

EXECUTIVE DECISIONS

DECISIONS MADE AT THE EXECUTIVE MEETING HELD ON 31 MAY 2013

Date of Publication: 4 JUNE 2013

CALL IN PERIOD ENDS 11 June 2013 at 1700
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Notes:

- (a) Decisions may be called-in by the Chairman or any three Members of the relevant Overview and Scrutiny Committee.
- (b) Requests to call -in must be delivered to the Committee Section (by phone, email or in writing) by the date and time specified.
- (c) In the absence of any call-in, decisions will take effect and can be implemented 5 working days after publication of these Decisions.
- (d) Decision marked ** may not be called-in as they were made under special urgency rules.

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EXECUTIVE

FRIDAY 31 MAY 2013 AT 4.00 PM

PRESENT:

Councillor Glover (Deputy Leader; and Economy and Enterprise Portfolio Holder)
Councillor Ms Quilter (Culture, Health, Leisure and Young People Portfolio Holder)
Councillor Mrs Riddle (Communities and Housing Portfolio Holder)
Councillor Mrs Martlew (Environment and Transport Portfolio Holder)
Councillor Dr Tickner (Finance, Governance and Resources Portfolio Holder)

OFFICERS:

Town Clerk and Chief Executive
Deputy Chief Executive
Director of Governance
Director of Resources
Director of Community Engagement
Local Plans Officer
Policy and Communications Manager

ALSO PRESENT:

Councillor Mrs Luckley (Chairman of the Community Overview and Scrutiny Panel)
Councillor Mrs Bowman (Chairman of the Environment and Economy Overview and Scrutiny Panel)
Councillors Bainbridge and C S Bowman (Observers)

The Deputy Leader took the Chair

DEPUTY LEADER'S COMMENTS

The Deputy Leader welcomed all those present on what had been an extremely difficult day for many Members and Officers of the Council. This was the first meeting of the Executive since the death of Councillor Joe Hendry (Leader of the Council), and the Deputy Leader invited Members to observe a minutes silence in his memory.

Members stood for a Minutes Silence as a mark of respect to the memory of Councillor Hendry.

The Deputy Leader added that opportunities would arise for Members to pay tribute to Councillor Hendry, both at his funeral service and also at the next meeting of the City Council.

APOLOGIES FOR ABSENCE

There were no apologies for absence.

DECLARATIONS OF INTEREST

There were no declarations of interest affecting the business to be transacted at the meeting.

MINUTES

The Minutes of the meetings of the Executive held on 11 February and 11 March 2013 were signed by the Chairman as true records of the meetings.

EX.48/13 PROVISIONAL GENERAL FUND REVENUE OUTTURN 2012/13 (Key Decision – KD.09/13)

Portfolio Finance, Governance and Resources

Relevant Overview and Scrutiny Panel Resources

Subject Matter

The Finance, Governance and Resources Portfolio Holder presented report RD.12/13 summarising the provisional outturn for the 2012/13 General Fund Revenue Budget. He informed Members that the outturn position showed that the net underspend for Council services as at 31 March 2013, once committed expenditure totalling £696,400 and £312,697 transfers to / from earmarked reserves were taken into account, was £75,247.

The table at Section 2.1 of the report showed that the Council's revised budget for 2012/13 was a total of £14,577,700. A summary of the expenditure for individual Directorates and an explanation of the major variances in those budgets were provided. Also itemised were the budget headings which had achieved savings and provided increased income.

Turning to the key issues, the Finance, Governance and Resources Portfolio Holder reported that the Government's Welfare Reform Agenda, once fully implemented would have a major impact on the benefit system, including a household benefit cap and the introduction of the Universal Credit system which would subsume housing benefit (by 2017). In the medium to longer term the Council would have to significantly reduce staff resources working on benefits administration. Whilst staff redeployment policies would reduce the impact of the changes, there were likely to be voluntary / compulsory redundancies in the Section. He proposed therefore that a Welfare Reform Reserve be established and the unused balance of £200,000 (accrued from underspends on staffing and other savings) be transferred to the Reserve to fund such costs. It was further recommended that management of the Reserve should rest with the Director of Community Engagement with the use of the Reserve requiring Executive approval.

It was also proposed that the Executive make recommendations to Council:

- to release the balance of £1,878 from the Sheepmount Reserve to the General Fund Reserve (as detailed in paragraph 4.1);
- to release the balance of £29,670 from the Job Evaluation Reserve to the General Fund Reserve (as detailed in paragraph 4.2);

- to write off the accrued deficit on the On Street Parking reserve of £190,000 to General Fund Balances (as outlined in paragraph 4.3);
- to top up the Transformation Reserve with £200,000 from the underspend position (as set out in paragraph 4.4); and
- to approve the establishment of the Municipal Mutual Insurance provision for £175,000 (as outlined in paragraph 4.5)

In terms of recession planning, the Finance, Governance and Resources Portfolio Holder explained that the Council's bad debt provision had been increased in respect of housing benefit overpayments and penalty charge notices, but reduced for sundry debtors which had been allocated directly to the services. Further details could be found in Report RD.14/13 elsewhere on the Agenda.

