

## **EXECUTIVE CABINET MEMBER – LEADER’S PORTFOLIO**

A record of decisions made by the Executive Cabinet Member with responsibility for the Leader’s Portfolio:-

**MONDAY, 23<sup>RD</sup> SEPTEMBER, 2013**

Following consideration of the matters detailed below in the presence of:-

Councillor Morris	Executive Cabinet Member - Leader
Councillor Greenhalgh	Major Opposition Spokesperson
Councillor Radlett	Minor Opposition Spokesperson

### **Sport, Libraries, Youth and Culture Portfolio**

Councillor A. Connell	Cabinet Member
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### **Human Resources and Cohesion**

Councillor Adia	Cabinet Member
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### **Community Safety and Police**

Councillor D. Burrows	Cabinet Member
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### **Economy and Regeneration**

Councillor Zaman	Cabinet Member
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### **Officers**

Mr. S. Harriss	Chief Executive
Mr. K. Davies	Director of Development and Regeneration
Ms. H. Gorman	Borough Solicitor

Ms. S. Johnson	Assistant Director ICT and Finance
Ms. L. Ridsdale	Assistant Director People and Transformation
Mr. J. Livesey	Assistant Director Children's Services
Mr. P. Brown	Chief Property Officer
Ms. D. Ball	Assistant Director Environmental Services
Ms. J. Pollard	Head of Finance
Ms. B. Newman	Chief Accountant
Mr. R. Martinez	Community Safety Operations Manager
Mr. S. Godley	Development Manager (Planning Strategy)
Mr. G. Broom	First Officer, Coroners
Mrs. V. Ridge	Deputy Democratic Services Manager

## **52. MONITORING OF EXECUTIVE MEMBER DECISIONS**

The Deputy Chief Executive submitted a report which provided an update on decisions taken at previous meetings of the Executive Cabinet Member.

**The Executive Cabinet Member NOTED the report.**

## **53. COUNCIL ANTI-BLACKLISTING POLICY**

The Deputy Chief Executive submitted a report which set out the work undertaken to date in response to the Council's Anti-Blacklisting Policy and proposed a policy position for approval.

By way of background, the Executive Cabinet Member was advised that over recent years there had been extensive publicity about a historic practice of 'black listing' within the

construction industry. In 2009 the Information Commissioner's Office found that a number of construction companies were paying for information about the personal relationships, trade union activity and employment history of construction workers and were using this information to deny and withhold employment. The blacklisting practices exposed were clearly in contravention of the Data Protection Act. It was explained that legally the Council was not able to take any action retrospectively about any contractors who may have engaged in such practices but could take steps to protect its position in the future.

Consequently, in April, 2013 a motion was passed at Council which opposed blacklisting and details of this were provided in the report. In response, it was proposed that the Council's opposition to blacklisting practices was now formalised and that a policy be established not to directly engage or sustain relationships with contractors who were proven to operate blacklisting or other discriminatory employment practices. If, in the future, one of the Council's contractors was proven to use blacklisting information they would potentially be in breach of contract and the Council would have the right to terminate the contract in these circumstances.

The report advised that the proposed anti-blacklisting policy would apply to all of the Council's direct procurement activity and, although, the Council was not able to directly apply the policy to collaborative procurement schemes, it was proposed that the council sought to influence regional and national partners to encourage them to incorporate the same in collective framework agreements.

The report also outlined the work that had already been undertaken to respond to the blacklisting issue and specifically:-

- The assurance being sought from existing contractors that they did not participate in blacklisting or other discriminatory employment practices; and
- The strengthening of existing procurement processes to include a requirement for prospective future contractors

to confirm, as part of the Pre-Qualification Questionnaire, that they operated equality-proofed, non-discriminatory employment practices.

It was also pointed out that the Council continued to operate a protocol for the engagement of the Trades Unions in large scale procurement activity.

