



# EXECUTIVE DECISIONS

## DECISIONS MADE AT THE EXECUTIVE MEETING HELD ON 8 APRIL 2013

**Date of Publication: 10 APRIL 2013**

**CALL IN PERIOD ENDS 17 April 2013 at 1700**

### 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.

**Committee Section:** Email – [CommitteeServices@carlisle.gov.uk](mailto:CommitteeServices@carlisle.gov.uk)

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## **EXECUTIVE**

**MONDAY 8 APRIL 2013 AT 4.03 PM**

### **PRESENT:**

Professor Councillor Hendry (Leader)  
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  
Director of Economic Development  
Director of Local Environment  
Policy and Communications Manager

### **ALSO PRESENT:**

Councillor Mrs Luckley (Chairman of the Community Overview and Scrutiny Panel)  
Councillor Layden (Chairman of the Environment and Economy Overview and Scrutiny Panel)

### **APOLOGY 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.

### **CALL-IN**

The Chairman reported that the Mayor had agreed that the following item should be exempt from call-in as call-in procedures would overlap the City Council meeting on 30 April 2013:

- Draft Carlisle Plan 2013 – 2016

**EX.31/13     VEHICLE AND PLANT REPLACEMENT PROVISION 2013/14**  
(Key Decision – KD.03/13)

**Portfolio**     Finance, Governance and Resources

**Relevant Overview and Scrutiny Panel**     Resources

**Subject Matter**

The Finance, Governance and Resources Portfolio Holder reported (RD.02/13) that a revised five year Vehicle Replacement Programme / Plan had been produced in 2011/12, based on historical knowledge and experience of the Transport Co-ordinator. That exercise had informed the budget provision requirement for delivery.

The information referred to was presented within the proposed Capital Programme which formed part of the Executive Budget Proposals 2013/14 approved by the City Council on 5 February 2013 (subject to additional reports being submitted to the Executive prior to expenditure being committed).

Referring to the 2013/14 vehicle replacements, the Finance, Governance and Resources Portfolio Holder advised that thirteen vehicles were scheduled for replacement from the original sixteen planned in 2011/12. He added that three vehicles associated with Highways Claimed Rights and their associated budgets had been removed from the replacement programme for the current year.

It was the opinion of the Managers responsible for vehicle provision that the five year Vehicle Replacement Programme represented the minimum requirement to maintain a safe, efficient, operational fleet, whilst also ensuring the maintenance revenue budget was kept to a minimum.

Internal consultation had taken place with the principle user group (the Local Environment Directorate) and continuous dialogue would be maintained with user groups / Directors to ensure delivery requirements were met, and to reflect any ongoing restructures. In addition, the vehicle replacement process always included a final consultation with user groups and more recently with Directors, prior to ordering vehicles, to ensure that any changes in resource requirements as a result of efficiency / restructures were accommodated.

Details of the vehicles involved were attached at Appendices A and B to the report.

In conclusion, the Finance, Governance and Resources Portfolio Holder moved that the Executive approve the release of the capital budget provision for 2013/14 of £259,000 to provide for vehicle and plant replacements, in accordance with the five year plan.

The Leader seconded the recommendation.

**Summary of options rejected**     None

## **DECISION**

That the Executive approved the release of the capital budget provision for 2013/14 of £259,000 to provide for vehicles and plant replacements, in accordance with the five year plan.

### **Reasons for Decision**

1. To ensure that the City Council's fleet was of a safe and well maintained adequate condition to provide service delivery
2. To ensure those vehicles within the Council's operational licence provision were of an operational standard
3. To comply with the five year replacement plan

### **EX.32/13 PLANNED ENHANCEMENTS TO COUNCIL PROPERTY** (Key Decision – KD.05/13)

**Portfolio** Finance, Governance and Resources

**Relevant Overview and Scrutiny Panel** Resources

### **Subject Matter**

The Finance, Governance and Resources Portfolio Holder reported (RD.01/13) that the capital funded enhancements to Council properties programme aimed to improve the condition of property assets, and to maintain and improve operational facilities. Priority was given to projects that had an impact on Health and Safety, efficiency and avoidance of consequential repairs.

