



REPORT TO COUNCIL

**PORTFOLIO AREA: ENVIRONMENT, INFRASTRUCTURE & TRANSPORT /
POLICY, PERFORMANCE MANAGEMENT, FINANCE AND RESOURCES**

Date of Meeting: 18 January 2005

Public

Key Decision: Yes

Recorded in Forward Plan:

No

Inside Policy Framework – Yes

**Title: TALKIN TARN ESTATE
IMPLICATIONS ARISING FROM FULL COUNCIL RESOLUTION**

Report of: HEAD OF PROPERTY SERVICES

Report reference: PS 01/05

Summary:

This report outlines the estimated cost and time implications arising out of the Council resolution on 23rd November, along with confirmation of the position concerning the terms of transfer.

Recommendations: It is recommended:

That Members' decide on their preferred way forward.

Contact Officer: David Atkinson – extn 7420

Note: in compliance with Section 100d of the Local Government (Access to Information) Act 1985 the report has been prepared in part from the following papers: PS02/04 Report to Executive – Proposed Transfer of Talkin Tarn Estate from County Council to City Council; PS16/04 report to Community O & S – Proposed Transfer of Talkin Tarn from County Council to City Council, PS19a/04 & PS19b/04 to Executive and PS20a/04 & PS20b/04 to Community O & S.

1. BACKGROUND INFORMATION & OPTIONS

Introduction

- 1.1 This report briefly outlines the potential implications arising from the Full Council decision concerning the Talkin Tarn scheme. A decision is sought from Members about the way forward.

Full Council Resolution

- 1.2 Carlisle City Council, at its meeting on 23 November 2004, resolved by majority vote:
- (1) *That the City Council defers any decision on the transfer of the Talkin Tarn estate, pending:***
- (a) *Further negotiations with Cumbria County Council to ensure the inclusion of the Tarn End Hotel in the transfer, as detailed in Executive minute Ex 195/03, confirmed in the Council's minute C 151/03 (d) and outlined in the separate letters from the former Chief Executive and from Councillor Mitchelson as Council Leader to the County Council, appended to report CLS 58/03.***
 - (b) *More detailed investigation of the costs of treatment and of future management of the lake, given the stated difficulties of dealing with the problem of blue algae and the health and safety concerns.***
 - (c) *The production of a detailed business plan based on stage G costing; using an independent consultancy if necessary.***
 - (d) *More detailed reports on potential revenue costs and income.***
 - (e) *More detailed reports on any potential obligations as outlined in paragraph 2.1 and 2.2 of report (PS 23/04).***
 - (f) *Evidence of commitment from capital grant sources.***
- (2) *Requests that all the above are brought before the Executive and all 3 Overview & Scrutiny committees for consideration.***

Negotiations ensuring inclusion of the hotel

- 1.3 The County Council has stated that the hotel is not to be part of the transfer offer.
- 1.4 Following 23 November Council, the Acting Chief Executive wrote to the County's Chief Executive. This correspondence is attached. It re-affirms this position.

Other items resolved by Council

- 1.5 The other matters listed in the resolution will require new resources.
- 1.6 Such work could cost up to £95,000, depending upon the level of detail required.

Item	Comment
More detailed investigation of lake management (to check existing Consultant's work).	A further report has been written in consultation with the Environment Agency which should allay a number of concerns. If Members' require additional verification, an alternative set of consultants may need to advise.
Detailed Business Plan based on Stage "G" costings	This cost has already been outlined in previous reports at between £50,000 and £75,000.
Independent consultancy to check the above.	If Members' require further verification over and above Stage "G".
More detailed reports on revenue items.	If Members' require an independent audit of the estimates already provided.
Other obligations report. (items 2.1 and 22 of report PS 23/04).	If Members' require an independent assessment of other transfer issues.
Evidence of capital grants commitment.	Without City Council commitment, grant aid will not be forthcoming.
TOTAL about £95,000	Depending upon Members' requirements.

An alternative approach?

- 1.7 The proposed scheme has a number of benefits which support corporate objectives – but the business case was written on the assumption that it was a wholly funded City Council scheme.
- 1.8 An alternative approach could be to use the work undertaken to date as a basis for exploring other ways of undertaking a scheme.

- 1.9 There has been an offer of financial assistance with regard to the blue green algae for example. A further detailed report has been prepared as part of the work to date in any case.
- 1.10 This alternative approach may involve the setting up of a partnership to run the estate, perhaps by leasing it from the County rather than outright purchase.
- 1.11 Ultimately, most of the risk would still fall to the City Council – but it might allay some concerns raised at Council – particularly in relation to an exit strategy.
- 1.12 However, additional resources are required to investigate this more complex route.