**Following a recommendation from the Cabinet Member for Human Resources and Cohesion, the Executive Cabinet Member APPROVED the proposed policy position, that Bolton Council would not in future directly engage or sustain relationships with contractors who were proven to operate blacklisting or other discriminatory employment practices and NOTED the work undertaken to date to implement the Council motion against blacklisting.**

#### **54. CORONER'S OFFICE - STAFFING**

The Borough Solicitor submitted a report which presented proposals to increase the staffing levels within the Coroner's Office.

The Executive Cabinet Member was reminded that in January, 2011 approval was given to rationalise the staffing levels in the Coroner's Office to respond to the anticipated increasing workload and the presumption that following consultation on the new accommodation for this service an additional three Coroner's Officers would be recruited. However, this did not proceed at the time.

The report advised that the continuing pressure on workload had now prompted a further review of the current staffing structure and, in addition, the Coroners and Justice Act 2009 had created a new legal framework for this service. The Act overhauled the current arrangements for management of the service and also set out new target times for inquests to be completed. With regard to workloads, the service had seen a continued increase in the number of inquests opened and in 2012 the Senior Coroner recognised that in order to deal with the increasing number of inquests additional Coroner's Officers

would be required. It was explained there were two Coroner's Officers for each local authority area and the Senior Coroner had confirmed that the service needed an additional officer for each area to assist with the workload. Furthermore, it was also proposed that a post of personal assistant, for both the Senior and Area Coroners be established as this was currently undertaken by themselves and was not an appropriate use of resources. This post had been evaluated at Grade 4.

In terms of the financial implications, the Executive Member was advised the staffing costs would be borne proportionately by Bolton, Wigan and Salford Councils and both Wigan and Salford Councils had been consulted with regard to these proposals.

Copies of the relevant job descriptions and person specifications were appended to the report.

**Following a recommendation from the Cabinet Member for Human Resources and Cohesion, the Head of Paid Service in consultation with the Executive Cabinet Member, APPROVED the appointment of three additional Coroner's Officers on Scale 6 and one Personal Assistant, on Scale 4, for the Senior Coroner and Area Coroner as detailed in the report.**

## **55. BOLTON DOMESTIC ABUSE AND VIOLENCE STRATEGY 2013-2015**

The Director of Environmental Services submitted a report which updated the Executive Cabinet Member on the progress made in developing a new domestic abuse and violence strategy for Bolton.

The Executive Cabinet Member was advised that the Bolton's Domestic Abuse Strategy 2008-2012 required updating with significant changes occurring at a national and local level. The updated strategy was aimed at practitioners either directly, or indirectly, involved in domestic abuse and violence (DVA) and set out the underlying principles for a coordinated response,

highlighting the priorities for the partnership and the key areas for action.

The report outlined the underlying principles which had been identified for the strategy and also provided details on the following themes which had been developed to effectively respond to domestic abuse and violence within a coordinated response, viz:-

- Theme 1 – Prevention and early intervention;
- Theme 2 – provision;
- Theme 3 – protection; and
- Theme 4 – participation.

It was explained that the strategy was an overarching document, which set out a common understanding and commitment from key stakeholders to tackle domestic abuse and violence in Bolton. A business plan also accompanied the strategy which detailed each of the strategic themes and commitments.

With regard to consultation, it was stated that the strategy was formed following engagement with a number of stakeholders, service users and strategic partners from which a number of key issues had emerged which had been embedded into the principles of this strategy and accompanying business plan.

In terms of the financial implications, the Executive Cabinet Member was advised that Bolton's Community Safety Partnership had been awarded one-off funding from the Police and Crime Commissioner for the financial year 2013-2014 and it was intended that some of this funding would be used to support the strategy in the first year.

**Following a recommendation from the Cabinet Member for Community Safety and Police, the Executive Cabinet Member NOTED -**

- (i) The progress made in developing a new Domestic Abuse and Violence Strategy for Bolton;  
SUPPORTED –**

- (ii) The strategy and its aims and objectives; and  
AGREED –**
- (iii) To delegate authority to spend Police and Crime  
Commissioner funding to the Director of  
Environmental Services, in consultation with the  
Cabinet Member for Community Safety and Police.**

## **56. BOLTON TRINITY CENTRE**

The Deputy Chief Executive submitted a report which sought the Executive Cabinet Member's approval to the granting of a loan to Bolton CVS in respect of the original development of the Bolton Hub following the merger of the CVS and the Trinity Centre organisations.