He also circulated details of the carry forward requests which had been submitted by Directorates adding that, if Members were minded to approve the carry forward requests, a recommendation would need to be submitted to the City Council.

The Finance, Governance and Resources Portfolio Holder advised that, due to the level of underspend identified within the report after all carry forward requests were approved and transfers to / from earmarked reserves, approximately £75,200 would be returned to the General Fund Reserve. That would replenish the usable revenue balances by 31 March 2015 to the minimum required.

In accordance with revised Capital Finance Regulations, costs associated with asset disposal totalling £62,994 which were included in the revenue outturn, could be funded from the capital receipt generated. That would result in an increase to revenue balances at 31 March 2013.

The Finance, Governance and Resources Portfolio Holder pointed out that the information contained within the report was provisional and subject to the formal audit process.

He also wished to place on record thanks to Financial Services Officers for keeping a tight reign on the Council's finances.

In conclusion, the Finance, Governance and Resources Portfolio Holder formally moved the recommendations, which were duly seconded by the Deputy Leader and Economy and Enterprise Portfolio Holder.

Summary of options rejected None

DECISION

That the Executive:

- (i) Noted the net underspend as at 31 March 2013 of £75,247 after carry forwards as in (ii) below, and net transfers to/from earmarked reserves as noted in (iii), (iv), (v) and (vi) below;
- (ii) Noted the committed expenditure totalling £696,400 to be met in 2013/14 which had been approved by the Director of Resources and under delegated powers, and the release of £677,400 in 2013/14 and £19,000 in 2014/15 from the General Fund Reserve, for recommendation to Council;

- (iii) Recommended that the City Council release the balance of £1,878 from the Sheepmount Reserve to the General Fund Reserve, as detailed in paragraph 4.1,
- (iv) Recommended that the City Council release the balance of £29,670 from the Job Evaluation Reserve to the General Fund Reserve, as detailed in paragraph 4.2;
- (v) Recommended that the City Council write off the accrued deficit on the On Street Parking reserve of £190,000 to General Fund Balances as outlined in paragraph 4.3;
- (vi) Recommended that the City Council top up the Transformation Reserve with £200,000 from the underspend position, as set out in paragraph 4.4;
- (vii) Recommended that the City Council approve the establishment of the Municipal Mutual Insurance provision for £175,000 as outlined in paragraph 4.5; and
- (viii) Recommended that the City Council approve the establishment of the Welfare Reform Reserve, as detailed in paragraph 4.6, noting that £200,000 would be transferred to the reserve as part of the year end process.

Reasons for Decision

To receive the Report on the Provisional General Fund Revenue Outturn and make recommendations to the City Council

EX.49/13 PROVISIONAL CAPITAL OUTTURN 2012/13 AND REVISED CAPITAL PROGRAMME 2013/14
(Key Decision – KD.09/13)

Portfolio Finance, Governance and Resources

Relevant Overview and Scrutiny Panel Resources

Subject Matter

The Finance, Governance and Resources Portfolio Holder presented report RD.11/13 summarising the Provisional Outturn for the Council's Capital Budget, together with details of the revised Capital Programme for 2013/14. He informed Members that the outturn showed that the net underspend for Council services as at 31 March 2013 once committed expenditure totalling £1,822,500 was taken into account was £1,596,953. He added that requests had been made for carry forwards for new items of expenditure totalling £6,200, and also the removal of the Asset Management Plan expenditure budgets of £1,546,800 from the capital programme, which would result in a net underspend of £43,953.

The Finance, Governance and Resources Portfolio Holder set out the position with regard to carry forward requests on the Capital Programme. He also identified for Members the resources which had been used to fund the 2012/13 Capital Programme and detailed the 5 year Capital Programme for the period 2013/14 to 2017/18. He reported that the programme for 2013/14 totalled £4,760,200 based upon the programme agreed by Council in February 2013 of £9,280,000; the commitments brought forward from 2012/13 of £1,822,500; an additional budget of £6,200 for continuing / new schemes subject to approval by Council, less budget provided of £76,000 in ICT Shared Service for Enterprise Licences, and less land and property acquisitions within the Asset Management Plan to be held in reserves until suitable revenue generating acquisitions became available (£6,272,500).

The 2013/14 programme would be continually reviewed to ensure the Council had the capacity to deliver that level of programme. The main challenge for future years related to the vehicle replacement programme (currently planned to be funded by internal borrowing).

The proposed funding arrangements for the revised 2013/14 programme were also outlined within the report.

The Finance, Governance and Resources Portfolio Holder expressed well deserved thanks to the Officers involved.

In conclusion, the Finance, Governance and Resources Portfolio Holder moved the recommendations set out in the report, which were duly seconded by the Deputy Leader and Economy and Enterprise Portfolio Holder.