The Finance, Governance and Resources Portfolio Holder drew Members' attention to the projects proposed for inclusion in the 2013/14 programme, namely:

1. Tullie House – Re-cover flat roof over paintings store (£80k)  
The roof was part of the Victorian wing of Tullie House and had an asphalt covering. The covering was around 50 years old and was degraded by exposure. The store below the roof housed a very important part of the Tullie House collection which was at risk from damage from water ingress through the degraded roof.
2. Civic Centre – Refurbishment and re-wiring programme (£90k)  
The ongoing refurbishment had been continuing since 2005 and upgraded services, finishes and fire precautions. One floor had been refurbished each year. The work proposed would upgrade the committee and executive suite on floor 1 and part of floor 3.
3. Civic Centre – Re-pave the flagged areas to the frontal approach (£25k)  
The pedestrian and vehicle access areas at the front and sides of the building were paved with concrete flags. Those were the original pavings and were now 50 years old; in poor condition and required replacement. The project would improve the appearance of the building - creating a better first impression for visitors - and would

level up the surfaces to reduce the risk of trips and slips. The vehicle areas would be paved with Macadam surface and the pedestrian areas with block paving.

4. Enterprise Centre – Re-cover main flat roof (£50k)  
The roof of the centre had been subject to persistent leaks for several years. The project would renew the covering to part of the roof and resolve some of those issues. A further project would be required to complete the replacement of the covering
5. West Walls – Stone repairs and re-pointing of historic city wall (£20k)  
Was an ongoing project to restore and preserve the major surviving part of the ancient city walls. The works were required to prevent the stone work deteriorating further and to maintain the structural stability of the wall.
6. Talkin Tarn – Underpin the tea room wall foundation (£20k)  
The project would repair a collapsing foundation to the tea room and maintain the structural stability of the building.
7. Various Properties – Asbestos Removal (£10k)  
The Council had a legal duty to manage asbestos material in its buildings. The project was to carry out surveys, sealing and removal work to meet the requirements of the regulations and keep staff safe in the workplace.

In conclusion, the Finance, Governance and Resources Portfolio Holder moved that the Executive approve the release of the capital funding of £300,000 for the above planned enhancements to the Council properties.

The Leader seconded the recommendation.

**Summary of options rejected** None

## **DECISION**

That the Executive approved the release of capital funding of £300,000 for the Planned Enhancements to Council Properties to be spent as detailed at paragraph 2.1 of Report RD.01/13.

## **Reasons for Decision**

1. To fulfil the Council's responsibilities for providing safe operation facilities for staff and the public
2. To protect the Council's investment in property assets
3. To improve the operational efficiency of the Council's property assets and reduce running costs
4. To protect Carlisle's heritage for future generations

**EX.33/13      \*\*DRAFT CARLISLE PLAN 2013 - 2016**  
(Key Decision – KD.037/12)

(In accordance with Paragraph 15(i) of the Overview and Scrutiny Procedure Rules, the Mayor had agreed that call-in procedures should not be applied to this item)

**Portfolio** Finance, Governance and Resources

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

### **Subject Matter**

Pursuant to Minute EX.10/13, the Leader submitted report PC.08/13 concerning the draft Carlisle Plan 2013/16 which set out the City Council's vision for Carlisle and the six priorities for action over the medium term. The draft Plan had been referred to the Council's Overview and Scrutiny Panels; partners (including community and voluntary groups); and the public for consultation.

The matter had been considered by the Community; Resources; and Environment and Economy Overview and Scrutiny Panels on 14, 21 and 28 February 2013. Copy excerpts (COSP.16/13, RO SP.15/13 and EEOSP.18/13) from the Minutes of those meetings had been circulated.

The final draft of the Carlisle Plan 2013/16 and the draft Action Plan for delivering the priorities were attached at Appendices 1 and 2 to the report.

Details of the feedback received, and the proposed amendments to the Plan following the consultation period were also provided at Appendix 3.

The Economy and Enterprise Portfolio Holder referred Members to the Action Plan (Appendix 2). He clarified that the implementation dates for the following actions should in fact read "April to December 2013":

Page 7 – Action 3: Improving Industrial Estate / Employment land performance; and  
Page 9 – Action 2: Develop a collaborative approach to stimulating new business and growing small businesses

Members of the Executive indicated their agreement with the above amendments.

The Leader noted that the Chairmen of the Community; and the Environment and Economy Overview and Scrutiny Panels were in attendance. He invited them to speak on the matter.

The Chairman of the Community Overview and Scrutiny Panel stated that the Executive would see from the Minutes that concerns were expressed with regard to the omission of Health and Wellbeing as a priority within the proposed Plan. The Resources Overview and Scrutiny Panel had expressed similar concerns.