Conclusions

- 1.13 All schemes are at risk to uncertainty: costs / income can never be guaranteed nor can problems necessarily be eradicated.
- 1.14 Further detailed investigations can be made which challenge the assumptions upon which the Talkin Tarn business case has been presented – if Members' require - through the allocation of more funds.
- 1.15 Officers could investigate external grant sources, trust options and the like – in partnership. Again, more resources are required.
- 1.16 However, the issue of the hotel is one that the County Council has re-affirmed.

2. CONSULTATION

- 2.1 *Consultation/Briefings to date:* CMT and JMT;
- 2.2 *Consultation/Briefings proposed:* For Members to decide.

3. RECOMMENDATIONS It is recommended that:

- 3.1 That Members' decide on their preferred way forward.

4. REASONS FOR RECOMMENDATIONS

- 4.1 To make a decision in the light of a Full Council resolution.

5. IMPLICATIONS

STAFFING / RESOURCES & OTHER ISSUES - Members need to consider whether further time and resources should be deployed.

From Peter Stybelski
Chief Executive



COUNTY COUNCIL

The Courts, Carlisle
Cumbria CA3 8NA
tel - 01228 606301
fax - 01228 606302
email- peter.stybelski@cumbriacc.gov.uk

7 December 2004

Maggie Mooney
Acting Town Clerk & Chief Executive
Carlisle City Council
Civic Centre
Carlisle
CA3 8QG

Dear Maggie

TALKIN TARN

Further to your letter of 28 November I would like to confirm the view of Cumbria County Council in respect of the transfer of Talkin Tarn. The terms of the transfer were agreed by the County Council at its meeting on 18 November and are as previously advised to you i.e. at nil cost and with a revenue contribution of £40,000 for 5 years. The hotel is not included in the transfer.

There was an amendment made at the meeting for inclusion of the hotel but this was lost.

I would therefore be grateful if you would inform the City Council that the offer remains available. Perhaps you would be good enough to let me know the decision making timetable.

Yours sincerely

Peter Stybelski

Peter Stybelski



Acting Town Clerk and Chief Executive

Maggie Mooney

Civic Centre Carlisle CA3 8QG • Telephone (01228) 817000 • Fax (01228) 817009
Document Exchange DX 63037 Carlisle • Type talk 18001 01228 817000 •

Mr Peter Stybelski
Chief Executive
Cumbria County Council
The Courts
Carlisle

Please ask for:

Direct Line:

E-mail:

Your ref:

Our ref:

Maggie Mooney
01228 817002
maggiem@carlisle.gov.uk

26 November 2004

Dear Peter

TALKIN TARN

At the City Council meeting on Tuesday 23rd November, a resolution was agreed by majority vote and a key part of that resolution read:

"That the City Council defers any decision on the transfer of the Talkin Tarn estate, pending further negotiations with Cumbria County Council to ensure the inclusion of the Tarn End Hotel in the transfer, as detailed in Executive Minute EX 195/03, confirmed in the Council Minute C151/03 (d) ..."

Though it has been understood throughout the negotiation on the terms of the transfer of Talkin Tarn to the City Council that the hotel was not part of the deal, I would appreciate it if you can let me know if this is still the case or whether the hotel can now be included in the transfer.

It would be helpful to have your response as soon as possible to enable me to report back to the Executive at their meeting on 6th December.

Thanks for your help

Yours sincerely

Maggie Mooney
Acting Town Clerk & Chief Executive



INVESTOR IN PEOPLE

6.

EXCERPT FROM THE MINUTES OF THE EXECUTIVE HELD ON 20 DECEMBER 2004

EX.271/04 TALKIN TARN ESTATE - IMPLICATIONS ARISING FROM FULL COUNCIL RESOLUTION (Non-Key Decision)

Portfolio Environment, Infrastructure and Transport
Policy, Performance Management, Finance and Resources

Subject Matter

To consider a report from the Head of Property Services (PS.28/04) concerning the implications arising from the City Council resolution on the transfer of the Talkin Tarn Estate.

The City Council, at its meeting on 23 November 2004, resolved as follows:-

"That the City Council:

1. Defers any decision on the transfer of the Talkin Tarn Estate,
pending:

(a) Further negotiations with Cumbria County Council to ensure the inclusion of the Tarn End Hotel in the transfer, as detailed in the Executive Minute EX.195/03, confirmed in the Council Minutes C.151/03(d) and outlined in the separate letters from the former Chief Executive and from Councillor Mitchelson as Council Leader to the County Council, appended to Report CLS.58/03.