Summary of options rejected None

DECISION

That the Executive:

- (i) Noted that, subject to all recommendations below being approved, the net underspend would be £43,953.
- (ii) Noted the net underspend as at 31 March 2013 of £1,596,953 included committed expenditure to be met totalling £1,822,500 in 2013/14, which had been approved under delegated powers by the Director of Resources;
- (iii) Recommended that the City Council on 16 July 2013 approves the carry forward requests of £6,200 for new items of expenditure for furniture and equipment at Play Areas as detailed in paragraph 2.5;
- (iv) Recommended that the City Council on 16 July 2013 approves the removal of the Asset Management Plan expenditure budgets from the Council's capital programme (£1,546,800 from 2012/13, £6,272,500 from 2013/14, £1,035,800 from 2014/15 and £4,045,500 from 2015/16) to be released back from reserves on approval by the Executive when revenue generating opportunities for land and property acquisitions became available.
- (v) Noted the use of the Conservation Fund to fund expenditure on Central Plaza and the Asset Management Reserve to fund expenditure on Industrial Estates, Asset Management Plan and Community Resource and Training Centre in 2012/13;
- (vi) Had considered the revised programme for 2013/14 together with the proposed methods of financing, as detailed at paragraph 5.2 and Appendix B, for recommendation to Council on 16 July 2013.

Reasons for Decision

To receive the report on the Provisional Capital Outturn for 2012/13 and make recommendations to the City Council on the 2013/14 Capital Programme

EX.50/13 TREASURY MANAGEMENT OUTTURN 2012/13
(Key Decision – KD.09/13)

Portfolio Finance, Governance and Resources

Subject Matter

The Finance, Governance and Resources Portfolio Holder presented report RD.13/13 providing the annual report on Treasury Management, as required under both the Financial Procedure Rules and the CIPFA Code of Practice on Treasury Management. He also submitted the regular report on Treasury Transactions for the period 1 January 2013 to 31 March 2013. Members' attention was further drawn to developments in the Money Markets over the previous twelve months and their effect on the Council's investments, together with the various performance statistics included within the report.

The City Council had only one substantial long term loan (the £15m stock issue) which was likely to remain on the books for some time yet as the cost of making a premature repayment would be very prohibitive in the present climate, particularly with interest rates being at such depressed levels. There were no plans to undertake any prudential or other borrowing during the current financial year. The focus of the authority's treasury management activities remained therefore very much on the investment aspect of the function.

He added that although investment conditions were, in one sense, as exceptional in 2012/13 as had been the case during the previous year, they were very different as investors coped with some of the lowest interest rates ever seen in the world economy. Although the effect on the City Council's investment interest was slightly down on the previous year, the performance achieved was significantly better than bank base rate levels. For this authority, as indeed for most others, the reduction in investment income posed a very significant financial challenge.

Although the outlook for interest rates in the UK remained uncertain, there was a general expectation that rates would not start to rise again until well into 2015.

The Finance, Governance and Resources Portfolio Holder commented that Officers were managing particularly well. He then moved the recommendation, which was duly seconded by the Deputy Leader and Economy and Enterprise Portfolio Holder.

Summary of options rejected None

DECISION

That Report RD.13/13 providing the Annual Report on Treasury Management be received and recommended to the City Council for approval.

Reasons for Decision

To receive the annual report on Treasury Management

EX.51/13 PROVISIONAL OUTTURN FOR COUNCIL TAX AND NATIONAL NON DOMESTIC RATES 2012/13
(Key Decision – KD.09/13)

Portfolio Finance, Governance and Resources

Relevant Overview and Scrutiny Panel Resources

Subject Matter

The Finance, Governance and Resources Portfolio Holder presented report RD.14/13 setting out the 2012/13 provisional outturn and performance position for Council Tax and National Non Domestic Rates.

He informed Members that the estimated outturn of 97.8% suggested that overall liability raised and Council Tax collected would again exceed the budgeted projections of 98.5% (if the collection pattern for recovering 2012/13 arrears followed that of previous years). The impact of increased collection performance was an overall surplus on collection fund of £492,315, the City Council's share of the surplus being £64,929.

The Finance, Governance and Resources Portfolio Holder pointed out that the Council had maintained collection performance so that for the third year running Carlisle was in the 3rd quartile when compared to districts nationally. Whilst that was the Council's best ever performance, the Council would never be in a position to move into the higher collection quartiles for the reasons set out at Section 3.1 of the report.

He added that year-end arrears of £934,895 equating to 1.42% of the 'in year' debit collectable was an improved performance when compared to 2011/12 of £1,410,689.95 (2.2%).

In accordance with the Director of Resources' delegated authority for the write-off of outstanding debts (without limit), the Executive was asked to note that debts totalling £174,115.19 had been written off for the period 1 January 2013 to 31 March 2013. The total amount written off in 2012/13 of £527,001 compared to total write-offs in 2011/12 of £422,616.

The Finance, Governance and Resources Portfolio Holder said that Officers were tracking the position extremely well, and he thanked the members of staff involved. Accordingly he moved the recommendations, which were duly seconded by the Deputy Leader and Economy and Enterprise Portfolio Holder.

Summary of options rejected None

DECISION

That the provisional outturn position at 31 March 2013 for Council Tax (which evidenced the best ever collection performance since Council Tax was introduced) and National Non Domestic Rates; together with the position with regard to write offs and bad debt trends be noted.

