

CITY COUNCIL

TUESDAY 17 JULY 2012 AT 6.45 PM

PRESENT: The Mayor (Councillor Wilson), Councillors Allison, Atkinson, Bainbridge, Bell, Betton, Bloxham, Boaden, Bowditch, Mrs Bowman, Bowman (S), Mrs Bradley, Cape, Mrs Clarke, Collier, Craig, Earp, Ellis, Forrester, Ms Franklin, Ms Gallagher, Mrs Geddes, Glover, Graham, Harid, Hendry, Layden, Lishman, Mrs Luckley, Mrs Mallinson, Mallinson (J), Mrs Martlew, McDevitt, Mitchelson, Morton, Nedved, Mrs Parsons, Ms Patrick, Mrs Prest, Ms Quilter, Mrs Riddle, Scarborough, Miss Sherriff, Mrs Stevenson, Stothard, Tickner, Mrs Vasey, Mrs Warwick, Watson, Weber, Whalen and Wilson

C.110/12 APOLOGY FOR ABSENCE

An apology for absence was submitted on behalf of Councillor Mrs Southward.

C.111/12 MINUTES

The Minutes of the meetings of the City Council held on 1 and 21 May 2012 were received and signed as a true record of the meetings.

C.112/12 PUBLIC AND PRESS

RESOLVED – That the Agenda be agreed as circulated.

C.113/12 DECLARATIONS OF INTEREST

Councillor Allison declared an interest in accordance with the Council's Code of Conduct in respect of Item 19(2) – Notice of Motion – Cavaghan and Gray. The interest related to the fact that his son worked for the company.

Councillor Mitchelson declared a disclosable pecuniary interest in accordance with the Council's Code of Conduct in respect of:

- Item 20(iv) – Food Law Enforcement Service Plan due to his business interests.
- Item 23 – Police Reform and Social Responsibility Act 2011. The interest related to the fact that he is a licence holder.

Councillor Bainbridge declared a disclosable pecuniary interest in accordance with the Council's Code of Conduct in respect of Item 20(iv) – Food Law Enforcement Service Plan due to his involvement therein.

C.114/12 ANNOUNCEMENTS

(a) The Mayor

It was with much sadness that The Mayor announced the death of Mr Roger Horne, former Member of the City Council from 1974-76 and 1979-99.

Members stood for a Minutes Silence as a mark of respect to the memory of Mr Horne.

Councillor Hendry paid tribute to Mr Horne who had been a good friend and colleague to all across the Council Chamber, the City and beyond. He was a man of great integrity and intellectual honesty, committed to social justice, the values of the Labour Party and the young people of Carlisle. Councillor Hendry extended sympathies to Mrs Horne at this sad time.

Councillor Mrs Bradley commented that Mr Horne had acted as a mentor and taught her a great deal about being a Councillor. In addition to his considerable integrity and honesty, he was highly intelligent and extremely fair, impartial and inclusive in his judgements. He had the ability to defuse difficult situations.

Mr Horne was Deputy Leader of the City Council for a number of years, playing an active part in major developments within the City during the 1980s and 1990s, including the Sands Centre and the Lanes. He also had a good sense of humour and won the respect of all Members and Officers

Councillor Mrs Bradley added that Mr Horne would be remembered with affection for his work as a Teacher and former Head of Trinity Sixth Form. He had continued to play an active role within the Labour Party, including helping in Currock during the May Elections this year. She was extremely saddened at his passing and was sure that his legacy to the people and City of Carlisle would live on.

Councillor Atkinson paid tribute, stating that he too had learned a great deal from Mr Horne. He was a decent man, very loyal to his colleagues and the Labour Party. He reiterated the comments expressed regarding Mr Horne's integrity and sense of humour. Councillor Atkinson said that Mr Horne would be greatly missed and extended sympathies to his family.

On behalf of the Conservative Party, Councillor Mallinson (J) reflected upon his memories of Mr Horne whom he knew to be a very brave and fair man. The world would be a poorer place for Mr Horne's passing and Members' thoughts were with his wife, Helen.

On behalf of Councillor Mrs Luckley and himself, Councillor Allison extended condolences to Mr Horne's wife and family.

(b) The Leader of the Council

There were no announcements from the Leader.

(c) Members of the Executive

There were no announcements from Members of the Executive.

(d) Town Clerk and Chief Executive

There were no announcements from the Town Clerk and Chief Executive.

C.115/12 APPOINTMENT OF COMMITTEES AND PANELS – 2012/13

Following the recent by-election in Harraby; the decision of Council on 25 June 2012 to create a new Standards Committee; and consideration of a report of the Director of Governance (GD.39/12), it was moved by Councillor Boaden and seconded by Councillor Whalen that the report be received and approved, and the allocation of seats on and the appointment of Members to the Committees and Panels of the Council as set out in that report and the Schedule attached thereto be approved, subject to the following amendments:

Development Control Committee

Councillor Forrester to replace Councillor Boaden as a Substitute Member

Resources Overview and Scrutiny Panel

Councillor Forrester to replace Councillor McDevitt as a Member

Standards Committee

Councillor McDevitt to replace Councillor Weber as a Member

Councillor Weber to replace Councillor McDevitt as a Substitute Member

RESOLVED - That the report of the Director of Governance (GD.39/12 – Appointment of Committees and Panels - 2012/13) be received and approved and the allocation of seats on, and the appointment of Members to, the Committees and Panels of the Council, and set out below, be approved:

	CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT	INDEPENDENT GROUP
Regulatory Panel (12)	1 Craig 2 Layden 3 Morton 4 Parsons 5 Vasey	1 Bell 2 Cape 3 Franklin 4 Scarborough 5 Stevenson 6 Warwick	1 Allison	
	Sub: Bowman S Sub: Collier Sub: Nedved	Sub: Gallagher Sub: Stothard Sub: Whalen	Sub: Luckley	

	CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT	INDEPENDENT GROUP
Licensing Committee (12)	1 Craig 2 Layden 3 Morton 4 Parsons 5 Vasey	1 Bell 2 Cape 3 Franklin 4 Scarborough 5 Stevenson 6 Warwick	1 Allison	
	Sub: Bowman S Sub: Collier Sub: Nedved	Sub: Gallagher Sub: Stothard Sub: Whalen	Sub: Luckley	

	CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT	INDEPENDENT GROUP
Development Control Committee (12)	1 Bloxham 2 Craig 3 Earp 4 Parsons 5 Prest	1 Cape 2 McDevitt 3 Riddle 4 Scarborough 5 Warwick 6 Whalen		1 Graham
	Sub: Bowman S Sub: Layden Sub: Nedved	Sub: Forrester Sub: Franklin Sub: Sherriff		Sub: Betton

	CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT	INDEPENDENT GROUP
Community Overview and Scrutiny Panel (8)	1 Collier 2 Prest 3 Vasey	1 Bradley 2 Scarborough 3 Sherriff 4 Stevenson	1 Luckley	
	Sub: Bainbridge Sub: Lishman Sub: Mallinson E	Sub: McDevitt Sub: Watson Sub: Whalen	Sub: Allison	

	CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT	INDEPENDENT GROUP
Resources Overview and Scrutiny Panel (8)	1 Bowman S 2 Craig 3 Parsons	1 Bowditch 2 Forrester 3 Watson 4 Whalen		1 Betton
	Sub: Clarke Sub: Layden Sub: Prest	Sub: Bradley Sub: Franklin Sub: Patrick		Sub: Graham

	CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT	INDEPENDENT GROUP
Environment & Economy Overview and Scrutiny Panel (8)	1 Bainbridge 2 Layden 3 Nedved	1 Bowditch 2 McDevitt 3 Watson 4 Whalen		1 Graham
	Sub: Lishman Sub: Mallinson E Sub: Vasey	Sub: Franklin Sub: Gallagher Sub: Scarborough		Sub: Betton

	CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT	INDEPENDENT GROUP
Employment Panel (6)	1 Mallinson J 2 Mitchelson	1 Atkinson 2 Glover 3 Hendry 4 Weber		
	Sub: Bloxham Sub: Geddes	Sub: Bradley Sub: Stevenson Sub: Stothard		

	CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT	INDEPENDENT GROUP
Audit Committee (7)	1 Bowman M 2 Mallinson E 3 Nedved	1 Bowditch 2 Franklin 3 Patrick 4 Sherriff		
	Sub: Bowman S Sub: Craig Sub: Parsons	Sub: Boaden Sub: Stothard Sub: Whalen		

	CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT	INDEPENDENT GROUP
Appeals Panel No 1 (3)	1 Geddes Sub: Vasey	1 Patrick 2 Stothard Sub: Gallagher Sub: Sherriff		
	CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT	INDEPENDENT GROUP
Appeals Panel No 2 (3)	1 Bloxham Sub: Ellis	1 Bell 2 Harid Sub: Stevenson Sub: Weber		
	CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT	INDEPENDENT GROUP
Appeals Panel No 3 (3)	1 Collier Sub: Mitchelson	1 Boaden Sub: Whalen	1 Luckley Sub: Allison	
	CONSERVATIVE	LABOUR	LIBERAL DEMOCRAT	INDEPENDENT GROUP
Standards Committee (7)	1 Bowman M 2 Craig 3 Parsons Sub: Geddes Sub: Mallinson J Sub: Nedved	1 Boaden 2 Bradley 3 Harid 4 McDevitt Sub: Riddle Sub: Stothard Sub: Weber		

C.116/12 QUESTIONS BY MEMBERS OF THE PUBLIC

Pursuant to Procedure Rule 10.1, the Town Clerk and Chief Executive reported the receipt of a question submitted on notice by Mr John Shaw.

At the request of Mr Shaw, The Mayor read out the question as follows:

“How are you going to control the dog fouling, littering and rubbish where I live; I never have seen it so bad and why do you not want to communicate with me?”

The Environment and Transport Portfolio Holder indicated that she would respond to the question in two parts i.e. the control of dog fouling, littering and rubbish; and Mr Shaw’s statement that “he never had seen it so bad ...”

The Portfolio Holder emphasised that the City Council took such problems very seriously, with cleaning up Carlisle being a key election pledge. The Labour Group had proposed additional funding for two years of £85,000 to address community cleaning issues, particularly dog fouling, which had made a significant difference to what the Council could do.

Consideration was being given to the whole service, including greater mechanisation; new vehicles were on order, one of which had been delivered that day; and better programming / synchronisation of work. In addition a rapid response team had been set up to tackle hot spots.

The Portfolio Holder explained that one different and critical part of the Council's policy related to education and enforcement. The Council would employ a team of three staff to enforce legislation. The Team Leader had been appointed and interviews for the remaining staff were forthcoming. Following training, the Team would be authorised to ensure that people adhered to the Law via the issuing of Fixed Penalty Notices. Riverside Carlisle were also now more on board.

Overall, an educational and enforcement service would get tough with perpetrators, which was the only means of securing improvements.

Turning to the second point the Portfolio Holder said that, in her view and having visited the area, Botchergate was looking really nice. She had photographic evidence which showed that the estate was improving.

The Portfolio Holder had communicated with Mr Shaw on the telephone and had extensive talks with him. Clearly the labour administration had only been in office since May and matters would improve over time.

In conclusion, the Portfolio Holder expressed the hope that Mr Shaw would take the above on board.

In accordance with Procedure Rule 10.1, Mr Shaw asked a supplementary question, alleging that people were having to pick up dog fouling and the Portfolio Holder was not doing her job correctly.

The Environment and Transport Portfolio Holder referred to her detailed response, stressing that money was being spent effectively. She would not let Mr Shaw derogate the estate which was not as bad as he had made out. The Labour administration would allow a policy of improvement by tackling the relevant issues; and were pleased to clean up Carlisle. The situation would continue to improve.

At the end of this exchange Mr Shaw produced a bag of dog excrement which he stated he had collected. When asked to leave the Chamber, Mr Shaw caused considerable disruption to the Meeting.

C.117/12 PETITIONS AND DEPUTATIONS

Pursuant to Procedure Rule 10.11 the Town Clerk and Chief Executive reported that no petitions or deputations had been submitted by members of the public.

C.118/12 QUESTIONS FROM MEMBERS OF THE CITY COUNCIL

Pursuant to Procedure Rule 11.2, the Town Clerk and Chief Executive reported that no questions had been submitted on notice by Members of the Council.

