a further report be brought back to Executive following the procurement exercise of the design team with the confirmed contract value.
- 2) the investment in the development of the industrial units on Portland Drive, Shirebrook as identified in the report and funded through a Levelling Up Fund bid (an estimated cost was set out in the report), be supported.
- 3) the investment in the development of the industrial units on land adjacent to The Tangent Business Hub, Shirebrook as identified in the report and funded through a Levelling Up Fund (an estimated cost was set out in the report), be supported.
- 4) the investment in the development of the industrial units on Portland Drive, Shirebrook as identified in the report and funded through borrowing (an estimated cost was set out in the report), subject to a future report to Council for approval, be supported.
- 5) the investment in the development of the industrial units on land adjacent to The Tangent Business Hub, Shirebrook as identified in the report and funded through borrowing (an estimated cost was set out in the report), subject to a future report to Council for approval, be supported.
- 6) subject to a satisfactory viability appraisal based on the contract value, the Assistant Director of Development and Planning be given delegated authority to procure, negotiate and enter a contract for the design team.

(Director of Development)

EXECUTIVE

REASON FOR DECISION:

Each of the two sites offered accommodation which was in high demand. The capital investment would generate a longer term revenue source for the authority, whilst contributing to the Council's strategic objectives of increasing business growth, increasing business rates retention, and supporting economic growth through offering a diverse range of commercial property accommodation with the district.

OTHER OPTIONS CONSIDERED:

Alternative options for the two sites were set out in the report.

(Paragraph 3)

The meeting concluded at 10:29 hours.

Bolsover District Council

Executive

21 June 2021

**Ambition Plan Targets Performance Update – January to March 2021
(Q4 – 2020/21)**

Report of Councillor McGregor, Portfolio Holder for Corporate Governance

Classification: This report is public

Report By: Kath Drury, Information, Engagement and Performance Manager

Contact Officer: Kath Drury, Information, Engagement and Performance Manager

PURPOSE / SUMMARY

To report the Quarter 4 outturns for the Council's ambition targets 2020-2024

Out of the 31 targets:

- 19 (61%) are on track
 - 5 (15%) have been affected by Covid 19
 - 2 (6%) are achieved behind target date
 - 1 (3%) not achieved for 2020/21
 - 4 (13%) achieved (2 Targets previously achieved)
-

RECOMMENDATIONS

1. That quarterly outturns against the Council Ambition 2020-2024 targets and relevant service indicators be noted.

Approved by the Portfolio Holder – Corporate Governance

IMPLICATIONS

Finance and Risk: Yes No

Details:

On Behalf of the Section 151 Officer

Legal (including Data Protection): Yes No

Details:

On Behalf of the Solicitor to the Council

Staffing: Yes No

Details:

On behalf of the Head of Paid Service

DECISION INFORMATION

Decision Information	
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: BDC: Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input type="checkbox"/> NEDDC: Revenue - £100,000 <input type="checkbox"/> Capital - £250,000 <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)	No
District Wards Significantly Affected	None
Consultation: Leader / Deputy Leader <input type="checkbox"/> Cabinet / Executive <input type="checkbox"/> SAMT <input checked="" type="checkbox"/> Relevant Service Manager <input type="checkbox"/> Members <input type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/>	Cabinet Members/SAMT informed on route via the quarterly performance meeting Details: Ward Members

Links to Council Ambition (BDC)/Council Plan (NED) priorities or Policy Framework including Climate Change, Equalities, and Economics and Health implications.

All

REPORT DETAILS

1 Background

1.1 The attached appendix contains the performance outturn as of 31st March 2021.

2. Details of Proposal or Information

2.1 The attached contains the performance outturn as of 31st March 2021 (Information compiled on 2nd June 2021).

2.1.1 A summary by Council Ambition aim is provided below:

2.3 **Our Environment – protecting the quality of life for residents and businesses, meeting environmental challenges and enhancing biodiversity**

- 11 targets in total
- 5 targets are on track
- 2 targets achieved previously
- 1 target has been affected by Covid19 (ENV06)
- 1 target has been achieved in 2020/21
 - **ENV.02** - *Reduce the District Council's carbon emissions by - 100 tonnes CO2 in 20/21*
- 1 target not been achieved in 2020/21
 - **ENV.08** - *Bring 5 empty properties back into use per year through assistance and enforcement measures.*
- 1 target achieved behind target date:
 - **ENV.07** - *Prepare and adopt a new Empty Property Strategy by January 2021 to support the Council's vision to bring empty properties back into use. The Strategy has been approved by the Executive and is in the process of being designed by the communications team.*

2.4 **Our Economy – by driving growth, promoting the District and being business and visitor friendly**

- 10 targets in total
- 8 targets are on track
- 1 target achieved for 2020/21
 - **ECO.06** - *Work with partners to deliver an average of 20 units of affordable homes each year. - The total number of affordable housing completions for 2020/21 is 50 units*
- 1 target achieved behind target date :
 - **ECO.04** - *Prepare and adopt new Housing Strategy by January 2021. The Housing Strategy has now been agreed by Executive.*

2.5 Our Customers – Providing excellent and accessible services

- 10 targets in total
- 6 targets are on track
- 4 targets have been affected by Covid19 (CUS07, CUS 08, CUS09 & CUS10).

2.6 Details have been provided in the appendix for those at exception including those affected by Covid19.

3 Reasons for Recommendation

3.1 Out of the 31 targets, 19 are on track (61%), 5 has been affected by Covid 19 (15%), 4 (13%) have been achieved (2 previously) 1 not achieved for 2020/21 (3%) and 2 (6%) are achieved behind target date.

3.2 This is an information report to keep Members informed of progress against the Council Ambition targets noting achievements and any areas of concern.

4 Alternative Options and Reasons for Rejection

4.1 Not applicable to this report as providing an overview of performance against agreed targets

DOCUMENT INFORMATION

Appendix No	Title
1	Council Ambition Performance Update – Q4 January to March 2021
Background Papers (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)	
All details on the PERFORM system	

Bolsover District Council
Council Ambition Performance Update – Q4 – January to March 2021

Target Status	Usage
 On Track	The target is progressing well against the intended outcomes and intended date
 Overdue	The target has passed its due date for completion
 Achieved	The target has been successfully completed within the target date
 Achieved Behind Target	The target has been completed but outside the intended target date
 Not Achieved	The target has failed to achieve what it set out to accomplish within the intended target date.
 Covid Affected	The target has been affected by the Covid 19 Pandemic

Aim: Our Environment – protecting the quality of life for residents and businesses, meeting environmental challenges and enhancing biodiversity

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Council Plan Target (Target date 31/03/24 unless stated otherwise)	Directorate/ Portfolio Holder	Status	Q4 2020/21 Progress Update
ENV.01 - Develop an externally facing climate change communication strategy targeting communities and stakeholders by October 2020 and deliver an annual action plan	Corporate Resources <i>Cllr Dooley</i>	On track	<p>A new Air Quality webpage has been created following a request from the low carbon group. This page will promote ways to maintain air quality as well as make it easy for people to see current pollution levels. The page is being developed by BDC and copied onto NED's website when ready to go live.</p> <p>Bolsover TV main feature was £270k from the Woodland Trust. Also featured on website news, e-newsletters and social media.</p> <p>April 2021 - In Touch features news on the Great British Spring clean with a call for people to litter-pick in their area. It also features news on EV charge points in Bolsover being installed and £270k from the Woodland Trust we received to help plant trees and woodlands in the District.</p> <p>Ongoing publicity and support of 'green' initiatives in the District e.g. voluntary planting groups, litter pickers in line with the Climate Change Communications Strategy.</p>

