

To: All Members

The Arc
High Street
Clowne
S43 4JY

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

Date: 5th April 2023

Dear Councillor

EXECUTIVE MEETING MONDAY, 3 APRIL 2023 – DECISION NOTICE

I have pleasure in enclosing herewith, for your attention, a copy of the Decision Notice of the Executive held on Monday, 3rd April 2023.

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

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

Friday 14th April 2023

Number of Members required to call in an item:

Three Scrutiny Members

Method by which items may be called in:

- By completion of the form available from the Governance Team

Recording of called in items:

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

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

Yours sincerely,



Solicitor to the Council & Monitoring Officer

**DECISION NOTICE OF THE EXECUTIVE
MONDAY, 3 APRIL 2023**

NON KEY DECISIONS

MATTERS REFERRED FROM SCRUTINY

AGENDA ITEM	DECISION
<p>5</p> <p>Customer Services Scrutiny Committee - Review of ICT</p>	<p>RESOLVED that (1) the recommendations of the review as outlined at paragraphs 2.1.6 and 2.2.2 of the report be endorsed,</p> <p>(2) monitoring by Scrutiny Committee takes place over a twelve month period via the PERFORM system with an update report to Scrutiny Committee at the end of the monitoring period.</p> <p>REASON FOR DECISION: The Scrutiny Committee have put together 13 recommendations, as outlined at paragraphs 2.1.6 and 2.2.2 of the report, which will hopefully assist the Council in improving equipment provision and support to Members and the operation of meeting spaces within a modern post-Covid environment.</p> <p>The key findings arising from the review were detailed in the report.</p> <p>OTHER OPTIONS CONSIDERED: Executive could choose not to endorse the recommendations of the review, where they feel the course of action recommended is beyond the delivery capacity of the Authority.</p>

NON KEY DECISIONS

AGENDA ITEM	DECISION
<p>6</p> <p>Physical Activity and Sports Development Team Report 2022</p>	<p>RESOLVED that the report be noted.</p>
<p>7</p> <p>Ambition Plan Targets Performance Update - October to December 2022 - (Q3 - 2022/23)</p>	<p>RESOLVED that quarterly outturns against the Council Ambition 2020-2024 targets be noted.</p> <p>REASON FOR DECISION: Out of the 31 Council plan targets, 20 were on track (65%), 3 were on alert (10%), and 8 achieved previously (25%).</p>

		<p>This was an information report to keep Members informed of progress against the Council's Ambition targets and supporting indicators noting achievements and any areas of concern.</p> <p>OTHER OPTIONS CONSIDERED: Not applicable to this report as providing an overview of performance against agreed targets.</p>
--	--	---

KEY DECISIONS

	AGENDA ITEM	DECISION
8	<p>Approval of further extension of contract with Proptech Supplier The Future Fox</p>	<p>RESOLVED that extending the value of the contract with The Future Fox to £453,115 as an exemption to the Council's Contract Procedure Rules, be agreed.</p> <p>REASON FOR DECISION: The Council's success in securing funding from the government's PropTech Engagement Fund is a benefit for Bolsover District and the Authority and should see innovative digital consultation proposals being developed and rolled out. As such, enabling the Round 3 proposals to proceed in the manner described in the report is desirable.</p> <p>OTHER OPTIONS CONSIDERED: It would be possible to pursue a second procurement exercise and accept the delay to the project and the potential reputational problems for the Council. However, the reasons for not pursuing this alternative option are set out in the report.</p>
9	<p>Dragonfly Development Ltd Shareholder Agreement</p>	<p>RESOLVED that subject to the two amendments below, the Shareholder Agreement between Dragonfly Development Ltd, Dragonfly Management Ltd and the Council at Appendix 1 to the report, be approved.</p> <p>The amendments are as follows:</p> <p>1 - Page 2 of Shareholder Agreement; Boards means the DDL Board and the DDM DML Board (and Board means any one of them).</p> <p>2 - Page 24 of Shareholder Agreement, at number 30; Entering into or varying any contract</p>

		<p>of employment providing for the payment of remuneration (including pension and other benefits) of staff in a Chief Officer (or equivalent) position on the Council's pay scales or increasing the remuneration of staff in a managerial position (including pension and other benefits) to a rate equivalent or in excess of the rate of Chief Officer grades of the Council's pay scales. For the benefit of doubt, this includes staff at Assistant Director, Director or Chief Executive grades (or equivalent).</p> <p>REASON FOR DECISION: It is essential the Council has a Shareholder Agreement in place to ensure the appropriate governance arrangements are developed and maintained for the Dragonfly Group.</p> <p>OTHER OPTIONS CONSIDERED: Although it is a not a legal requirement for the Council to have a Shareholder Agreement for the wholly owned company it is advisable to have one for the good governance reason. The absence of a shareholder agreement opens up the potential for disputes between the companies and the shareholder. It will also limit the ability to monitor the companies and influence their strategic direction. Further, the need for a Shareholder Agreement was stated within the Business Case and forms part of the basis for the Council's decision on 1st February 2023. Therefore, the alternative of not having one is rejected.</p>
--	--	---

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