Reasons for Decision

To advise the Executive of Council Tax and Business Rates Collection Performance

EX.52/13 ELECTED MEMBERS' ALLOWANCES – PROVISIONAL OUTTURN FOR 2012/13
(Key Decision – KD.09/13)

Portfolio Finance, Governance and Resources

Relevant Overview and Scrutiny Panel Resources
Subject Matter

The Finance, Governance and Resources Portfolio Holder presented report RD.15/13 setting out the amount of allowances paid to Members as part of the Elected Members' Allowances Scheme for 2012/13. He informed Members that £343,088 had been paid in allowances to individual Members which represented an underspend of £24,012.

The Finance, Governance and Resources Portfolio Holder then moved the recommendation, which was duly seconded by the Deputy Leader and Economy and Enterprise Portfolio Holder.

Summary of options rejected None

DECISION

That Report RD.15/13 be received and the overall underspend of £24,012 on Elected Members' Allowances for 2012/13 be noted.

Reasons for Decision

To receive details of the 2012/13 Provisional Outturn in respect of Members' Allowances

EX.53/13 CSP PARTNERSHIP PLAN
(Key Decision – KD.06/13)

Portfolio Communities and Housing

Relevant Overview and Scrutiny Panel Community

Subject Matter

Pursuant to Minute EX.35/13, the Communities and Housing Portfolio Holder reported (CD.32/13) that the Carlisle and Eden Community Safety Partnership (CSP) (formerly the CDRP) had developed their draft Partnership Plan for 2013/14, a copy of which was attached at Appendix 1 to the report.

The Plan, which formed part of the City Council's Policy Framework and refreshed the existing Plan had been developed by the CSP's Leadership Group, with input from the Director of Community Engagement and herself.

The Communities and Housing Portfolio Holder indicated that the purpose of the report was to present the CSP's work programme for the coming year in the form of their Partnership Plan. Whilst it was presented as a developed document it represented a 'live'

work programme – which would develop throughout the year and could be influenced and shaped through the City Council's representation on the CSP's Leadership Group.

The Community Overview and Scrutiny Panel had, on 28 March 2013, considered the matter and resolved that the Carlisle and Eden CSP Partnership Plan 2013-14 Refresh be welcomed.

A copy of Minute Excerpt COSP.30/13 had been circulated.

The Chairman of the Community Overview and Scrutiny Panel was in attendance at the meeting. She outlined the key points of discussion, together with the key priorities for 2013, commenting that there had been a continuing decrease in the incidence of crime. The Panel had in the past looked at the Strategic Assessment with a view to evaluating the previous year, but that had not come before them this time.

The report showed a lowering of crime figures which was good, and demonstrated the outcomes of successful partnership working.

On the issue of domestic abuse, the Chairman advised that a Domestic Champions Network had been established approximately three years ago. She was pleased to see that more victims were now coming forward.

With regard to substance abuse, the Panel was pleased to see that issues continued to be addressed by the two Partnership Task Groups.

In summary, the Chairman confirmed that the Panel had welcomed the report.

In conclusion, the Communities and Housing Portfolio Holder moved that the Executive approve the Partnership Plan and recommend it for consideration and adoption by Council.

The Deputy Leader and Economy and Enterprise Portfolio Holder seconded the recommendation.

Summary of options rejected None

DECISION

That the Executive approved the CSP Partnership Plan and recommended it for approval and adoption by Council.

Reasons for Decision

The Report contributed to the Carlisle Plan priority: We will work more effectively with partners to achieve the City Council's priorities

EX.54/13 BRING SITES REVIEW
(Key Decision – KD.07/13)

Portfolio Environment and Transport

Subject Matter

The Environment and Transport Portfolio Holder reported (LE.08/13) that the Bring Site Service had been in operation before kerbside recycling collections were introduced. However, since the introduction of kerbside recycling, many customers now used it as a more convenient way to recycle and the use of bring sites had therefore reduced. She added that it was now time to review the current level of service provision required to sit alongside the popular kerbside recycling service.

The first step in the review had been the recent internal Audit Review of the Council's Bring Site contract considered by the Audit Committee on 15 April 2013. The review suggested that the contract did not provide value for money (the contract cost the Council £246,475 per annum). In addition, the contract was under achieving on the income (the under achieved forecast for 2012/13 being £30,000).

The Environment and Transport Portfolio Holder then outlined the following options for delivery of a more cost effective Bring Site service, together with the costs and risks associated with each option:

- Option 1 – do nothing
- Option 2 – Cumbria Waste and Recycling Bring Sites Cost Savings Proposals
- Option 3 – In-house service

In conclusion, the Environment and Transport Portfolio Holder moved the recommendations, which were seconded by the Deputy Leader and Economy and Enterprise Portfolio Holder.

The Environment and Economy Overview and Scrutiny Panel had, on 8 May 2013, considered the matter and resolved:

“(1) That Report LE.14/13 – Bring Sites Review – be noted.

(2) That the Panel agreed with and supported the recommendations within the report. Following scrutiny of the evidence of the use of the Bring Sites, Members agreed that the criteria followed for the proposed closure of a site had been fair.”

A copy of Minute Excerpt EEOSP.29/13 had been circulated.

The Chairman of the Environment and Economy Overview and Scrutiny Panel began by expressing her deepest sympathy on the death of Councillor Joe Hendry. She commended the Deputy Leader and Members of the Executive for continuing in such difficult circumstances.