Council Plan Target (Target date 31/03/24 unless stated otherwise)	Directorate/ Portfolio Holder	Status	Q4 2020/21 Progress Update
			<p>Regular social media, website and e-newsletter coverage.</p> <p>Regular stories on Bolsover TV including (since Jan 2021) Half Acre Farm, Happy Roots Farm, Whitwell Parish Council electric vehicle, EV charge points in Bolsover.</p>
<p>ENV.02 - Reduce the District Council's carbon emissions by - 100 tonnes CO2 in 20/21 -Reduce the District Council's carbon emissions by - 100 tonnes CO2 in 20/21</p>	<p>Corporate Resources <i>Cllr Clarke</i></p>	<p>Achieved for 2020/21</p>	<p>A number of projects are in the development stage (Thanks a Tonne, Countywide External Wall programme), along with projects in the early delivery stage (External Wall Insulation, agile/home working, renewable energy) and projects such as variable speed drives have completed. The progress against the corporate target is difficult and unrealistic to measure this year. For instance, due to covid closure of the leisure centres it is estimated that 10 Tonne CO2 saving per month of closure was achieved and the centre were closed for 7 months. In addition, with 90% of office based staff working from home and only meeting virtually, a further 100 Tonne forecast reduction is estimated. Whilst this clearly demonstrates the 100 Tonne target was achieved, it is unrealistic to compare this year to others.</p>
<p>ENV.03 - Achieve a combined recycling and composting rate of 50% by March 2023.</p>	<p>Environment <i>Cllr Clarke</i></p>	<p>On track</p>	<p>Q4 (2020\21) performance is estimated based on Q4 2019/20 Waste Data Flow figures at 2015.66 recyclable materials collected, this equates to a combined recycling and composting rate of 27.8%. This will be updated when the actual figures become available from WDF at the end of March.</p> <p>Q3 (2020\21) <u>Actual</u> recyclable\compostable material collected within this period was 2569.49 tonnes as reported by way of Waste Data Flow, equating to a combined recycling rate of 33.1%. This represents a reduction in performance when compared to Q1 (2019\20) due to impact of Covid-19.</p>

Council Plan Target (Target date 31/03/24 unless stated otherwise)	Directorate/ Portfolio Holder	Status	Q4 2020/21 Progress Update
ENV.04 - Sustain standards of litter cleanliness to ensure 96% of streets each year meet an acceptable level as assessed by Local Environment Quality Surveys (LEQS).	Environment	On track	LEQS's established 4% of streets and relevant land surveyed fell below grade B cleanliness standards and within the 4% target standard set.
ENV.04 - Sustain standards of litter cleanliness to ensure 96% of streets each year meet an acceptable level as assessed by Local Environment Quality Surveys (LEQS).	Environment Cllr Watson	On track	LEQS's established 3% of streets and relevant land surveyed fell below grade B cleanliness standards and within the 4% target standard set.
ENV.05 - Sustain standards of dog fouling cleanliness to ensure 98% of streets each year meet an acceptable level as assessed by Local Environment Quality Surveys (LEQS).	Environment Cllr Watson	On track	LEQS's established 0% of streets and relevant land surveyed fell below grade B cleanliness standards and within the 2% target standard set.
ENV.06 - Increase the number of fixed penalty notices issued for litter and dog fouling offences by 20% over a five year period.	Environment Cllr Watson	Covid Affected	On hold due to Covid-19 pandemic and limits on personal interactions and patrolling. Patrols restarting 1/4/21
ENV.07 - Prepare and adopt a new Empty Property Strategy by January 2021 to support the Council's vision to bring empty properties back into use.	Development Cllr Peake	Achieved behind target	The Strategy has been approved by the Executive and is in the process of being designed by the communications team.
ENV.08 - Bring 5 empty properties back into use per year through assistance and enforcement measures.	Development Cllr Peake	Not achieved in 2020/21	The Council have continued to promote the work that it has achieved with Action Housing and as a result of this a further property has been referred to them, it is hoped that this will bring a property that has been empty for more than 20 years, back into use and provide some more affordable housing.

Council Plan Target (Target date 31/03/24 unless stated otherwise)	Directorate/ Portfolio Holder	Status	Q4 2020/21 Progress Update
			<p>The property in Langwith - that the Council were previously were pursuing for a forced sale - is in the process of being leased to a local housing association. It is expected that the lease will be signed by the end of April, which will then allow work to commence.</p> <p>The same housing association are also looking to lease and purchase a number of problematic empty properties on West Lea in Clowne. This is part of the ongoing work the Council is doing to improve the area.</p> <p>The Council has continued to promote the VAT reduction that is available to empty properties and this has helped 1 owner to start renovation on a long term empty property in Creswell.</p> <p>A further meeting has been held with Bolsover Housing regarding introducing the Council Tax premium for long term empty properties. Discussions are ongoing with the finance and revenues teams and it is expected that a paper will be written with the intention of introducing the premium in April 2022. There would be a consultation process with owners of empty properties who would potentially be affected by this and this would be an opportunity to engage with them and encourage them to bring it back into use. Ultimately introducing this premium would be a decision made by the Cabinet and Executive.</p> <p>To date 2 long term empty properties have been brought back into use and this has created 7 units of affordable accommodation.</p>
ENV.11 - Resolve successfully 60% of cases following the issuing of a	Environment <i>Cllr Watson</i>	On track	<p>In Quarter four there has been a further 2 CPWs served.</p> <p>Of the 23 CPWs served so far this year 16 (70%) have been a</p>

Council Plan Target (Target date 31/03/24 unless stated otherwise)	Directorate/ Portfolio Holder	Status	Q4 2020/21 Progress Update
Community Protection Warning by 2024			<p>success, 3 have failed (13%), 1 was cancelled because the tenancy was terminated (4%) and 3 (13%) are within their monitoring period.</p> <p>Two of the failures in Quarter 4 were served on the same property in Pinxton. After the failure of the CPWs and the CPN further enforcement action was taken which resulted in us obtaining possession of the property. Which had a positive effect on the community.</p> <p>The cases are continually monitored for the duration of the case (usually 12 months) and are only deemed to be failed if the case progresses to a Community Protection Notice (CPN).</p> <p>Combining those within their monitoring period (and the cancelled one) and the successful CPW the outturn is 87%.</p>

Aim: Our Economy – by driving growth, promoting the District and being business and visitor friendly

Council Plan Target (Target date 31/03/24 unless stated otherwise)	Directorate/ Portfolio Holder	Status	Q4 2020/21 Progress Update
ECO.01 - Deliver a Business Growth Strategy by March 2021 that will support enterprise, innovation, jobs and skills and makes the best use of our assets.	Development <i>Cllr Smyth</i>	On Track	The Business Growth Strategy has been presented to the Growth Scrutiny Committee and has subsequently been approved by Executive. The next steps are to take the Business Growth Strategy to full Council for adoption.
ECO.02 - Optimise business growth (as measured by gross Business Rates) by £2m by March 2023.	Corporate Resources	On Track	Outturn Q4 2020/21 £65,350,671, Baseline (Outturn 2019/20) £65,445,968 = difference -95,297, -0.15% Note: Left on track due to target date

Council Plan Target (Target date 31/03/24 unless stated otherwise)	Directorate/ Portfolio Holder	Status	Q4 2020/21 Progress Update
	<i>Cllr Moesby</i>		
ECO.03 - Working with partners to bring forward employment and development opportunities at Coalite and Clowne Garden Village strategic sites by 2023.	Development <i>Cllr Smyth</i>	On Track	Coalite: Highway improvement works due to start April 2021. Application expected for development on Plot 5. Clowne Garden Village: ongoing discussions taking place with County Council re highway improvements and the applicant re potential resubmission of planning application.
ECO.04 - Prepare and adopt new Housing Strategy by January 2021.	Environment <i>Cllr Peake</i>	Achieved Behind Target	The Housing Strategy has now been agreed by Executive
ECO.05 - Annually review housing delivery in the district and facilitate delivery to meet the annual target of 272 new homes	Environment <i>Cllr Peake/Smyth</i>	On Track	The annual survey work that underpins this indicator is currently underway. Whilst the survey is not yet complete, the early indications are that we are on track to meet the annual target when we report comprehensively on this next quarter. The new monitoring regime is being readied for 2021/22 to provide quarterly information going forward.
ECO.06 - Work with partners to deliver an average of 20 units of affordable homes each year.	Development <i>Cllr Peake</i>	Achieved for 2020/21	The total number of affordable housing completions for 2020/21 is 50 units
ECO.07 - Deliver 150 new homes through the Bolsover Homes Programme by March 2024	Development <i>Cllr Peake</i>	On Track	Work is on-going on 4 sites in Whitwell which will deliver 16 homes the first of which is due to be handed over at the end of April 21. Sandy Lane/Thorpe Ave contracts are signed and work is due to start on site in May 2021 which will deliver a further 21 properties. Planning permission is due to be submitted for the next batch of sites in Langwith & Shirebrook by the end of May 21.
ECO.08 - Deliver identified transformation projects and initiatives which forecast to deliver	Corporate Resources <i>Cllr Dooley</i>	On track	A review of the 5% - 10% financial improvements through the Service Plan is complete and an initial review undertaken by Strategic Director Corporate Resources and S151 Officer. A summary document will be produced for Leadership to discuss