(b) More detailed investigation of the cost of treatment and of future management of the lake, given the stated difficulties of dealing with the problems of Blue Algae and the Health and Safety concerns.

(c) The production of a detailed business plan based on Stage G costing; using an independent consultancy if necessary.

(d) More detailed reports on potential revenue costs and income.

(e) More detailed reports on any potential obligations as outlined in paragraphs 2.1. and 2.2 of Report P.23/04.

(f) Evidence of commitment from capital grant sources.

2. Request that all the above are brought before the Executive and all three Overview and Scrutiny Committees for consideration."

Following the City Council meeting, clarification had been sought over the position regarding the inclusion of the Tarn End Hotel as part of the transfer.

A letter dated 7 December 2004 from the Chief Executive, Cumbria County Council was submitted confirming that the hotel was not included in the transfer.

The remaining matters listed in the City Council resolution would require new resources of up to £95,000 depending on the level of detail required.

The Head of Property Services further reported that the business case had been written on the assumption that the transfer was to be a wholly funded City Council scheme. An alternative approach could be to use the work undertaken to date as the basis for exploring other ways of undertaking a scheme.

For example, there had been an offer of financial assistance with regard to the blue green algae. A further detailed report had been prepared as part of the work to date in any case. This alternative approach may involve the setting up of a partnership to run the estate, perhaps by leasing it from the County Council rather than outright purchase. Ultimately, most of the risk would still fall to the City Council, but some of the concerns raised at Council, particularly in relation to an exit strategy, may be allayed. However, additional resources would be required to investigate this more complex route.

The Head of Property Services concluded that all schemes were at risk to uncertainty as costs/income could never be guaranteed or problems necessarily be eradicated. If Members require, further detailed investigations could be made which challenge the assumptions upon which the Talkin Tarn business case has been presented although additional funding would be needed. Officers could investigate external grant sources, eg trust options, in partnership although again, more resources would be required.

Councillor Bloxham, Environment, Infrastructure and Transport Portfolio Holder, made the following comments on the Council resolution 1(a) to (e):-

(a) the County Council has reaffirmed its position that the hotel is not part of the transfer.

(b) a report on environmental issues commissioned in 2004 clearly identified how the problem of blue/green algae could be managed in an acceptable way.

(c), (d), (e) Should the City Council wish to proceed with the further investigations, funding would be required by way of supplementary estimate.

Councillor Bloxham considered that the matter should be referred back to the City Council on 18 January 2005 for a final decision to be taken on whether the City Council wished to proceed with this transfer.

Summary of options rejected

None

Decision

That the matter be referred back to the City Council on 18 January 2005, with the Executive's comments, for a final decision to be taken on whether the City Council wished to proceed with the transfer of Talkin Tarn from the County Council.

Reasons for Decision

To seek instructions from the City Council on whether the transfer of the Talkin Tarn estate from the County Council to the City Council should proceed.

Agenda Item 15i



IRTHINGTON PARISH COUNCIL

Ken Hind (Parish Clerk)
Telephone 01228 531634
Email: kenh@carlisle-city.gov.uk

76 Brampton Road,
Carlisle,
Cumbria, CA3 9AU

29 December 2004

Councillor Mike Mitchelson
Leader Carlisle City Council
Carlisle City Council
Civic Centre
Carlisle
CA3 8QG

CC The Chief Executive, Cumbria County Council.

Dear Mike,

Talkin-Tarn Estate.

Regarding the talks between Cumbria County Council and Carlisle City Council regarding the possible transfer of Talkin Tarn Estate.

Irthington Parish Council would like to express its extreme disappointment following the breakdown of such talks.

The Parish Council would hope that these talks could resume as a matter of urgency.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'Ken Hind', written in a cursive style.

Ken Hind,
Clerk To The Council.



BRAMPTON PARISH COUNCIL

Ken Hind, Clerk

Unit 2, The Old Brewery, Craw Hall, BRAMPTON, CA8 1TR

Tel: 016977 3382 Fax: 016977 2323 E-mail: bramptonpc@carlisle-city.gov.uk

23 December 2004

Mr Mike Mitchelson
Leader of Carlisle City Council
Civic Centre
Carlisle
CA3 8QG

CC The Chief Executive, Cumbria County Council.

Dear Mike,

Talkin Tarn Estate

Brampton Parish Council would like to register its extreme disappointment with the Carlisle City Council decision to defer their consideration of the proposed transfer of the Talkin Tarn estate from Cumbria County Council.

Brampton Parish Council would urge the City Council to do everything in its power to conclude the matter at the earliest opportunity.

Yours faithfully,

Ken Hind,
Clerk