The Chairman stated that she had not been appointed Chairman of the Panel (nor was she a Member) at the time of the Review. A number of recommendations had been made in response to the Review and the Chairman believed that Overview and Scrutiny should have the opportunity to discuss the outcomes from the consultation, since the end decision would have an impact upon both urban and rural communities.

In response, the Environment and Transport Portfolio Holder said that Overview and Scrutiny were well aware of the reasons behind the Bring Sites Review. She further emphasised that bring sites would be reviewed on usage and not geography, with those sites which were well used being retained.

The Environment and Transport Portfolio Holder confirmed that she stood by the recommendations.

Summary of options rejected Other Options identified in the report

Decision

That the Executive approved the following proposals:

1. Reduce the number of bring sites from 151 to 90, the detail of which to be delegated to the Director of Local Environment in consultation with the Portfolio Holder for Environment and Transport
2. Cease the adopt-a-site payments as of 1 July 2013
3. Provide an in-house service for the collection of bring site materials as from 1 April 2014 pending the wider procurement exercise in 2015
4. Consider further the provision of an in-house skip service from April 2014
5. Recommended that the City Council make an invest to save bid for the new vehicles required to provide an in-house service and place orders for machinery with immediate effect (should the service be outsourced in 2015, the vehicle would be included within the specification for the contract)

Reasons for Decision

The in-house bid would save £77,000 in 2014/13 compared to £16,206 (£8,103 savings in 2013/14 and 2014/15) in the Cumbria Waste Recycling proposal

The in-house service offered greater overall savings, provided an enhanced service, contributed to the Love Where You Live campaign and supported a more cohesive cleansing service in local environment. An in-house service would provide greater flexibility and direct control of the service, pending the wider procurement exercise in 2015

The current contract with Cumbria Waste Management did not offer value for money and should therefore not be extended

**EX.55/13 CARLISLE DISTRICT LOCAL PLAN 2015 – 2030 – PREFERRED
OPTIONS CONSULTATION**
(Key Decision – KD.014/13)

Portfolio Economy and Enterprise

Relevant Overview and Scrutiny Panel Environment and Economy

Subject Matter

The Deputy Leader and Economy and Enterprise Portfolio Holder submitted report ED.11/13 setting out details of the draft Preferred Options stage Carlisle District Local Plan.

The Deputy Leader and Economy and Enterprise Portfolio Holder outlined the background to the matter commenting that, as was the case with the Core Strategy, the Carlisle District Local Plan provided a new framework for development to 2030. It now, however, included a comprehensive range of policies to determine planning applications as well as identifying development sites essential to delivery of the Plan. That revised approach would ensure that the Plan would be finalised at the earliest possible opportunity and that deliverable development sites would be available across the District to deliver the Plan as soon as it was adopted. The Local Plan also embraced the concept of Localism, should communities wish to promote additional development through the development of Neighbourhood Plans.

The Preferred Options Local Plan consisted of:

- A clear economic vision and spatial strategy for the District
- Strategic policy direction
- Local policies to guide development and how the Council dealt with planning applications
- Site specific allocations of viable housing and employment land for strategic growth (that part of the Plan would be presented to the Executive in a separate report to be amalgamated with the policies appended to this report for full Council)
- Policies map

He emphasised that the Local Plan would seek to provide a planning framework for Carlisle which would instil developer confidence, resulting in the development of high quality homes and businesses; support the delivery of infrastructure; attract inward investment and help to foster a wider cultural offer.

A wide range of topic areas were covered within the Plan, details of which were provided.

The Deputy Leader and Economy and Enterprise Portfolio Holder informed Members that work was ongoing to develop a comprehensive evidence base which had and would continue to inform the preparation of the draft Plan's strategy, the policies and the location for new development. He added that a number of other required assessments had been undertaken alongside the draft Plan to measure the impact thereof, and those would be published for consultation alongside the Preferred Options Local Plan.

In terms of the Plan preparation, the next stages were:

Publication – Winter 2013

Submission (to the Secretary of State) – Spring 2014

Examination (independent examination by Inspector) – Summer 2014

Adoption – Winter 2014

The preferred options consultation was therefore a very significant stage in development of the Local Plan and an important opportunity for the public to engage in preparation of the Local Plan.

The Deputy Leader and Economy and Enterprise Portfolio Holder reiterated his previous expression of thanks to all Members who had served on the cross-party Working Group, which had been extremely useful.

He also wished to place on record thanks to Officers within the Local Plans Team for the very robust and good work undertaken in guiding the Working Group.

In conclusion, the Deputy Leader and Economy and Enterprise Portfolio Holder moved the recommendation, which was seconded by the Environment and Transport Portfolio Holder.

Summary of options rejected None

DECISION

That the Preferred Options Stage Local Plan be made available for consideration by the Environment and Economy Overview and Scrutiny Panel and that, subject to any additional information arising from the Scrutiny Panel, be reported back to the Executive on 1 July 2013 to consider referral to Council for approval for public consultation on 16 July 2013.