Council Plan Target (Target date 31/03/24 unless stated otherwise)	Directorate/ Portfolio Holder	Status	Q4 2020/21 Progress Update
£1m of revenue efficiencies or additional income by 2023. Note This covers transformation programme 2 which started in 2018			however, this work won't progress until the financial year end process is complete.
ECO.09 - Deliver service reviews of all service areas by Dec 2022	Corporate Resources Cllr Dooley	On track	The Service Review process was incorporated into the Service Plan process which is now substantially completed. The Joint Environmental Health Service Plan is the only remaining plan for BDC. This plan is in development.
ECO.10 - Working with partners to grow the visitor economy, the number of tourists and the amount of tourism spending in the District by 2023.	Development Cllr Smyth	On Track	Tourism Strategy has been presented to Growth Scrutiny and has subsequently been approved by Executive. Focus of the next quarter is on supporting re-opening of visitor economy in accordance with the Government's roadmap.

Aim: Our Customers – Providing excellent and accessible services

Council Target	Directorate	Status	Q4 2020/21 Progress Update
CUS.01 - Measure customer satisfaction in all front facing service areas at least every two years on a rolling programme	Corporate Resources Cllr McGregor/ Cllr Dooley	On track	2020/21 October Citizen Panel Survey Results: - 70% satisfied with how BDC runs things - 78% satisfied with their local area Base: 219 responses 66% Contact Centres and Leisure Centres have arrangements in place to measure customer satisfaction formally every two years and have or are developing quick and easy systems for capturing customer feedback e.g. comment cards. Streetscene uses the Citizen Panel every two years to measure satisfaction with its suite of front line services. The Performance team is currently undertaking an audit to establish gaps in customer

Council Target	Directorate	Status	Q4 2020/21 Progress Update
			satisfaction measurement and that information to inform a rolling programme.
CUS.02 - Improve the overall performance and usability of the website by achieving a minimum score of 90% using the Silktide* tool by Dec 2022.	Corporate Resources Cllr Dooley	On track	April 2021 - The latest figures from Silktide show the following: Content - 88 (great); Accessibility - 84 (great); User Experience - 96 (excellent); Marketing - 91 (excellent)
CUS.03 - Ensure that at least 50% of transactions are made through digital channels by Dec 2024	Corporate Resources Cllr Dooley	On track	Data from Customer Services for Q4: Online Transactions - 13,956 Tel and all other non-digital contact - 33,820 (no Face to Face due to Contact Centres closed to the public from 01/01/21 due to a 3rd lockdown) Total contact transactions - 47,776 = 29% transactions via digital method Note: From 06/11/2020 the link to report a repair online was removed from the website and Self due to COVID-19 tier restrictions and lockdown changing Repair priorities. Reinstated on the 29/03/21. Webchat facility no longer available from March 21, Multi-Channel telephone/ email and chat system being implemented with a tentative go live date end of June 2021.
CUS.04 - Work with partners to deliver the Sustainable Communities Strategy and publish an evaluation report annually	Corporate Resources Cllr Dooley	On track	Over this period we have begun to undertake a review of priorities and emerging issues which will shape priorities following CV-19 pandemic. Five themes have been identified across the partnership which are currently being developed further.
CUS.05 - Monitor performance against the corporate equality objectives and publish information annually	Corporate Resources Cllr McGregor	On track	A significant staff refresh on equalities is nearing completion. The training has been well received and supports the Council's policy on promoting equalities. A review of progress against the equality objectives for 2020/21 will commence in Q1 2021/22.

Council Target	Directorate	Status	Q4 2020/21 Progress Update
CUS.06 - Prevent homelessness for more than 50% of people who are facing homelessness each year	Environment Cllr Peake	On track	132 approaches from people facing homelessness. 94 cases prevented from becoming homeless. (This includes 10 cases still open and receiving support). 86% in total
CUS.07 - Reduce average relet times for standard voids (council properties) to 20 calendar days by March 2021 and maintain thereafter	Development Cllr Peake	Covid Affected	The current figure for 'minor' voids is 120 days and 127 days for major voids. The current process is being reviewed and we are now meeting with the teams to see any improvements we could make. We are also looking to start pre termination inspections as soon as restrictions are lifted which will allow us to start a number of activities earlier and identify minor voids earlier which will bring benefits for both repairs and lettings.
CUS.08 - Maintain high levels of tenant satisfaction with council housing and associated services	Development Cllr Peake	Covid Affected	Currently we are not collecting customer satisfaction information in relation to repairs due to the reduced customer contact through Covid-19. We are looking to resume from April 2021 and have been working with the Tenant Liaison Officer to identify ways this can happen during the current restrictions. Repairs performing reports have also been written in the new system ready for use.
CUS.09 - Increase participation/attendances in leisure, sport, recreation, health, physical and cultural activity by 3,000 per year.	Corporate Resources Cllr Dooley	Covid Affected	The facility remained closed for the fourth quarter, no further update to Q3. The government roadmap allows the swimming pool and gym to reopen again on 12th April 2021 with restrictions.
CUS.10 - Deliver a health intervention programme which provides 500 adults per year with a personal exercise plan via the exercise referral scheme	Corporate Resources Cllr Dooley	Covid Affected	The health referral programme is still suspended due to the Coronavirus pandemic. We are working closely with colleagues in Public Health to determine when it will be safe to bring clients back into leisure facilities for exercise. In the meantime we are keeping in contact with individuals and have filmed classes that can be accessed by clients through Bolsover TV.

Bolsover District Council

Executive

21 June 2021

Local Government and Social Care Ombudsman Decision

Report of the Monitoring Officer

Classification: This report is public

Report By: Sarah Sternberg, Monitoring Officer

Contact Officer: Ann Bedford, Customer Standards & Complaints Officer

PURPOSE / SUMMARY

- To provide information in relation to a decision made by the Local Government and Social Care Ombudsman.
 - To ensure that the organisation is fair to all service users.
 - To review procedures to prevent a similar situation from happening again.
-

RECOMMENDATIONS

1. That Executive receive the report and note its contents and recommendations.

Approved by the Portfolio Holder – Corporate Governance

IMPLICATIONS

Finance and Risk: Yes No

Details:

The Local Government and Social Care Ombudsman has found fault and imposed a financial penalty.

On Behalf of the Section 151 Officer

Legal (including Data Protection): Yes No

Details:

Part III of the Local Government Act 1974, the Local Government and Social Care Ombudsman provides independent, impartial and prompt investigation and resolution of complaints of injustice caused through maladministration.

There are no Data Protection implications. This report, and the LGSCO decision, has been depersonalised to preserve Mr and Mrs X's identity.

On Behalf of the Solicitor to the Council

Staffing: Yes No

Details:

There are no staffing implications.