The Executive Cabinet Member was advised that agreement had been reached between Bolton CVS and the Trinity Centre to the merge the two organisations which would reduce overheads and simplify the management arrangements for the Bolton Hub. However, as a consequence of the merger, the loan between the CVS and the Bolton Hub would effectively disappear which would result in a reduction in the overall reserves and assets of Bolton CVS.

In view of the above, Bolton CVS had approached the Council to see if the Council would take over the loan for the Trinity Centre on the same terms that the loan was provided by CVS originally. The outstanding loan as at the 30<sup>th</sup> September, 2013 was £57,000 and it was proposed that the Council agreed the loan with effect from 1<sup>st</sup> October, 2013.

**The Executive Cabinet Member AGREED to the granting of a loan of £57,000 to Bolton CVS in respect of the original development of the Bolton Hub following the merger of the CVS and the Trinity Centre organisations.**

## **57. AGGREGATE FINANCIAL MONITOR FIRST QUARTER 2013/2014**

The Deputy Chief Executive submitted a report which advised the Executive Cabinet Member of the outcome of the first quarter Aggregate Financial Monitoring exercise for 2013/2014.

**The Executive Cabinet Member NOTED the report.**

**58. CHIEF EXECUTIVE'S DEPARTMENT FINANCE  
REPORT – QUARTER ONE 2013/2014**

The Deputy Chief Executive submitted a report which provided the Executive Cabinet Member with information relating to the financial quarter one position for the Chief Executive's Department for the 2013/2014 financial year.

**The Executive Cabinet Member NOTED the report.**

**59. DEVELOPMENT AND REGENERATION SERVICES  
(EXCLUDING HOUSING SERVICES) PERFORMANCE  
AND FINANCE – QUARTER ONE 2013/2014 REPORT**

The Director of Development and Regeneration submitted a report which provided information in relation to the financial and performance quarter one position for Development and Regeneration excluding Housing Services for the 2013/2014 financial year.

**The Executive Cabinet Member NOTED the report.**

**60. SUPPLEMENTARY PLANNING DOCUMENT (SPD)  
LOCATION OF RESTAURANTS, CAFES, PUBLIC  
HOUSES, BARS AND HOT FOOD TAKEAWAYS IN  
URBAN AREAS**

The Director of Development and Regeneration submitted a report which sought the Executive Cabinet Member's approval to adopt the Supplementary Planning Document (SPD), Location of Restaurants, Cafes, Public Houses, Bars and Hot Food Takeaways in Urban Areas.

The Executive Cabinet Member was reminded that the Council had consulted on a new Draft Supplementary Planning



Document (SPD) on the location of restaurants, cafes, public houses, bars and hot food takeaways in urban areas. As a result of the consultation three comments were received and these were detailed in the report.

In response to the comments received, it was recommended that some wording changes were made to the SPD to accommodate some of the Emerson Group's comments and a more detailed summary of these, together with, a suggested response was provided in Appendix 1 to the report.

**The Executive Cabinet Member APPROVED the Supplementary Planning Document (SPD), 'Location of Restaurants, Cafes, Public Houses, Bars and Hot Food Takeaways in Urban Areas' for adoption and for use as a material consideration in the determination of planning applications and also AGREED that the Planning Control Policy Note 9 be cancelled.**

## **61. CORONER'S ACCOMMODATION**

The Borough Solicitor submitted a report which sought the Executive Cabinet Member's approval for the expenditure for the works to the Coroner's Offices.

The Executive Cabinet Member was advised that in 2011 plans were developed to increase the accommodation of the Coroner's Office in Paderbom House due to the increase in workload and the additional appointment of a Deputy Coroner.

Consequently, the building works were completed in August, 2013 and the total cost amounted to £720,432.33. It was stated that as the service was paid for by Bolton, Wigan and Salford Councils, such costs would be divided between the three councils and recovered from Wigan and Salford councils through the established re-charge arrangements. Both Wigan and Salford had been consulted on this arrangement and had agreed to pay for the extended accommodation.