Reasons for Decision

Approval for the draft preferred options stage Local Plan is necessary to enable work to progress on the Local Plan in order to meet the timescales set out in the project plan. Having an up to date Local Plan in place is essential in providing the tools for an effective Planning Service and to ensure that the Council's and the communities' aspirations for the District are met

EX.56/13 NOTICE OF EXECUTIVE KEY DECISIONS
(Non Key Decision)

Portfolio Cross-Cutting

Relevant Overview and Scrutiny Panel Community; Environment and
Economy; and Resources

Subject Matter

The Notice of Executive Key Decisions dated 1 May 2013 was submitted for information.

The Director of Local Environment was scheduled to report on the Migration of Purple Sacks to Wheeled Bin Refuse Collection (KD.01/13). The matter had, however, been deferred to allow adequate consideration of consultation responses.

Summary of options rejected None

DECISION

That the Notice of Executive Key Decisions dated 1 May 2013 be noted.

Reasons for Decision

Not applicable

EX.57/13 SCHEDULE OF DECISIONS TAKEN BY OFFICERS (Non Key Decision)

Portfolio Finance, Governance and Resources; Economy and Enterprise

Relevant Overview and Scrutiny Panel Resources

Subject Matter

Details of decisions taken by Officers under delegated powers were submitted.

Summary of options rejected None

DECISION

That the decisions, attached as Appendix A, be noted.

Reasons for Decision

Not applicable

EX.58/13 JOINT MANAGEMENT TEAM (Non Key Decision)

Portfolio Various

Relevant Overview and Scrutiny Panel Community; Environment and
Economy; and Resources

Subject Matter

The Minutes of the meetings of the Joint Management Team held on 22 March, 8 April, 24 April and 7 May 2013 were submitted for information.

Summary of options rejected None

DECISION

That the Minutes of the meetings of the Joint Management Team held on 22 March, 8 April, 24 April and 7 May 2013, attached as Appendix B, be received.

Reasons for Decision

Not applicable

EX.59/13 TALKIN TARN
(Non Key Decision)

Portfolio Environment and Transport

Relevant Overview and Scrutiny Panel Environment and Economy

Subject Matter

Pursuant to Minute EEOSP.27/13, consideration was given to a reference from the Environment and Economy Overview and Scrutiny Panel regarding the final report of the Talkin Tarn Country Park Task and Finish Group. The Panel had resolved:

“(1) That Report OS.11/13 – Talkin Tarn report be noted and the recommendations be submitted to the Executive for their consideration and response.

(2) That the implementation of the recommendations be monitored over the coming year.”

Copies of Report OS.12/13 and the Minute Excerpt had been circulated.

The Task Group’s recommendations were:

- “1. That the Executive support the Officers in pursuing potential franchise initiatives which could be accommodated at Talkin Tarn. This should attract a wider customer base whilst remaining sensitive to the natural surroundings of the Country Park.
2. Members recommend that details of the scheme are finalised and marketed as soon as possible in order to attract users of the Tarn to the scheme. Consideration should be given to advertising within Brampton Parish Council’s BIG newsletter.
3. Members of the Task Group recommend that the vacant Green Spaces Officer post is recruited to as soon as possible.
4. That the whole offer of the Tea Room and Gift Shop should be reviewed in order to attract more custom. This review should include consideration to the option of franchising the Tea Room.
5. That a strategy for the marketing and promotion of Talkin Tarn is undertaken with support from officers within the Communications Section
6. That officers continue to pursue enquiries with local public transport providers to promote Talkin Tarn Country Park in order to attract more visitors and provide adequate transport links.”

In response, the Environment and Transport Portfolio Holder expressed her thanks to Members of the Task Group for their work on the matter. The Task Group had made a number of recommendations, as set out above, which the Executive would consider.

The Environment and Transport Portfolio Holder added that the recommendations were deserving of in depth consideration, as a consequence of which the Executive would not be in a position to respond by 13 June 2013. Accordingly she moved that the Executive respond in due course.

The Deputy Leader and Economy and Enterprise Portfolio Holder was supportive and seconded the Portfolio Holder's amendment. He added that the report constituted another good piece of work undertaken by Overview and Scrutiny.

Summary of options rejected None

DECISION

The Executive had considered the final report of the Talkin Tarn Country Park Task and Finish Group attached to Report OS.12/13 and wished to give in depth consideration to the recommendations contained therein. The Executive would therefore respond to the recommendations in due course.

Reasons for Decision

To respond to a reference from the Environment and Economy Overview and Scrutiny Panel concerning the Talkin Tarn Country Park

EX.60/13 REPRESENTATIVES ON OUTSIDE BODIES
(Non Key Decision)

Portfolio All Areas

Relevant Overview and Scrutiny Panel Community; Environment and Economy;
and Resources

Subject Matter

The Deputy Leader and Economy and Enterprise Portfolio Holder presented Report GD.28/13 seeking the nomination of Members to serve on various outside bodies. He pointed out that a number of issues had arisen following the loss of the Leader of the Council.