On behalf of the Head of Paid Service

DECISION INFORMATION

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>BDC: Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input type="checkbox"/></p> <p>NEDDC: Revenue - £100,000 <input type="checkbox"/> Capital - £250,000 <input type="checkbox"/></p> <p><input checked="" type="checkbox"/> Please indicate which threshold applies</p>	No
<p>Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)</p>	No
<p>District Wards Significantly Affected</p>	None
<p>Consultation: Leader / Deputy Leader <input checked="" type="checkbox"/> Cabinet / Executive <input type="checkbox"/> SAMT <input type="checkbox"/> Relevant Service Manager <input checked="" type="checkbox"/> Members <input type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/></p>	Yes Details: Councillor McGregor, Deputy Leader

Links to Council Ambition (BDC) priorities or Policy Framework including Climate Change, Equalities, and Economics and Health implications.

Increasing customer satisfaction with our services
 Improving customer contact and removing barriers to accessing information
 Actively engaging with partners to benefit our customers
 Providing good quality council housing where people choose to live

REPORT DETAILS

1 Report Details

Background

The full LGSCO decision is appended at Appendix 1.

- 1.1 The Council secured funding to carry out essential repairs and restore original features to the Grade II listed homes in New Bolsover Model Village. As well as Council properties, all private properties were offered certain work free of charge and homeowners could also choose other works to be carried out, at a discounted cost. The work was carried out by a private construction firm employing architects
- 1.2 In March 2018, Mr and Mrs X accepted the offer and also chose further work, from a 'shopping list' of options, including further work to the roof and installing insulation.
- 1.3 Work commenced in April 2018 and Mr and Mrs X complained to the construction firm that, on removing part of the roof, damp had caused damage to their belongings and water damage in the house. The contractor offered a discount of £300 for the damage and the site manager agreed to complete the works to the expected standard and said it would be signed off in stages by the architect.
- 1.4 Work continued to the property and the project architect produced a 'snagging' list, a list of minor faults to be rectified. This included some replacement brickwork, added pointing, painting and cleaning. Mrs X signed a handover certificate to record her satisfaction with the work completed, subject to several outstanding items which included external snagging and a roofing guarantee.
- 1.5 In 2019, the new site manager sent Mr and Mrs X a warranty for the work to install tiles on the roof. In February, the Council became aware that Mr and Mrs X had been charged for the less expensive insulation package but the contractor had installed the full package and absorbed the added cost itself, so the amount Mr and Mrs X would pay remained the same.
- 1.6 The project architect inspected the roof insulation, which appeared to have been carried out to specification although there were two areas where insulation still needed to be installed. Mr X contacted the Council following a meeting with the site manager.

He said he would accept an offer of £300 from the contractor for water damage and the loss of their possessions, however, he intended to pay a reduced amount towards the outstanding bill to reflect the continuing concerns about the work. The Council said the architect had confirmed the work had been completed to specification and the full payment was now due, minus the £300 offered by the contractor. Mr X replied there were parts of the roof space the architect could not inspect as he could not

access them. He said the roof warranty had been issued without the architect's approval and other work to the outside of the building was outstanding and he wanted a discount on the rest of the bill.

- 1.7 The Council said major works will always cause some disruption and inconvenience. The contract had no formal 'sign offs' but the architect and officers from the Council had inspected the roof inside and out. It assured Mr X it had installed the roof correctly and this was why a warranty had been provided.
- 1.8 The Council arranged for building control to visit the property in June 2019, to confirm the works were carried out to specification and in line with building regulations. The surveyor carried out a visual inspection of the roof space and said insulation had been installed in the areas they could see. There was one part of the roof which was not accessible, and the surveyor suggested carrying out a further survey using a small camera. The surveyor did not comment on whether the insulation complied with building regulations. The surveyor also noted two areas of the building where mortar was missing and flashing was loose.
- 1.9 The Council said it could not offer a further discount as Mr and Mrs X had already received a more costly package than they had paid for.
- 1.10 Mr and Mrs X declined the camera survey and asked for the inspection to be carried out from outside.
- 1.11 Mr X said he intended to arrange for another builder to complete the work and bill the Council. The Council wrote to Mr and Mrs X in October 2019 to advise that the loft work had been completed and, subject to the snagging work being carried out, if they remained unhappy their next recourse was with the LGSCO.
- 1.12 Mr and Mrs X reported further leaks in November 2019. The Council asked Mr and Mrs X to sign off the work but they would not until the water ingress issue had been resolved. Mr X said he would arrange for his own roofing contractor and offset this against the outstanding balance owed. The Council responded to say that attempts to arrange visits had not been taken up by Mr and Mrs X and that work carried out by any other contractor would invalidate the warranty.
- 1.13 Mr X commissioned a report by an independent building surveyor which highlighted some issues, some of which were previously unidentified. The inspection was carried out on 3rd January 2020. Following receipt of this report, the Council met on site with the contractor and architect (January 2020).
- 1.14 It was identified that the gap in the loft insulation (as per the architect's original plans) could not be achieved due to the age and shape of the building. Whilst suggesting other resolutions, the Council could not achieve the result Mr and Mrs X wanted.

- 1.15 The Council accepted that there had been delays, some unavoidable and some which, it was felt, was due to the complexity of the matter, the number of people/ organisations involved and the significant amount of correspondence. To bring the matter to a conclusion, the Council therefore wrote to Mr and Mrs X and offered, on **30th June 2020**, a 'without prejudice' resolution as follows:

A full refund of the money paid under the contract and an agreement to waive the balance as a goodwill measure to allow you to pay for the installation of loft insulation yourselves, to reflect the time your complaint has taken to resolve, and to acknowledge any inconvenience you have experienced during this project. The refund amount is £2822.

This offer is also made with regard to the provisions of the Consumer Rights Act 2015 and the fact that you do not accept our resolution regarding the insulation, you advised that the installation of the loft insulation would only be acceptable to you if it were in accordance with the architect's drawing. We cannot achieve this outcome and we have not otherwise completed a resolution in a reasonable time scale.

In addition:

We will carry out any necessary repairs to rainwater goods, chimney(s) and the lead flashings at No. xx.

We will carry out the agreed external snagging in accordance with the phased schedule of work. You requested a copy of this, advising you have not previously been sent this. Please find attached a copy, which was originally sent to you on 22nd October 2019.

We would also like to apologise in respect of the time this has taken to resolve and for any inconvenience experienced during this project.

This would be a full and final offer covering all aspects of your complaint.

Mr and Mrs X did not respond to the officer, they continued to pursue their complaint with the LGSCO and their investigation continued.

Final decision

- 1.16 Although a remedy had been offered, the LGSCO found fault, they recorded their decision, on **5th January 2021**, as 'Upheld. Maladministration and injustice.'
- 1.17 Their recommendations (in full in the appended LGSCO decision) have been carried out under delegated powers as per the Compliments, Comments and Complaints policy.

A review of working practices was carried out by Senior Managers on 30th April 2021 and the minutes were sent to the LGSCO (attached at Appendix 2). This is also the subject of an ongoing Scrutiny Review (Customer

Service and Transformation) and any recommendations identified by them and approved by the Executive will feed into the procedure for handling complaints in relation to contracted out services.

- 1.18 Additionally the Customer Standards and Complaints Officer acted as the single point of contact for Mr and Mrs X's enquiry to better manage incoming correspondence and ensure there was no duplication or omission.

2. Details of Proposal or Information

- 2.1 The report is to keep Elected Members informed of LGSCO decisions.
- 2.2 That Executive receive the report and note its contents and recommendations.

3 Reasons for Recommendation

- 3.1 Senior Officers accepted there were areas for improvement with the complaints process around this development and implemented changes swiftly.
- 3.2 Whilst a remedy had been offered, Mr and Mrs X were entitled to pursue their complaint with the Local Government and Social Care Ombudsman.

4 Alternative Options and Reasons for Rejection

- 4.1 Not applicable as the report is keep Elected Members informed rather than to aid decision making.

DOCUMENT INFORMATION

Appendix No	Title
Appendix 1	LGSCO decision notice
Appendix 2	Minutes of the meeting 30 th April 2021
Background Papers (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)	
As above.	