Health and Wellbeing had been a priority for a number of years. In 2004 the Department of Health issued a list of 70 local authority areas which were classed as Spearhead

Authorities, meaning that they fell into the bottom 25% of local authority areas in relation to good public health. Carlisle was included in that list.

During the years which followed, the City Council, the Primary Care Trust and the Carlisle Partnership had worked hard together to change things and, in 2010, Carlisle was removed from that list.

However, there remained 4 Urban Wards (Currock, Denton Holme, Castle and Belle Vue) whose health deprivations meant that they would still be classed as Spearhead areas if the list was divided into political wards. Those Wards made up more than a third of the urban population.

In conclusion, the Chairman expressed the hope that, even if public health was not identified as a specific priority, the good work done would continue to make a substantial contribution towards health improvements in Carlisle.

The Chairman of the Environment and Economy Overview and Scrutiny Panel said that the Panel was concerned to ensure that the needs of health and youth were being met. He acknowledged that the Leader had given an acceptable response to those concerns. He further highlighted rural issues and looked forward to seeing how those would evolve in detail.

The Chairman added that a very valuable meeting had taken place at the start of the year when the Botchergate Conservation Area was discussed. Accordingly, he was very keen to recommend, on behalf of the Panel, that the Botchergate Working Group be reinstated to monitor the area.

The Leader thanked the Overview and Scrutiny Chairmen for their input.

In response to the concerns raised, the Leader referred to the responses detailed in Appendix 3 (Page 15) which philosophy underpinned the whole of the Carlisle Plan. He gave an assurance that Health and Wellbeing would not be neglected in any way.

The Culture, Health, Leisure and Young People Portfolio Holder indicated that she too was well aware of the importance of health. A number of meetings had taken place with partners in the City and the Executive was fully committed to such working through the Carlisle Partnership.

Speaking in her capacity as a member of the Carlisle Partnership, the Chairman of the Community Overview and Scrutiny Panel stated that a prominent part of their work was to address health related need within Carlisle.

In conclusion, the Leader moved that the Executive consider the proposed amendments to the Carlisle Plan and Action Plan, and agree to refer the draft Plan to full Council for approval.

The Environment and Transport Portfolio Holder seconded the recommendation.

**Summary of options rejected** None

## **DECISION**

That the Executive:

1. had considered the proposed amendments to the draft Carlisle Plan 2013/16 and Action Plan.
2. agreed to refer the draft Carlisle Plan (subject to the additional amendments highlighted above) to full Council for approval on 30 April 2013.

### **Reasons for Decision**

The recommendations asked the Executive to approve the final draft of the Carlisle Plan following the consultation period. The Carlisle Plan 2013/16 should be referred to full Council for approval and adoption to the Policy Framework

**EX.34/13      PARISH CHARTER**  
(Key Decision – KD.045/12)

**Portfolio**      Communities and Housing

**Relevant Overview and Scrutiny Panel**      Community

### **Subject Matter**

Pursuant to Minute EX.23/13, the Leader submitted report CD.25/13 presenting the Parish Charter for Carlisle and District, and its Formal Agreements, copies of which were attached at Appendix 1 to the report.

He reminded Members that the City Council and the Parishes had, in 2012, agreed a draft Charter which was consulted on. However, that document could not be formally agreed and was consequently revised to reflect both the comments from the Parishes and the need for further changes reflecting reorganisation within the City Council.

The revised Charter and its Formal Agreements had been agreed at the Joint City Council and Parish meeting on 5 December 2012. They were then sent out for formal consultation which concluded on 20 February 2013.

The Leader informed the meeting that the Parishes had responded positively and there had been no revisions made to the original agreed draft.

It had further been agreed that the Planning Agreement would remain in its current form, but would be subject to an ongoing review process due to the large number of significant changes in legislation and also locally (such as the agreement of a Local Plan), which would shortly be going out to consultation.

The Community Overview and Scrutiny Panel had, on 28 March 2013, considered the matter and resolved that:



“The Community Overview and Scrutiny Panel feel that they cannot fully support the Parish Charter until the Planning Agreement had been included and scrutinised.

The Panel urge the Executive to take into consideration the comments of the Overview and Scrutiny Panel when making their decision.”

Copies of Minute Excerpt COSP.27/13 had been circulated.

The Chairman of the Community Overview and Scrutiny Panel gave an overview of discussions at the Panel, commenting that the Panel had received a good presentation on the matter from the Chairman of the Carlisle Parish Councils Association.