The Deputy Leader moved the recommendations as set, subject to:

- the nomination of a Member(s) to fill the vacancies left by the late Leader of the Council would remain in abeyance for the time being
- Councillors Weber and Stothard would serve on the Carlisle Leisure Limited Board
- Further to publication of the report, Councillor Boaden had indicated that he was no longer available to serve on the Botcherby Community Centre Management Committee nor the Carlisle and District Citizens' Advice Bureau Trustee Management Committee. The vacancies on both of those organisations would be filled in due course.

- As a result of the recent transfer of the Highways Claimed Rights back to the County Council, the City Council had been allocated two places on the Highways and Transport Working Group. Councillors Mrs Martlew and Mrs Stevenson would serve on that Group.

The Finance, Governance and Resources Portfolio Holder seconded the recommendations as amended, which were agreed.

Summary of options rejected None

DECISION

That the City Council's representatives on the following outside bodies be as indicated:

Outside Body	Representation
Belah Community Centre Management Committee	Councillors Ellis, Morton and Mrs Vasey
Botcherby Community Centre Management Committee	Councillors Betton and Scarborough; one vacancy
Brampton and Beyond Trust (previously Brampton Community Association)	Councillor Layden
Business Improvement District Board of Directors	Councillor Glover
Carlisle and District Citizens' Advice Bureau Trustee Management Committee	Councillor Earp; one vacancy
Carlisle and Eden Crime and Disorder Reduction Partnership Leadership Group	Councillor Mrs Riddle; Councillor Mrs Stevenson (as substitute)
Carlisle Educational Charity	No requirement for nominations in 2013
Carlisle Leisure Limited Board	Councillors Weber and Stothard
Carlisle Sports Council	Councillor Cape
Carlisle Tourism Partnership	Councillor Ms Quilter
Conservation Area Advisory Committee	Councillor Mrs Martlew
Cumbria Equality Champions' Group (NOTE: the primary aim of the Group is to ensure that County and District Councils collaborate on understanding Equality and make sure that elected Members have peer support in meeting the Public Sector Equality Duty)	Councillor Tickner

Outside Body

Cumbria Health Scrutiny Committee

(NOTE: This is a joint Scrutiny Committee comprising representatives of the six District Councils in Cumbria and Cumbria County Council. The terms of reference require that Members should be full serving Members of Overview and Scrutiny Panels)

Cumbria Law Centre Management Committee

Cumbria Leadership Board

Cumbria Planning Group

Cumbria Playing Fields Association – Executive Committee

Cumbria Strategic Waste Partnership

Currock Community Centre Management Committee

Denton Holme Community Centre Management Committee

The District Council's Network Assembly

(NOTE: The DCN's constitution states that the representative is usually the Leader of the Council or someone in an equivalent position)

Downagate Community Centre Management Committee

Friends of Tullie House Museum and Art Gallery

Greystone Community Association

Hadrian's Wall World Heritage Site Management Plan Committee

Harraby Community Centre Management Committee

Highways and Transport Working Group

Representation

Councillor Bowditch;
Councillor Watson (as substitute)

Councillor Mrs Riddle;
Councillor Mrs Stevenson (as substitute)

One vacancy
Councillor Glover (as substitute)

Councillor Glover

Councillor Scarborough

Councillor Mrs Martlew;
Councillor Stothard (as substitute)

Councillors Mrs Bradley, Glover and Harid

Councillors P Atkinson, McDevitt and
Mrs Southward

One vacancy
Councillor Glover (as substitute)

Councillor Graham

Councillor Mrs Martlew

Councillor Ms Quilter

Councillor Ms Quilter;
Councillor Miss Sherriff (as substitute)

Councillors Forrester, Miss Sherriff and
Weber

Councillor Mrs Martlew
Councillor Mrs Stevenson

Outside Body

Local Authority World Heritage Forum

Local Government Association – General Assembly

Local Government Association – Rural Commission
(NOTE: The Council is entitled to nominate two representatives, either two Members or one Member and one Officer with the first named Member being allocated the Council's vote on the Commission)

Local Government Association – Urban Commission
(NOTE: The Council is entitled to nominate two representatives, either two Members or one Member and one Officer, with the first named Member being allocated the Council's vote on the Commission)

Local Government Information Unit

Longtown Community Centre Management Committee

Mary Hannah Almshouses

Morton Community Centre Management Committee

National Association of Councillors – English Region

National Association of Councillors

North Pennines Area of Outstanding Natural Beauty Partnership

North West Local Authorities Employers Organisation

North West Regional Housing Forum

PATROL (Parking and Traffic Regulations Outside London) Adjudication Joint Committee)

Petteril Bank Community Centre Management Committee

Representation

Councillor Ms Quilter;
Councillor Miss Sherriff (as substitute)

One vacancy
Councillor Glover (as substitute)

Councillors Tickner and Ms Quilter

Councillors Tickner and Ms Quilter

Councillor Tickner

Councillors Bloxham, J Mallinson and Mrs Prest

Councillors Ellis (until March 2016),
Mrs Vasey (Until March 2016) and Morton
(until June 2017)

Councillors Bell, Mrs Stevenson and Stothard

Councillor Mrs Riddle

Councillor Mrs Riddle

TBC

Councillor Glover;
Councillor Tickner (as substitute)

Councillor Mrs Riddle

Councillor Mrs Martlew;
Councillor Bell (as substitute)