The Ombudsman's final decision

Summary: Mr X complained about how the Council responded to his concerns about work carried out on his home. We found the Council did not check the work in progress and took too long to identify it had not been completed to the agreed standard. This caused inconvenience and frustration to Mr X and damage to his home. The Council agreed to apologise to Mr X, make a payment to recognise the injustice caused, and complete the outstanding works within three months.

The complaint

1. Mr X complains about the quality of work carried out to his home by contractors working on behalf of the Council. He says the work was not carried out to the agreed standard and his home has suffered damage as a result. He says the Council has not acted in response to his concerns. He would like the Council to carry out remedial works to the property and reduce the outstanding charge for the works. He would also like the Council to refund some costs he has incurred.

The Ombudsman's role and powers

2. We investigate complaints about 'maladministration' and 'service failure'. In this statement, I have used the word fault to refer to these. We must also consider whether any fault has had an adverse impact on the person making the complaint. I refer to this as 'injustice'. If there has been fault which has caused an injustice, we may suggest a remedy. (*Local Government Act 1974, sections 26(1) and 26A(1), as amended*)
3. We investigate complaints about councils and certain other bodies. Where an individual, organisation or private company is providing services on behalf of a council, we can investigate complaints about the actions of these providers. (*Local Government Act 1974, section 25(7), as amended*)
4. The law says we cannot normally investigate a complaint when someone could take the matter to court. However, we may decide to investigate if we consider it would be unreasonable to expect the person to go to court. (*Local Government Act 1974, section 26(6)(c), as amended*)
5. If we are satisfied with a council's actions or proposed actions, we can complete our investigation and issue a decision statement. (*Local Government Act 1974, section 30(1B) and 34H(i), as amended*)

How I considered this complaint

6. I have considered the complaint made by Mr X and the documents he provided.
7. I considered the Council's comments about the complaint and the documents it provided in response to my enquiries.
8. Mr X and the Council had an opportunity to comment on my draft decision. I considered any comments received before making a final decision.

What I found

Background

9. Most building work, whether new, alterations, or extensions needs building regulation approval. The regulations set standards for the design and construction of buildings and ensure the health and safety of people in and about those buildings. 'Approved documents' give examples of how the regulations can be met, but these examples do not have to be followed.
10. A person can seek building regulations approval in several ways. This can include an inspector checking work on site for compliance with the regulations and issuing a completion certificate within five weeks. Alternatively, an inspector can certify compliance with the regulations once the work is complete. Building control inspectors are not expected to check for compliance with approved plans.
11. Primary responsibility for building works rests with those who commission it and those who do the work.
12. The Consumer Rights Act 2015 sets out what should happen when services do not deliver what was agreed or are delivered without reasonable care and skill. Consumers can ask the service provider to fix the problem, or to receive a refund for the work.

What happened

13. In December 2015, the Council secured funding to carry out essential repairs and restore original features to the Grade II listed homes in New Bolsover Model Village. The village is a mix of private and council-owned homes. It appointed an architect and a private construction firm to carry out the work on its behalf.
14. Mr X owns his own home. As part of the project, all private properties were to have the following carried out for free:
 - Re-pointing (including the chimney stack)
 - Any loose slates made good
 - Downpipes and guttering replaced with cast iron works
 - Timber surveys carried out and remedial work completed
 - Lintel load bearings checked and remedial work carried out
 - External door frame and door condition survey and remedial work carried out
 - New windows installed front and back
15. Homeowners could choose other works to be carried out, at a cost. This included further work to the roof and installing insulation. Mr and Mrs X decided to pay for this extra work. The Council showed them architect drawings and gave them a 'shopping list' which detailed the work to be done.

2018

16. In March the Council wrote to Mr and Mrs X outlining the cost of the agreed works to the roof. The letter said the project architect would supervise and sign off the work. The architect's plans showed where insulation would be installed in the loft, including the air gap to be maintained between the insulation and the roofing membrane, in line with building regulations.
17. In April, work began on the roof. Mr X says workers removed part of the roof without notice, causing damage to their belongings and water damage in the house. Despite raising concerns with the site manager, Mr X says contractors returned the next day and removed the rest of the roof. Mr X spoke with another site manager, providing photos of the roof works which he said showed rotten rafters, large birds' nests and a lack of insulation. The site manager agreed to complete the works to the expected standard and said it would be signed off in stages by the architect. Mr and Mrs X wrote to the contractor setting out their concerns about the quality of work carried out to their roof.
18. Work continued to the property. In December, the project architect produced a 'snagging' list, a list of minor faults to be rectified. This included some replacement brickwork, added pointing, painting and cleaning. Mrs X signed a handover certificate to record her satisfaction with the work completed, subject to several outstanding items which included external snagging and a roofing guarantee.

2019

19. In January, a new site manager sent Mr and Mrs X a warranty for the work to install tiles on the roof.
20. In February, the Council became aware the 'shopping list' for the roof given to Mr and Mrs X did not include the full package of insulation works detailed in the architect's drawings. The full package was more costly. The Council said the contractor had installed the full package and absorbed the added cost itself, so the amount Mr and Mrs X would pay remained the same.
21. The project architect visited the property in February and inspected the loft. He said the insulation appeared to have been carried out to the specification. There were two areas where insulation still needed to be installed. He said Mr X had agreed to resolve some issues himself. He also said the quality of pointing was poor in places but did not appear to recommend this was redone.
22. Mr X contacted the Council following a meeting with the site manager. He said a fourth snagging list had been drawn up. He said he would accept an offer of £300 from the contractor for water damage and the loss of their possessions when it removed the roof. However, he advised the Council he intended to pay a reduced amount towards the outstanding bill to reflect the continuing concerns about the work carried out. The Council said the architect had confirmed the work had been completed to specification and so the full payment was now due, minus the £300 offered by the contractor. Mr X replied there were parts of the roof space the architect could not inspect as he could not access them. In his view, the roof warranty had been issued without the architect's approval. He said other work to the outside of the building was outstanding and he was asking for a discount on the rest of the bill.
23. The project architect carried out a 'ground level inspection' in March. He told the Council there were no obvious issues. He said 'although not inspected close up' he and the Council officer present considered the roof to have been completed to

the specification. He said the Council had periodically reviewed the works when the scaffolding was in place. He confirmed the findings in a letter to the Council shortly after.

24. Mr X complained to the Council. He said he had been in communication with the Council about damage caused to his home because of poor workmanship and a lack of care over the previous year. He said neither the Council nor the contractor had provided evidence the work had been completed to the specification agreed. He asked the Council to redo the roofing works to the full specification originally agreed. He said if it would not carry out the work, he wanted a further discount on the outstanding charge. Mr X referred to other damage caused by the works including:
- damage caused by water ingress;
 - damage to a television because of falling brickwork;
 - damage to possessions stored in the roof space;
 - damage to carpet in the attic room due to dirt falling through cracks in the plaster made by the roofers; and
 - damage to the damp-proof course.
25. The Council replied to Mr X in mid-April. It provided some background to the works on Mr and Mrs X's home. It accepted there was some damage to their belongings and the contractor had offered a discount of £300 on the cost of the work to remedy this. The Council said major works will always cause some disruption and inconvenience. The Council said the contract had no formal 'sign offs' but the architect and officers from the Council had inspected the roof inside and out. It assured Mr X it had installed the roof correctly and said this was why it had provided him with a warranty. It provided Mr X with information about his outstanding costs and said it would issue an invoice once it had completed the remaining snagging work.
26. Mr and Mrs X wrote to the Council in May. They provided a detailed background to the case. They felt the Council was not taking responsibility for the damage caused to their home. They said the added works carried out to the roof at the contractor's cost were irrelevant, as they still had no evidence to show what work had been done. Mr and Mrs X said they had no evidence the architect had visited during the works as agreed. They said the architect told them the contractor should have invited him to view the roof at various stages of completion, but it had not routinely done so. Mr X says the architect could not carry out a full inspection because most of the internal work was not visible. Mr X said their contract with the Council said payment plans would be subject to sign off and satisfactory completion of the work. He said the roof warranty was issued before an architect inspection and without any report from building control, making it invalid. He enclosed a receipt for the damaged carpet and asked for the Council to refund the cost.
27. The Council arranged for building control to visit the property in June, to confirm the works were carried out to specification and in line with building regulations. The surveyor carried out a visual inspection of the roof space and said insulation had been installed in the areas they could see. There was one part of the roof which was not accessible, and the surveyor suggested carrying out a further survey using a small camera. The surveyor did not comment on whether the insulation complied with building regulations. The surveyor also noted two areas