She explained that the Panel had agreed that the Planning Agreement was a vital component in the Charter, and Members would prefer to see the Agreement drawn up prior to approval of the Charter.

In response the Leader said that, in his view, it had taken a considerable amount of time to reach the point whereby the Executive and Parish Councils could agree the Parish Charter. Although the Executive wished to approve the Charter now, they did recognise that the Charter was “work in progress”. When the Local Plan became available for consultation it would feed into the process.

In conclusion, the Leader recommended that the Executive approve the Parish Charter, together with the formal launch thereof following this meeting.

**Summary of options rejected** None

## **DECISION**

That the Executive:

1. had considered the content of Report CD.25/13, including the comments of the Community Overview and Scrutiny Panel as detailed within Minute COSP.27/13.
2. Approved the Parish Charter and the formal press launch thereof following this meeting.

## **Reasons for Decision**

To make the Executive aware of progress with the Parish Charter and the consultation process; and gain approval of the Parish Charter and for the formal press launch of the Parish Charter following the Executive on 8 April 2013

## **EX.35/13 CSP PARTNERSHIP PLAN** (Key Decision)

(With the consent of the Chairman, and in accordance with Rule 15 of the Access to Information Procedure Rules; and Regulation 10 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 this item was included on the Agenda as a Key Decision, although not in the Notice of Executive Key Decisions)

**Portfolio** Communities and Housing

**Relevant Overview and Scrutiny Panel** Community

### **Subject Matter**

The Communities and Housing Portfolio Holder reported (CD.28/13) 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.

Referring to the Key Priorities 2013, the Communities and Housing Portfolio Holder advised that greater emphasis had been placed on reducing the harm caused by drugs, in addition to which sexual violence had been added to the domestic abuse priority.

Whilst the Partnership Plan was presented as a developed document, it represented a 'live' work programme which would develop throughout the year and could be influenced and shaped via the City Council's representation on the CSP's Leadership Group.

In conclusion, the Communities and Housing Portfolio Holder moved that the Executive consider and note the report, prior to recommending it for wider consultation.

The Leader seconded the recommendation.

**Summary of options rejected** None

### **DECISION**

That the Executive had considered and noted the content of Report CD.28/13; and recommended the CSP Partnership Plan for wider consultation.

### **Reasons for Decision**

To enable the report to be considered and recommended for wider consultation

**EX.36/13 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 8 March 2013 was submitted for information.

The Director of Community Engagement was scheduled to report on the Scheme of Housing Assistance (Empty Properties and Disabled Facilities Grants) (KD.041/12). The matter was deferred due to a material change of circumstances which would impact on the overall Scheme of Assistance.

**Summary of options rejected** None

#### **DECISION**

That the Notice of Executive Key Decisions dated 8 March 2013 be noted.

#### **Reasons for Decision**

Not applicable

#### **EX.37/13 SCHEDULE OF DECISIONS TAKEN BY OFFICERS** (Non Key Decision)

**Portfolio** Communities and Housing; Finance, Governance and Resources

**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.38/13 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 30 January and 11 February 2013 were submitted for information.

**Summary of options rejected** None

## **DECISION**

That the Minutes of the meetings of the Joint Management Team held on 30 January and 11 February 2013, attached as Appendix B, be received.

### **Reasons for Decision**

Not applicable

## **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 item of business on the grounds that it involved the likely disclosure of exempt information as defined in the paragraph number (as indicated in brackets against the minute) of Part 1 of Schedule 12A of the 1972 Local Government Act.

**EX.39/13 RELIEFS AND DISCOUNTS: APPLICATION FOR HARDSHIP RELIEF – BUSINESS RATES (NNDR)**  
(Non Key Decision)

(Not for publication by virtue of paragraph 3)

**Portfolio** Communities and Housing

**Relevant Overview and Scrutiny Panel** Resources

### **Subject Matter**

The Finance, Governance and Resources Portfolio Holder submitted private report CD.19/13 concerning an application received by the Council for hardship relief, details of which were set out within the report.

He referred Members, in particular, to Sections 2.1 and 3.3 of the report.

In conclusion, the Finance, Governance and Resources Portfolio Holder stated that, due to the level of assets set out in the Accounts, hardship could not be demonstrated. He then moved that the application be refused. The Leader seconded the recommendation.

**Summary of options rejected** to grant the application

## **DECISION**

That the application for hardship relief detailed within Report CD.19/13 be refused.

## **Reasons for Decision**

The Executive to grant or refuse relief

(The meeting ended at 4.20 pm)