C.119/12 EXECUTIVE

Councillor Hendry moved the Minutes of the meetings of the Executive held on 30 April, 1 June and 2 July 2012.

Councillor Glover seconded the Minutes, subject to the reference to “£200,000” within Minute EX.084/12 - Clean Up Carlisle being amended to read “£20,000”.

The Leader; Economy and Enterprise Portfolio Holder; Culture, Health, Leisure and Young People Portfolio Holder; and Environment and Transport Portfolio Holder then responded to Members’ questions.

RESOLVED – (1) That, subject to the amendment of Minute EX.084/12 as outlined above, the Minutes of the meetings of the Executive held on 30 April, 1 June and 2 July 2012 be received and adopted.

(2) That the Director of Resources provide a written reply to Councillor Bainbridge’s request for clarification as to whether a response had been received from Cumbria County Council concerning the roads around Pacific House (Minute JMT.55/12).

C.120/12 PORTFOLIO HOLDER REPORTS

Copies of reports from the following Portfolio Holders had been circulated prior to the meeting:

Leader’s Portfolio
Finance, Governance and Resources
Environment and Transport
Economy and Enterprise
Communities and Housing
Culture, Health, Leisure and Young People

In moving his report, the Leader indicated that he had attended two meetings of the Carlisle Partnership which had proved to be very positive. He further reported that Mr Paul Im Thurn had been appointed Chairman of the Partnership.

The Finance, Governance and Resources Portfolio Holder drew Members' attention in particular to the Organisational Development section of his report. He expressed thanks to Councillor Earp for his work in relation to Member Development.

Whilst moving her report, the Environment and Transport Portfolio Holder expressed sincere thanks and appreciation to Councillor Bloxham for all his assistance since her appointment to the Executive. She highlighted, in particular, the sections around fly-tipping; a dog fouling prosecution; and clean up Carlisle.

The Portfolio Holder further reported that eight parks and outdoor spaces had been named amongst the best in Britain. Carlisle could be really proud and she expressed thanks to all those involved. The Portfolio Holder also thanked the conservation volunteers.

In addition, Mr Graeme Horsley had been nominated student of the year and she hoped the Council's congratulations would be conveyed to him on that achievement.

In moving his report, the Economy and Enterprise Portfolio Holder informed Members that it was his understanding that terms had been agreed and negotiations were taking place with regard to the sale of The Lanes Shopping Centre. He further congratulated the Building Control Section for provision of a first class service, and on passing its annual re-assessment by BSi on its quality assurance ISO 9001 system on 2 July 2012 thus retaining the award held continually by the Section since 1995.

In moving her report, the Communities and Housing Portfolio Holder thanked Councillors Mrs Geddes and Watson for their advice. Referring to the Empty Homes Project, she clarified that the £200,000 funding from the Homes and Communities Agency was to tackle empty properties over seven Wards, including St Aidan's, Denton Holme and Brampton.

The Portfolio Holder added that she was happy to join with Councillor Mrs Luckley in thanking Housing Officers for their work in securing funding for the Council.

In moving her report, the Culture, Health, Leisure and Young People Portfolio Holder commended members of staff, partners and volunteers (particularly St John's Ambulance) for their excellent work.

Members questioned individual Portfolio Holders on details of their reports and it was –

RESOLVED – (1) That the reports of the Portfolio Holders be received.

(2) That the Environment and Transport Portfolio Holder arrange for a written response to:

(a) the request from Councillor Bainbridge for details of the number of car parking permits purchased both prior to and following the recent awareness raising campaign; and the anticipated completion date for the Crosby on Eden flood prevention works; and

(b) the questions raised by Councillor Mrs Prest seeking confirmation that the underwater pumps at Talkin Tarn would be activated to keep the water clean; and why there had been no Friends of Talkin Tarn communication for some months.

(3) That the Leader give consideration to Councillor Mrs Bowman's request for a report / written response providing further clarification on the annual Town Twinning Youth Exchange.

(4) That the Finance, Governance and Resources Portfolio Holder arrange for a written response to the question from Councillor Bainbridge concerning the Asset Review Disposal Programme – particularly the definition of “an informal tendering process”, and whether the City Council was likely to receive legal challenge / experience difficulties in achieving best value for the Council.

(5) That the Economy and Enterprise Portfolio Holder:

(a) arrange for a written response to the request from Councillor Allison for figures to support the statements within his report regarding City Centre vitality;

(b) investigate the date by which broadband would “go live” at the request of Councillor Morton; and

(c) follow up on the receipt of feedback on the Portas Pilot submission at the request of Councillor Bainbridge.

C.121/12 OVERVIEW AND SCRUTINY MINUTES AND CHAIRMEN'S REPORTS

(a) Community Overview and Scrutiny Panel

Councillor Mrs Luckley moved and Councillor Mrs Prest seconded that the Minutes of the Meeting of the Community Overview and Scrutiny Panel held on 7 June 2012 be received and adopted.

Councillor Mrs Luckley also presented her Chairman's Report.

RESOLVED – That the Minutes of the Meeting of the Community Overview and Scrutiny Panel held on 7 June 2012 together with the Chairman's Report be received and adopted.

(b) Resources Overview and Scrutiny Panel

Councillor Watson moved and Councillor Whalen seconded that the Minutes of the Meeting of the Resources Overview and Scrutiny Panel held on 14 June 2012 be received and adopted.

Councillor Watson also presented his Chairman's Report, a copy of which was tabled at the meeting.

Referring to the Treasury Management Outturn, Councillor Mallinson (J) pointed out that the Council's Officers were performing superbly and the treasury management function was second to none.

In response to a point of order raised by Councillor Mrs Mallinson, Councillor Watson confirmed that in future his reports would comply with the access to information procedure rules.

RESOLVED – That the Minutes of the Meeting of the Resources Overview and Scrutiny Panel held on 14 June 2012 together with the Chairman's Report be received and adopted.

(c) Environment and Economy Overview and Scrutiny Panel

Councillor Layden moved and Councillor Cape seconded that the Minutes of the Meeting of the Environment and Economy Overview and Scrutiny Panel held on 21 June 2012 be received and adopted.

Councillor Layden also presented his Chairman's Report, and responded to a Member's question.

RESOLVED – That the Minutes of the meeting of the Environment and Economy Overview and Scrutiny Panel held on 21 June 2012 together with the Chairman's Report be received and adopted.

C.122/12 REGULATORY PANEL

Councillor Bell moved and Councillor Ms Franklin seconded the receipt and adoption of the Minutes of the Meeting of the Regulatory Panel held on 30 May 2012.

RESOLVED – That the Minutes of the Meeting of the Regulatory Panel held on 30 May 2012 be received and adopted.

C.123/12 LICENSING COMMITTEE

Councillor Bell moved and Councillor Ms Franklin seconded the receipt and adoption of the Minutes of the meeting of the Licensing Committee held on 30 May 2012.

RESOLVED – That the Minutes of the meeting of the Licensing Committee held on 30 May 2012 be received and adopted.

C.124/12 DEVELOPMENT CONTROL COMMITTEE

Councillor Scarborough moved and Councillor Whalen seconded the receipt and adoption of the Minutes of the Meetings of the Development Control Committee held on 18 and 20 April; and 6, 6 and 8 June 2012.

RESOLVED – That the Minutes of the Meetings of the Development Control Committee held on 18 and 20 April; and 6, 6 and 8 June 2012 be received and adopted.

C.125/12 AUDIT COMMITTEE

Councillor Ms Patrick moved and Councillor Bowditch seconded the receipt and adoption of the Minutes of the Meeting of the Audit Committee held on 16 April 2012.

RESOLVED – That the Minutes of the Meeting of the Audit Committee held on 16 April 2012 be received and adopted.

C.126/12 APPEALS PANEL

Councillor Layden moved and Councillor Nedved seconded the receipt and adoption of the Minutes of the Meeting of Appeals Panel 2 held on 25 April 2012.

RESOLVED – That the Minutes of the Meeting of Appeals Panel 2 held on 25 April 2012 be received and adopted.

C.127/12 STANDARDS COMMITTEE

Councillor Mrs Bradley moved and Councillor Boaden seconded the receipt and adoption of the Minutes of the Meeting of the Standards Committee held on 18 June 2012.

RESOLVED – That the Minutes of the Meeting of the Standards Committee held on 18 June 2012 be received and adopted.

C.128/12 NOTICE OF MOTION

Pursuant to Procedure Rule 12, the Town Clerk and Chief Executive reported the receipt of the following Motion submitted on notice by Councillor Hendry:

(1) Chief Executive of the Richard Rose Federation

“The City Council expresses their appreciation of the contribution of Mike Gibbon, Chief Executive of the Richard Rose Federation and formerly Head of Trinity School, to education and young people in Carlisle. And wish him a long and active retirement.”

Councillor Hendry moved and Councillor Mrs Martlew seconded the motion.

On behalf of the Conservative Group, Councillor Mallinson (J) was happy to support the Motion.

RESOLVED – That the Motion of Councillor Hendry as set out above be **AGREED**.

Pursuant to Procedure Rule 12, the Town Clerk and Chief Executive reported the receipt of the following Motion submitted on notice by Councillor Sherriff:

Councillor Allison, having declared an interest, made a statement on the matter but wished it to be recorded that he would abstain from taking part in any voting.

(2) Cavaghan and Gray

“This City Council recognises the significant contribution that Cavaghan and Gray and its workers have made to the Carlisle economy by producing high quality good products through their loyalty, dedication and good will over many years.

The City Council therefore calls on 2 Sisters Food Group and USDAW to negotiate in good faith to achieve a mutually agreed and reasonable settlement of their current dispute.”

Councillor Sherriff moved and Councillor Atkinson seconded the motion.

On a point of order, Councillor Ellis questioned whether the moving of the Motion by Councillor Sherriff constituted a breach of Section 31 of the Localism Act 2011. He particularly referred to Councillor Sherriff's membership of USDAW.

The Mayor announced that there would be a short recess in order that the Director of Governance could clarify the position.

The meeting adjourned at 9.04 pm and reconvened at 9.12 pm

Having considered the matter, the Director of Governance informed Members that Councillor Sheriff had declared interests in error within two sections of her Registration Form.

Following the explanation provided by Councillor Sherriff, he was content that she could proceed in moving the Motion, subject to the caveat that Councillor Sherriff amend her Registration Form at the earliest opportunity as a matter of public record.

Councillor Sheriff elaborated in some detail upon the reasons for submission of the motion, expressing the hope that the City Council would lend their support.

There then followed discussion with input from a number of Members.

RESOLVED – That the Motion of Councillor Sherriff as set out above be AGREED.

C.129/12 PROPOSALS FROM THE EXECUTIVE IN RELATION TO THE COUNCIL'S BUDGET AND POLICY FRAMEWORK

(i) EX.058/12 – Provisional General Fund Revenue Outturn 2011/12

Pursuant to Minute EX.058/12, consideration was given to a report of the Director of Resources (RD.11/12) providing details of the 2011/12 provisional outturn for the General Fund Revenue Services.

Extracts from the Minutes of the Executive, Resources Overview and Scrutiny Panel and Audit Committee had also been circulated.

Councillor Mallinson (J) drew Members' attention to the table at the top of page 7 which depicted movement on the year end outturn position. He paid tribute to the extremely hard work undertaken by Officers over the past year to bring the situation back in line.

Councillor Tickner moved, Councillor Glover seconded, and it was AGREED that the City Council:

1. approved the carry forward requests totalling £357,500 as set out in Report RD.11/12.
2. approved the transfer of £250,000 into the Transformation Reserve, as detailed in paragraph 4.1.
3. approved the establishment of the Cremator Reserve and transfer into the Reserve of approximately £70,000, as detailed in paragraph 4.2.

(ii) EX.059/12 – Provisional Capital Outturn 2011/12 and Revised Capital Programme 2012/13

Pursuant to Minute EX.059/12, consideration was given to a report of the Director of Resources (RD.10/12) providing details of the 2011/12 provisional outturn for the Council's Capital Programme, together with details of the revised Capital Programme for 2012/13.

Extracts from the Minutes of the Executive, Resources Overview and Scrutiny Panel and Audit Committee had also been circulated.

Councillor Tickner moved, Councillor Glover seconded, and it was AGREED (1) that the City Council –

1. approved the carry forward requests totalling £1,553,300 (£1,553,300 to be met in 2012/13) as set out in Report RD.10/12.
2. approved the requests to carry forward £139,500 for new items of expenditure to be met in 2012/13.
3. approved the use of the Sheepmount Reserve in 2011/12 to fund expenditure on Sheepmount Drainage.
4. approved the revised Capital Programme for 2012/13 onwards should the carry forwards be approved.

(2) That the Finance, Governance and Resources Portfolio Holder arrange for a written response to the question by Councillor Mrs Bowman regarding the availability of sufficient funding to cover the Urgent Works Notice on the Central Plaza.

(iii) EX.060/12 – Treasury Management Outturn 2011/12

Pursuant to Minute EX.060/12, consideration was given to a report of the Director of Resources (RD.12/12) providing the annual outturn on Treasury Management as required under the CIPFA Code of Practice on Treasury Management. Also included was the regular report on Treasury Transactions.

Extracts from the Minutes of the Executive, Resources Overview and Scrutiny Panel and Audit Committee had also been circulated.

Councillor Tickner moved, Councillor Glover seconded, and it was AGREED –

That the Council approved the Treasury Management Outturn report for 2011/12 as required under the CIPFA Code of Practice on Treasury Management.

(iv) EX.063/12 and EX.071/12 – Food Law Enforcement Service Plan

Councillors Bainbridge and Mitchelson, having declared a disclosable pecuniary interest, withdrew from the meeting during consideration of the matter.

Pursuant to Minute EX.063/12 and EX.071/12, consideration was given to a recommendation from the Executive concerning the Food Law Enforcement Service Plan. A copy of Report LE.21/12 and relevant Minute Extracts had been circulated.

Councillor Mrs Martlew moved and Councillor Glover seconded the recommendations set out within the report.

Councillor Mrs Martlew also responded to a Member's question.

RESOLVED – That the City Council approved the Environmental Health Service Food Law Enforcement Plan and the General Plan 2012 to 2013, in accordance with the Council's Budget and Policy Framework.

(v) EX.065/12 and EX.072/12 – Carlisle and Eden Crime and Disorder Reduction Partnership Plan

Pursuant to Minute EX.065/12 and EX.072/12, consideration was given to a recommendation from the Executive that the Carlisle and Eden Crime and Disorder Reduction Partnership Plan be agreed in accordance with the Policy Framework. A copy of report CD.42/12 and relevant Minute Extracts had been circulated.

Councillor Mrs Riddle moved the recommendation, which was duly seconded.

Councillor Mrs Riddle then responded to Members' questions.

RESOLVED – That the Carlisle and Eden Crime and Disorder Reduction Partnership Plan, as attached to Report CD.42/12, be agreed.

(vi) EX.066/12 and EX.073/12 – Botchergate Conservation Area Appraisal and Management Plan

Pursuant to Minute EX.066/12 and EX.073/12, consideration was given to a recommendation from the Executive that the Botchergate Conservation Area Appraisal and Management Plan, and the amendments to the Botchergate Conservation Area contained within, be adopted. A copy of report ED.27/12 and relevant Minute Extracts had been circulated.

In moving the recommendation, Councillor Glover expressed thanks to Placesmatter (the design advisory service for the North West) who had facilitated the design workshop event in January 2012. He further extended thanks to Councillors Layden, Bowditch and Nedved for their work (as part of the Task Group) on the matter.

Councillor Hendry seconded the recommendation.

Councillor Glover further responded to a Member's question.

RESOLVED – That the Botchergate Conservation Area Appraisal and Management Plan, and the amendments to the Botchergate Conservation Area contained within, be adopted.

(vii) EX.084/12 – Clean Up Carlisle

Pursuant to Minute EX.084/12, consideration was given to recommendations from the Executive concerning Clean Up Carlisle. A copy of report LE.22/12 and relevant Minute Extract had been circulated.

Councillor Mrs Martlew clarified that the City Council was recommended to:

1. Note the action plan set out at Appendix 2 to report LE.22/12 and the proposals for budget allocation at Appendix 1;
2. Approve the bringing forward of £20,000 from year 2013/14 of the project to 2012/13 to achieve maximum benefit from the investment in additional street cleansing equipment; and
3. Note the resultant increase to the Capital Programme in 2012/13 and 2013/14 of £47,000 and £12,000 respectively to be funded from the existing revenue budget.

Councillor Mrs Martlew then moved and Councillor Glover seconded the above recommendations.

Councillor Mrs Martlew further responded to a Member's question.

RESOLVED – That the City Council:

1. Noted the action plan set out at Appendix 2 to report LE.22/12 and the proposals for budget allocation at Appendix 1;
2. Approved the bringing forward of £20,000 from year 2013/14 of the project to 2012/13 to achieve maximum benefit from the investment in additional street cleansing equipment; and
3. Noted the resultant increase to the Capital Programme in 2012/13 and 2013/14 of £47,000 and £12,000 respectively to be funded from the existing revenue budget.

C.130/12 DATES AND TIMES OF MEETINGS 2012/13

Consideration was given to a report of the Director of Governance (GD.31/12) concerning dates and times of meetings for the municipal year 2012/13. The schedule of meetings appended to the report recorded that meetings of the Executive and Joint Management Team would now commence at 4.00 pm.

RESOLVED – That the City Council noted and approved the schedule of ordinary meetings of the Council and Committees for the municipal year 2012/13 as set out in Report GD.31/12.

C.131/12 REPRESENTATIVES ON OUTSIDE BODIES

Consideration was given to a report of the Director of Governance (GD.21/12) regarding City Council nominations on outside bodies.

Councillor Boaden moved and Councillor Whalen seconded the following nominations:

- Cumbria Pensions Forum – Councillor Tickner
- Reserve Forces and Cadets Association for the North West of England – Councillor Stothard

Councillor Mallinson (J) indicated that, whilst the Conservative Group accepted the first nomination, they wished to nominate Councillor Mrs Parsons to the Reserve Forces and Cadets Association for the North West of England. That was duly seconded by Councillor Layden.

Following voting, it was

RESOLVED – (1) That Councillor Tickner be nominated as the City Council's Representative on the Cumbria Pensions Forum.

(2) That Councillor Stothard be nominated as the City Council's Representative on the Reserve Forces and Cadets Association for the North West of England.

C.132/12 POLICE REFORM AND SOCIAL RESPONSIBILITY ACT 2011 – AMENDMENT TO THE CONSTITUTION

Councillor Mitchelson, having declared a disclosable pecuniary interest, withdrew from the meeting during consideration of the matter.

Councillor Harid declared a disclosable pecuniary interest in accordance with the Council's Code of Conduct, due to the fact that he is a licence holder. Councillor Harid then withdrew from the meeting during consideration of the matter.

Pursuant to Minute LC.13/12, consideration was given to a report of the Director of Governance setting out changes made to the Licensing Act 2003 as a result of the Police and Reform and Social Responsibility Act 2011. The changes necessitated amendment of the Council's Constitution.

Councillor Bell moved the recommendation from the Licensing Committee that the following amendments to the Constitution should be adopted:

- Table at Section 2A, Schedule 1 – Licensing Committee delegation of Functions.
Making of a representation as a Responsible Authority in relation to an application, delegated to the Director of Governance.
- Section 2B, Delegation of Council functions to the Council's Officers.
New Paragraph 4.1 – Powers delegated to the Director of Governance – To make representations as a Responsible Authority, where appropriate, in response to applications.

Councillor Ms Franklin seconded the above recommendation.

RESOLVED – That the changes to the Constitution as set out above be agreed.

C.133/12 OVERVIEW AND SCRUTINY PROCEDURE RULES CALL-IN AND URGENCY

Pursuant to Overview and Scrutiny Procedure Rule 15(i), consideration was given to a report of the Director of Governance (GD.38/12) on procedures in respect of occasions where decisions taken by the Executive were urgent.

RESOLVED – That the report be noted.

C.134/12 COMMUNICATIONS

There were no communications or items of business brought forward by the Mayor as a matter of urgency to be dealt with at the meeting.

(The meeting ended at 9.47 pm)