-
- of the building where mortar was missing, and another where the flashing was loose.
28. A senior Council officer wrote to Mr and Mrs X in July. She said it could not offer a further discount for the work because the contractor had installed a more expensive package than the one Mr and Mrs X paid for. She said the Council was looking into who caused the carpet damage. She had arranged for the further inspection which took place in June and noted a camera survey was due to take place.
 29. Mrs X expressed reservations about the damage the camera survey may cause if carried out from the inside. Mr and Mrs X later declined the survey and asked if an inspection could be carried out externally.
 30. Mr and Mrs X wrote to the Council at the end of September. They said there had been five snagging lists produced but the work was still incomplete. They denied ever agreeing to resolve some issues themselves, and said they were waiting for the Council or its contractor to do so. Mr and Mrs X explained how much they were willing to pay of the outstanding bill for the work completed. They asked the Council to provide the original certificate of completion for the work, and evidence of the roof inspections carried out in 2018.
 31. In early October Mr X followed up the letter setting out his outstanding concerns about how the Council was dealing with the situation. He wanted compensation for the damage to their property and an apology. He intended to arrange another builder to complete the works and bill the Council, as the works were still not completed as agreed.
 32. In mid-October, the Council wrote to Mr X. It said there was still some external snagging work to be completed. It directed Mr X to the Ombudsman on the outstanding areas of disagreement.
 33. In mid-November, the Council wrote to Mr and Mrs X to confirm the work in the loft had been completed to the agreed specification. It cited the architect's reports, and that of the Council's building control, which said they had seen evidence of insulation being installed. The Council did not say how the insulation installed met building regulations.
 34. The site manager sent a lengthy snagging list to colleagues summarising the previous lists and asking for the outstanding tasks to be completed as soon as possible.
 35. Mr and Mrs X complained to the Ombudsman.
 36. At the end of November, Mr and Mrs X wrote to the Council to say they had found a leak in the roof which was dripping into the insulation and damaging the internal walls. They said they had told the team on site about this who said they needed to resolve the matter themselves. No remedial works or investigations had taken place to resolve the problem. They said they would arrange for their own roofing contractor to ensure no further damage was done to the property and would offset this against the outstanding balance for the roof. They attached photos showing water damage to an internal wall in the attic room.
 37. The Council told Mr X the snagging works were complete and asked him to sign off on them. Mr X said he would not sign off until the Council resolved the problems with water ingress.
 38. The Council responded shortly after. It said it had assured Mr X the work to the roof had been completed to specification and provided a warranty. It said the

Council had tried to arrange visits to find a solution to the problems of water ingress but Mr X had not arranged for these to happen. It said its preliminary tests had not identified any problems with the workmanship to the roof. It said it had found a similar problem in other properties which had been traced to leaves blocking the guttering, which had later been cleared. The Council said it would be appointing an independent heritage surveyor to confirm the cause of water ingress at the affected properties. It said if Mr X arranged for his own contractor to carry out work to the roof it would invalidate his warranty. It asked Mr X to contact the Council to arrange for an inspection of the areas letting in water and directed him again to the Ombudsman.

2020

39. In January, Mr X commissioned an independent building survey to address three issues: poor-quality pointing, water ingress, and incorrectly installed insulation. The survey found the mortar strength to be inconsistent, leading to cracks between the bricks and mortar in places. In other places, the surveyor found the mortar to be soft. The surveyor noted the pointing appeared to have been done during bad weather and there was mortar staining to the brickwork. The surveyor found evidence of water staining in the attic bedroom and penetrating damp in the chimney breast in the roof. The surveyor found insulation missing in places and in other parts of the roof it was loosely installed between rafters with no ventilation.
40. The surveyor concluded the pointing had been carried out with poorly mixed mortar of inconsistent quality. He suggested the chimney pointing and flashings may be allowing water ingress. He said the poorly installed insulation would create areas that may encourage condensation and mould growth. He suggested repointing the defective areas, including the chimney, and cleaning the brickwork. He also suggested checking the flashing to the chimney and reinstalling the insulation in line with the architect's drawings and building regulations. Mr X sent a copy of the report to the Council.
41. In mid-January Mr X wrote at length to the Council. He said the Council had still not addressed the poor pointing despite it being in the snagging list and this was causing water ingress when it rained. He said problems with damp from the chimney continued and he had told the Council about condensation build up. He was unhappy the Council had not carried out any investigative work. He said the warranty for the roof was invalid as it did not comply with building regulations or the architect's drawings.
42. The Council said it had offered to visit Mr and Mrs X to examine the problems with the chimney and check if the snagging works were complete. The Council said it had commissioned an external historic surveyor to do further tests. It said it had offered to arrange a visit from building control to inspect the insulation they could not see easily so they could sign off the work in the roof. Mr X declined this inspection as he considered the problems with water ingress to be a priority.
43. The project architect carried out a defect analysis of Mr and Mrs X's home, in response to the report commissioned by Mr X. It said it would need to carry out tests to assess the strength of the mortar and the chimney issues were being explored elsewhere on site. It said any repointing and flashing problems would be addressed if there was evidence the original specification was not delivered.
44. A follow up report a week later said the project architect had discussed the insulation with building control officers. It said the architect had received confirmation from the manufacturer about the correct air gaps required for the insulation.

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45. A senior officer arranged a site visit with the contractor and the architect. This was to look at the outside of the property, inspect the chimney and decide how to address problems with the pointing and flashing. He also proposed a further inspection of the insulation by building control, by removing some slates and using a camera to inspect the void from outside. Following the site visit, the project architect provided a final snagging list to the contractor and the Council arranged to be on site while the final works were carried out.
 46. In February, following a further inspection by the project architect, the Council agreed to replace some pointing at the back of the property and carry out repairs to the front. It said the contractor would tell Mr and Mrs X when it intended to carry out the work. It said it had ruled out the flashing on the roof as a source of damp or water ingress. It said the architect and contractor were still in discussions about the work to be done to the insulation. The Council said there were two areas which building control needed to check before they could issue a certificate. These were areas Mr and Mrs X had previously brought the Council's attention to. The Council said there were different methods available to ensure the insulation complied with building regulations and it could inspect as the work was carried out. The Council agreed that if possible, it would complete the works to the insulation without removing the ceiling, though it could not rule this out.
 47. Correspondence between the architect and the contractor shows concerns were raised about the air gap around the insulation installed at another property on site. In response, the contractor said it could not achieve the required air gap because of the physical constraints of the property. The architect said if the contractor could not install the insulation as planned then it should have told either the architect or the Council's clerk of works. The architect put forward some proposed solutions and suggested these be carried out at Mr X's property too.
 48. In March, the Council said the architect would inspect any areas where pointing had been removed before they were repointed. It would also test the removed mortar to rule out any problems. The chimney inspection report was still outstanding, but the contractor was costing up a solution to a possible problem with the flashing between Mr and Mrs X's property and their neighbours. There was some dispute about the air gap required for the insulation, which the Council was discussing with the manufacturer. The Council said the architect had a solution to the issues with the insulation which would meet building regulations. However, these would not be the same design as the original drawings presented to Mr and Mrs X when they signed up to have the work done.
 49. In an email exchange between the architect and the Council, the architect expressed concern that building control had previously carried out a visual inspection but not noted any problems with the insulation in the loft. He also noted that no work should be carried out to the property without him being told so he could inspect it before repointing was carried out.
 50. The Council later suggested an arbitration service to resolve the issues with the loft insulation. There was a difference of opinion between the Council and Mr and Mrs X about the correct air gap needed to meet building regulations. The Council proposed some alternatives to achieve the required air gap by either carrying out work from outside, or from inside the property. It asked Mr and Mrs X to seek advice and state their preference.
 51. Mr and Mrs X asked to see some reports before deciding. They also told the Council some mortar at the back of the property had been removed without notice and not replaced. They later complained to the contractor about this.