Councillors Cape, Mrs Warwick and Wilson

Outside Body

Representation

Riverside Carlisle Board
(NOTE: Council representatives can remain on the Riverside Board for a maximum of 9 years. Appointments or removals have been made in writing by the City Council to the Secretary of the Carlisle Housing Association Board)

Councillors Bainbridge (since 2012), one vacancy, Layden (since 2008) and Mrs Luckley (since 2012)

Settle – Carlisle Railway Development Company

Councillor Scarborough

Solway Coast Area of Outstanding Natural Beauty Joint Advisory Committee

Councillor Tickner

Solway Firth Partnership Board

One vacancy

Stanwix Community Association

Councillor Nedved

Tullie House Museum and Art Gallery Trust Board

Councillor Tickner;
Councillor J Mallinson

West Coast Rail 250

Councillor Mrs Martlew

Yewdale Community Centre Committee

Councillors Bowditch, Mrs Atkinson and one vacancy

Cumbria Health and Wellbeing Board

Councillor Ms Quilter

Reasons for Decision

To make appointments to Outside Bodies for 2013/14

EX.61/13 LAND AND PROPERTY TRANSACTIONS (Non Key Decision)

Portfolio Finance, Governance and Resources

Subject Matter

The Finance, Governance and Resources Portfolio Holder reminded Members that the Council was seeking to rationalise, consolidate and improve the performance of its property portfolio in support of the Carlisle Plan 2013/16.

Report RD.16A/13 furthered that ambition and sought approval to the release and sale of the following three properties identified for disposal in accordance with management policies set out in the Asset Management Plan and the Asset Review Business Plan Disposal Programme:

1. Whinnie House Road, Carlisle;
2. Staffield House; and

3. Land adjoining 18 Suttle Close, Morton, Carlisle

He added that the commercially sensitive and financial aspects of the proposal were considered in Part B of the report.

In conclusion, the Finance, Governance and Resources Portfolio Holder moved the recommendation that the Executive grant consent for the release and freehold disposal of the three properties set out in the report, subject to the finalisation of terms and conditions agreed by the Property Services Manager.

The Deputy Leader and Economy and Enterprise Portfolio Holder seconded the recommendation.

Summary of options rejected None

DECISION

That the Executive granted consent for the release and freehold disposal of the three properties set out in Report RD.16A/13, subject to the finalisation of terms and conditions agreed by the Property Services Manager.

Reasons for Decision

To more effectively manage the Council's operational and non-operational assets by bringing forward the strategic objectives set out in the Asset Review Business Plan and Asset Management Plan

PUBLIC AND PRESS

RESOLVED – That in accordance with Section 100A(4) of the Local Government Act 1972 the Public and Press were excluded from the meeting during consideration of the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in the paragraph number (as indicated in brackets against each minute) of Part 1 of Schedule 12A of the 1972 Local Government Act.

EX.62/13 PROCESSING OF PENALTY CHARGE NOTICES FOR CUMBRIA COUNTY COUNCIL

(Key Decision – KD.11/13)

(Not for publication by virtue of paragraph 3)

Portfolio Environment and Transport

Relevant Overview and Scrutiny Panel Environment and Economy

Subject Matter

The Environment and Transport Portfolio Holder submitted private report LE.15/13 updating Members on the preparation of an agreement with Cumbria County Council for the processing of Penalty Charge Notices (PCNs).

She outlined the background and current proposals highlighting, in particular, the main points of note as regards the proposed agreement.

The Environment and Transport Portfolio Holder then moved the recommendations, which were duly seconded by the Deputy Leader and Economy and Enterprise Portfolio Holder.

Summary of options rejected None

DECISION

That the Executive granted delegated authority:

1. To the Director of Local Environment, in consultation with the Portfolio Holder, to agree satisfactory terms for an agreement to process PCNs for Cumbria County Council and, thereafter, with the Director of Governance, complete the relevant Agreement reflecting such terms.
2. To the Director of Local Environment, in accordance with the said Agreement, to determine the future annual cost estimates to be submitted to the County Council regarding PCN processing.

Reasons for Decision

As detailed in private report LE.15/13

EX.63/13 LAND AND PROPERTY TRANSACTIONS
(Non Key Decision)
(Public and Press excluded by virtue of Paragraph 3)

Portfolio Finance, Governance and Resources

Subject Matter

The Finance, Governance and Resources Portfolio Holder submitted private report RD.16B/13 outlining the commercially sensitive and financial aspects of the proposals set out in Part A to release and dispose of assets which were surplus to requirements.

The Finance, Governance and Resources Portfolio Holder then moved the recommendation that the Executive note and endorse the financial aspects of the proposals to dispose of surplus assets set out in Part A.

The Deputy Leader and Economy and Enterprise Portfolio Holder seconded the recommendation.

Summary of options rejected None

DECISION

That the Executive noted and endorsed the financial aspects of the proposals to dispose of surplus assets set out in public Report RD.16A/13.

Reasons for Decision

To more effectively manage the Council's operational and non-operational assets by bringing forward the strategic objectives set out in the Asset Review Business Plan and Asset Management Plan

(The meeting ended at 4.20 pm)