**The Executive Cabinet Member APPROVED the expenditure for the works undertaken in the Coroner's Office.**

## **CONFIDENTIAL ITEMS**

**The background papers and reports in relation to the following items were considered confidential as defined in paragraphs 1 and 3 of Schedule 12A of the Local Government Act 1972 and that it be deemed that, in all the circumstances of the case, the public interest in their exemption outweighs the public interest in their disclosure.**

### **62. PROPOSED INTEGRATION OF CHILDREN'S AND ADULT SERVICES WORKFORCE PLANNING AND DEVELOPMENT FUNCTIONS**

The Director of Children's and Adult Services submitted a report which set out the results of the consultation on proposals for the integration of Training and Workforce Development functions across Children's and Adult Services and sought approval to implement the final proposals.

The report advised that there were no substantive changes to the proposals following consultation with Trades Unions, staff and stakeholders.

A copy of the response from Unison was attached to the report at Appendix 1.

An Equality Impact Assessment had been undertaken in respect of the proposals, a copy of which was attached to the report at Appendix 2.

The report had also been considered and approved by the Executive Cabinet Member Deputy Leader at her meeting on 16th September, 2013.

**Following a recommendation from the Cabinet Member for Human Resources and Cohesion, the Executive Cabinet Member, in consultation with the Head of Paid Service**  
**APPROVED –**

- (i) The final proposals, as detailed in the report now submitted and AGREED –**
- (ii) That implementation of the new structure be delegated to the Chief Executive and the Director of Children's and Adult Services.**

#### **63. PROPOSED SAVINGS AND STAFF RESTRUCTURING WITHIN FINANCE TEAMS AND BUSINESS DEVELOPMENT**

The Directors of Environmental Services and Development and Regeneration and the Deputy Chief Executive submitted a joint report which set out detailed consultation proposals to achieve the Finance and Business Development Team savings option of £200,000 as part of the overall Environmental Services Departmental savings and efficiencies programme for 2013/15.

The report had been considered and approved by the Executive Cabinet Member for Environmental Services at his meeting on 2<sup>nd</sup> September, 2013.

**Following a recommendation from the Cabinet Member for Human Resources and Cohesion, The Executive Cabinet Member NOTED the report.**

#### **64. DEVELOPMENT MANAGEMENT SERVICES – POST CONSULTATION REPORT**

The Director of Development and Regeneration submitted a report which set out the results of the consultation on proposals to achieve £110,000 of savings within the Development Management Services to take account a reduction in funding

from 2013/2014 onwards and sought approval to implement the final proposals.

The report advised that some changes had been made to the original proposals following consultation with Trades Unions, staff and stakeholders and these were outlined in the report.

A copy of the response from Unison and GMB, together with, management's response was attached at Appendix 5.

An Equality Impact Assessment had been undertaken in respect of the proposals, a copy of which was attached to the report at Appendix 6.

**Following a recommendation from the Cabinet Member for Human Resources and Cohesion, the Executive Cabinet Member, in consultation with the Head of Paid Service  
APPROVED –**

- (i) The final proposals, as detailed in the report now submitted and AGREED –**
- (ii) To delegate implementation of the new structure to the Chief Executive and the Director of Development and Regeneration**

#### **65. DIVERSITY IN BARRIER-BREAKING COMMUNICATIONS (DBBC) – USE OF EMERGENCY POWERS**

The Deputy Chief Executive submitted a report which outlined the use of the emergency powers procedure to approve a short term 'cash flow' to Diversity in Barrier-Breaking Communications (DBBC) loan to help them overcome a financial difficulty which would be resolved hopefully in September/October, 2013.

**The Executive Cabinet Member NOTED the use of the emergency powers procedure.**

## **66. WRITE-OFF OF UNCOLLECTABLE DEBT**

The Deputy Chief Executive submitted a report which sought the Executive Cabinet Member's approval to write-off a debt of over £5,000 as detailed in the report.

**The Executive Cabinet Member AGREED to write-off the debt as detailed in the report.**