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52. At the end of March, the Council paused work at New Bolsover Model Village because of the COVID-19 pandemic. It wrote to Mr and Mrs X and advised it would complete the outstanding internal and external repairs as soon as possible. The Council said it would “take down the ceiling, replace the loft insulation and get it checked by the Building Inspector as soon as we can.”
 53. In April, the Council received a report from the heritage building surveyor it had appointed to inspect the chimneys at various homes on the site. The report concluded there were several defects which were contributing to the water ingress identified in several properties. The report said the standard of workmanship was not in line with the specification and would limit the durability and performance of the repointing.
 54. In June, the Council wrote to residents to say the contractor would be restarting its external snagging works. The Council estimated the work would take five months to complete, with Mr and Mrs X’s property falling into the third stage which it expected to carry out in October. The Council said it would be inspecting chimneys to ensure the work had been carried out to a suitable standard, and it would be refitting rainwater gutters.
 55. In the same month, the Council wrote to the Ombudsman. It said it believed the dispute should have been resolved between Mr and Mrs X and the contractors and it had tried to mediate to find a resolution. It said it had recently found out the full specification for the loft insulation was not possible because of the age and shape of the property. It said it was “not feasible” to complete the remedial works from the outside and it had offered to remove the ceiling to install improved insulation instead. It said under the Consumer Rights Act 2015 it would offer a full refund to Mr and Mrs X of the money paid under the contract. It would waive any outstanding balance, so Mr and Mrs X could pay someone else to install loft insulation. The Council said it could not achieve the result Mr and Mrs X wanted: insulation installed in line with the original architect drawings it gave them in 2018. The Council said it would also carry out any necessary repairs to rainwater goods, chimneys and lead flashings at the property, and the agreed external snagging. It said it would apologise to Mr and Mrs X for the time taken to resolve the situation and the inconvenience they experienced during the project.

Analysis

56. It is possible Mr and Mrs X could take this matter to court. However, I do not consider it would be reasonable to expect them to do so, and I have decided to exercise my discretion to investigate the matter. In reaching this decision I have considered the cost of court action; the Council’s acceptance of the poor workmanship; and the fact the Council signposted Mr and Mrs X to the Ombudsman to resolve their complaint.
57. This was a project of enormous scale, affecting almost 200 properties in the village. The Council is not wrong to say that such projects will cause disruption and inconvenience. However, when things go wrong, the Council should act quickly to resolve them. It failed to do so in this case, and this was fault.
58. The architect said the plans provided showed what should have been installed but ultimately the air gaps could not be achieved on site. The Council says the plans were a ‘generic schematic section’ showing all options available to homeowners and in reality most final installations would not meet the drawing. There is no evidence the Council told Mr and Mrs X this when they agreed to the works and this was fault. Mr and Mrs X had a reasonable expectation the Council would carry out the work as described in the plans.

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59. It is not for the Ombudsman to show if works carried out comply with building regulations; this is a matter for the professional judgement of officers working in building control. However, the Ombudsman would expect the Council to evidence how it has monitored compliance with building regulations in a project of this scale. There is no evidence of visits being carried out to Mr and Mrs X's property while the works were ongoing. This was fault.
 60. When officers in building control did visit, they carried out a visual inspection of the insulation installed in Mr and Mrs X's home. Their report fails to consider if the insulation had been installed in line with building regulations. This was fault.
 61. The architect's inspection which took place in February 2020 confirmed many of the concerns Mr and Mrs X had been raising through 2018 and 2019. During that time, the Council repeatedly claimed the insulation had been installed correctly. This caused Mr and Mrs X frustration and has left their property vulnerable to the effects of poorly installed insulation. It is unclear why it took the Council such a long time to carry out a suitably detailed inspection to settle the facts in this case. This was fault.
 62. The Council offered Mr and Mrs X the choice between having remedial works to the insulation carried out from the outside, or from the inside. However, it later told them it would only do the work from the inside. The Council has not explained to Mr and Mrs X how it arrived at this decision. This was fault.
 63. There is a lengthy snagging list which remains outstanding. Some of the items on the list now are the same as those identified in late 2018. Even allowing for periods of bad weather, and for the disruption of the COVID-19 pandemic, the Council should have ensured the outstanding actions were completed in a reasonable time-period. It failed to do so, and this was fault.
 64. It appears the Council feels Mr and Mrs X have at times been obstructive. However, Mr and Mrs X have provided reasonable explanations when they have declined works or inspections at their home. They have set reasonable conditions for the Council and its contractors, such as one of them being at home for any visits or being given notice of works. I have not seen evidence of Mr and Mrs X unreasonably refusing works or visits to their home.
 65. I must consider what position Mr and Mrs X would have been in if the fault had not occurred. I note the offer of £300 from the contractor to account for damage to Mr and Mrs X's possessions. I also acknowledge the Council's offer to refund the payment made so far for the roof work and insulation, waive the outstanding charge, and its commitment to carry out the outstanding remedial works to the rest of the property. However, this also creates inconvenience for Mr and Mrs X in having to source an alternative contractor to complete the insulation to the required standard. In my view, the Council's offer only goes part of the way to addressing the injustice in this case.
 66. Additionally, there is further damage to Mr and Mrs X's property which would not have occurred if errors had not been made. This includes damage to the carpet and damp. Mr and Mrs X have taken considerable time and trouble in trying to resolve their complaint. They have also experienced the continuing stress and frustration of living with the impact of the faults identified.

Agreed action

67. The work carried out on Mr and Mrs X's property was delivered by a contractor acting on behalf of the Council. When a council commissions another

organisation to provide services on its behalf it remains responsible for those services and for the actions of the organisation providing them. So, where I have found fault with the actions of the contractor, I have made recommendations to the Council.

68. Within four weeks of this decision, the Council will:

- apologise to Mr and Mrs X for the faults identified in this investigation.
- refund Mr and Mrs X's deposit towards the work to the roof and insulation, waive any outstanding charge, and arrange for the contractor to pay the £300 offered to remedy the damage to their possessions.
- pay Mr and Mrs X £250 in recognition of their time and trouble in bringing their complaint to the Ombudsman.
- pay Mr and Mrs X £1,000 in recognition of the prolonged stress caused to them by the Council's actions.
- pay Mr and Mrs X £1,200 towards the cost of a new carpet and internal decoration to repair the damage caused by the faulty works.

69. Within three months of this decision, the Council will:

- carry out any necessary repairs to rainwater goods, chimneys and lead flashings and ensure the outstanding snagging list is completed. Mr and Mrs X will allow access for exterior works in their absence, subject to the Council providing a detailed schedule of the actions to be taken, communicating any changes to the schedule in advance as much as possible and providing regular updates with its progress against the schedule until the work is complete.
- arrange for a building control inspection of the completed work, free of charge, and issue a certificate of compliance as required. The officer carrying out the inspection should have had no previous involvement in this case.
- arrange for senior officers to review the findings from this investigation and identify what steps it could take to avoid similar faults occurring in the future. The Council will provide evidence to the Ombudsman of the review and any actions arising from it.

Final decision

70. I uphold this complaint. Mr X has been caused an injustice by the actions of the Council and it has agreed to take action to remedy this.

Investigator's decision on behalf of the Ombudsman

Contracts Management/ Future Complaints Handling meeting

Present: Grant Galloway, Director of Development (GG)
 Ian Barber, Head of Property Services & Housing Repairs (IB)
 Ann Bedford, Customer Standards and Complaints Officer/ Ombudsman
 Link Officer (AB)

Date/time: Friday 30th April 2021, 12.00 noon

Purpose of the meeting:

- to discuss future complaints handling in relation to contractors providing service on behalf of the Council in the light of a recent Ombudsman decision
- to confirm and adopt the amended practices as standard for the same.

It was identified when looking into a recent complaint, which was the subject of a Local Government and Social Care Ombudsman investigation, that the complaints handling process was not working as smoothly as it should in relation to work carried out by contractors on the Council's behalf.

Despite residents being advised of the complaints process in the original information to householders, the resident's group had become involved with accepting complaints and were not following the procedure laid out by the Council and the contractors at the beginning of the contract. This led to complainants not being advised of the progress of their complaints, complaints not being resolved, not being advised of their right of escalation and individual residents pursuing their complaints with multiple audiences (contractor/ sub-contractor/ architects or operatives on site) as well as with the resident's group.

Action	During the course of the contract, to ensure that no service issues or complaints were missed and all contact was properly recorded it was agreed that, going forward, to emphasise that any first stage complaint or issue regarding the project was to be reported in the first instance directly to the contractor through the Resident Liaison Officer (RLO), to try to find a resolution at site level (as per the original information to householders). If agreement could not be reached, the process was to escalate it to the contractors' formal complaint policy and if a resident was still not satisfied with the resolution, then it was to be directed to Bolsover District Council's (BDC) formal complaint process (at stage two – formal complaint).	IB	Completed

Appendix 2

Action	The residents group were advised, on more than one occasion, that any further complaints they received should then to be signposted to the correct complaint process, rather than continuing to try to resolve them direct with the contractor/ sub-contractor/ architects or operatives on site.	IB/ AB	Completed
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This particular complaint has established that, whilst we appreciate community involvement and will continue with community involvement events/ meetings throughout the life of the contracts, residents groups do not always have the necessary expertise to handle or assess complaints in a structured way.

Agreed action:	We will ensure future contracts will have this defined clear complaints process approach with regard to complaints handling and the role of residents groups. This will ensure that residents know how the scheme will work and how they can make complaints and to whom (signposting residents to the contractor in the first instance and referring to the Council's process for formal complaints).	GG/ IB	Date as yet unknown (any future contract)
Agreed action:	The complaints process will be reiterated during future community involvement events.	GG/ IB	Date as yet unknown (any future contract)

In this particular instance, the Council had experienced delays from the complainant and an unwillingness to engage, however the Council was unable to evidence this due to the volume of contacts and 'scattergun' approach.

Action	Officers have been reminded of the need to make file notes of any contact (however made) from residents.	AB	Completed
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Separately, the Council's Scrutiny Committee have looked into issues around the regeneration project. The report has yet to be finalised and it is anticipated that this will go to a meeting in June/ July 2021. Following this, it will need to go to the Council's Executive Committee for formal adoption. Their findings will feed into refining the complaints process, where the Council uses contractors to deliver services on its behalf, in the interests of improving the customer's experience. The Council's Compliments, Comments and Complaints policy will be amended to reflect any further recommendations by Committee (s).

Appendix 2

Agreed action:	The Council's Compliments/ Comments and Complaints Policy to be updated to incorporate any recommendations/ amendments as required	AB	Date as yet unknown (following recommendations)
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Ann Bedford

Customer Standards and Complaints Officer/ Ombudsman Link Officer

30th April 2021

Bolsover District Council

Executive

21st June 2021

Contract for the Replacement of External Doors for Bolsover District Council

Report of the Portfolio Holder

Classification: This report is public

Report By: Mark Dungworth – Strategic Repairs Manager

Contact Officer: Mark Dungworth – Strategic Repairs Manager –
mark.dungworth@bolsover.gov.uk / 01246 593037

PURPOSE / SUMMARY

To seek approval to award the contract for the replacement of entrance doors to the Councils Domestic property stock on a responsive nature to Evendine Utilities Ltd.

The scope of the contract is to undertake surveys and to supply and install GRP composite and upvc entrance doors.

Only one return was received from Evendine Utilities Ltd a local firm who have been awarded framework contracts for the Housing Repairs team for Welfare and Minor works. They perform very well and provide an invaluable service.

As part of the evaluation process with procurement and in light of only one submission, emphasis was placed upon ensuring Evendine meets all the evaluation quality criteria. They did fulfil these requirements and further questions were asked regarding the pricing elements to everyone's satisfaction.

RECOMMENDATIONS

1. That Evendine Utilities Ltd are awarded the contract for the replacement of entrance doors following the tender evaluation by Housing Repairs and Procurement.
2. Delegated powers be given to the Head of Service for extension to the contract after the first 2 years.
3. That progress on this contract is reported through the Housing Stock Group.

Approved by the Portfolio Holder - Housing

IMPLICATIONS

Finance and Risk: Yes No

Details:

The cost for this contract is within existing HRA budgets

On Behalf of the Section 151 Officer

Legal (including Data Protection): Yes No

Details:

We will met our legal obligations for procurement.

On Behalf of the Solicitor to the Council

Staffing: Yes No

Details:

There are no staffing implications as a result of this report.

On behalf of the Head of Paid Service

DECISION INFORMATION

Decision Information	
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: BDC: Revenue - £75,000 <input type="checkbox"/> Capital - £150,000 <input type="checkbox"/> NEDDC: Revenue - £100,000 <input type="checkbox"/> Capital - £250,000 <input type="checkbox"/> <input checked="" type="checkbox"/> Please indicate which threshold applies	No
Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)	No
District Wards Significantly Affected	None
Consultation: Leader / Deputy Leader <input type="checkbox"/> Cabinet / Executive <input type="checkbox"/> SAMT <input type="checkbox"/> Relevant Service Manager <input type="checkbox"/> Members <input checked="" type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/>	Yes Details: Ward Members

Links to Council Ambition (BDC)/Council Plan (NED) priorities or Policy Framework including Climate Change, Equalities, and Economics and Health implications.

Providing good quality council housing where people choose to live

Enabling Housing Growth: increasing the supply, quality and range of housing to meet the needs of the growing population and support economic growth

REPORT DETAILS

1 Background *(reasons for bringing the report)*

- 1.1 The existing contract has now expired and Housing Repairs require a contract for the replacement of entrance doors to the Councils Domestic property stock on a responsive nature for both tenanted and void properties

2. Details of Proposal or Information

- 2.1 To seek approval to award the contract for the replacement of entrance doors to the Councils Domestic property stock on a responsive nature to Evendine Utilities Ltd.
- 2.2 The scope of the contract is to undertake surveys and to supply and install GRP composite and upvc entrance doors.
- 2.3 The contract will be a 2+1+1 contract with the last 2 years subject to approval and two further extensions.
- 2.4 The anticipated contract spend is around £20K per year and is based on responsive requests with the budget set up within the HRA. This will cover tenant's requests and void works.

3 Reasons for Recommendation

- 3.1 The initial tender exercise encompassed fire doors, doors and windows and was carried out in conjunction with the procurement team and had no returns.
- 3.2 It was agreed that a retender was required with the tender being streamlined to incorporate just external doors and no fire doors to try and generate tender submissions.
- 3.3 Only one return was received from Evendine Utilities Ltd a local firm who have been awarded framework contracts for the Housing Repairs team for Welfare and Minor works. They perform very well and provide an invaluable service.

3.4 As part of the evaluation process with procurement and in light of only one submission, emphasis was placed upon ensuring Evendine meets all the evaluation quality criteria. They did fulfil these requirements and further questions were asked regarding the pricing elements as requested by procurement. Again to everyone's satisfaction.

4 Alternative Options and Reasons for Rejection

4.1 No alternatives available.

DOCUMENT INFORMATION

Appendix No	Title
None	
Background Papers (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)	
None	

Agenda Item 9

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

Agenda Item 10

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

Document is Restricted

Agenda Item 12

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted