



EXECUTIVE DECISIONS

DECISIONS MADE AT THE EXECUTIVE MEETING HELD ON 12 MAY 2014

Date of Publication: 14 MAY 2014

CALL IN PERIOD ENDS 21 May 2014 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.

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EXECUTIVE

MONDAY 12 MAY 2014 AT 4.00 PM

PRESENT:

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

OFFICERS:

Town Clerk and Chief Executive
Deputy Chief Executive
Director of Governance
Director of Economic Development
Director of Local Environment
Financial Services and HR Manager

ALSO PRESENT:

Councillor Nedved (Lead Member of the Recycling Task and Finish Group)

APOLOGY FOR ABSENCE

An apology for absence was submitted on behalf of Councillor Ms Patrick (Chairman of the Audit Committee).

DECLARATIONS OF INTEREST

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

PUBLIC AND PRESS

RESOLVED – That the Agenda be agreed as circulated.

MINUTES

The Minutes of the meetings of the Executive held on 10 and 17 February, and 10 March 2014 were signed by the Chairman as true records of the meetings.

EX.39/14 COUNTY WIDE CCTV CONTRIBUTION
(Key Decision – KD.09/14)

Portfolio Environment and Transport

Relevant Overview and Scrutiny Panel Community

Subject Matter

The Deputy Leader, and Environment and Transport Portfolio Holder submitted report LE.06/14 concerning the provision of a county-wide CCTV network composing 54 cameras.

The Deputy Leader explained that the proposal had been developed by specialist consultants engaged by Cumbria Constabulary. The Constabulary's professional view was that the proposed number of cameras and the locations thereof met the basic requirements of CCTV provision in Cumbria. She added that, under the proposal, the Carlisle City Council area would have 15 cameras, all located in Carlisle. The initial proposed locations were as detailed on the plan attached at Appendix 1.

The cost allocation had been worked out as follows –

Overall cost for Cumbria (54 cameras) = £1 million (subject to variation when tenders were received)

The Commissioner was to meet 50% of that cost (£500,000). Each of the Cumbrian District and Borough Councils had agreed to meet the other 50% of the capital cost on a pro rata basis, based on the number of cameras in each council area. The overall cost for the provision of 15 cameras in Carlisle was £277,778, which equated to £138,889 each for Carlisle City Council and the Commissioner.

At the start of the 2013/14 financial year the Commissioner asked all six district/borough councils to bid for up to £100,000 of matched funding to tackle anti-social behaviour in their area. Carlisle still had £50,000 of that funding unallocated. That £50,000 was to be used by the City Council towards their element of the CCTV costs, which left the £89,000 to pay. The contribution had been budgeted for within the Council's Capital Programme.

The Deputy Leader, and Environment and Transport Portfolio Holder advised that the system should have a life of seven years and it would be possible to add additional cameras to the system at any time. It should be noted, however, that the Commissioner would look to the Council to meet 100% of the cost of any additional cameras. The Council was liaising with the Commissioner and the company installing the WiFi into the City Centre to transfer its unused CCTV assets, such as poles and brackets, to help keep costs down. The Police Commissioner expected to go out to tender in April 2014 with an intention that works should start by the end of 2014.

Monitoring of the new system would be undertaken by the Constabulary at Police Headquarters in Penrith. There would be no on-going revenue cost to the City Council.

The Deputy Leader, and Environment and Transport Portfolio Holder then moved the recommendation that the Executive agree to release £89,000 from the Capital Programme to the Police Commissioner as its contribution to setting up the County Wide CCTV network.

In so doing, the Deputy Leader stated that the City Council had been thoroughly vindicated in its approach to CCTV. Two years ago the Council had been spending £200,000 for what was a discretionary service used predominantly by Cumbria Constabulary. She had therefore urged that, as a Police tool, CCTV should be paid for by the Police. The Police

Commissioner had supported the views of this Council and the Deputy Leader welcomed with some satisfaction the proposals referred to above.

In conclusion, the Deputy Leader, and Environment and Transport Portfolio Holder emphasised that it was the strategy and policy of the Labour Group on the City Council which had formed the catalyst for a CCTV system from which the whole county would benefit.

The Leader seconded the recommendation.

Summary of options rejected None

DECISION

That the Executive agreed to the release of the £89,000 from the Capital Programme to the Police Commissioner as its contribution to setting up the County Wide CCTV network.

Reasons for Decision

The City Council had successfully reduced its expenditure on community CCTV. The Police were the significant users of the CCTV and it was welcomed that they had now agreed to take the lead on its provision and management. The capital contribution from the City Council assisted the Police in taking on that leadership role

EX.40/14 TREASURY MANAGEMENT COUNTERPARTIES (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 Finance, Governance and Resources

Relevant Overview and Scrutiny Panel Resources

Subject Matter

The Finance, Governance and Resources Portfolio Holder submitted report RD.006/14 concerning Treasury Management Counterparties.

The Portfolio Holder outlined the background position, reminding Members that the Treasury Management Strategy for 2014/15 had been approved by Council on 4 February 2014. Since that date, however, the Council had been investigating alternative ways of increasing the counterparties available to invest with.

As a result of those investigations, and in order to try and maximise the return the Council could achieve on its short term investments whilst still maintaining security of the investment, an additional counterparty (Svenska Handelsbanken) was proposed, details of which were provided.

The Council had approached its Treasury advisors (Capita Asset Services) regarding the proposal, in response to which they had indicated that it did not put the Council's investments at any additional risk.

The Finance, Governance and Resources Portfolio Holder further summarised the revised limits and investment criteria (as set out at Appendix A), namely:

Lloyds Group / RBS	£8 million
HSBC	£6 million (split £4 million long term, £2 million less than 1 month)
Other Credit Rated Banks/institutions (including Svenska Handelsbanken)	£4 million
Non Credit Rated Banks/Building Societies	£2 million

Turning to the issue of alternative investment opportunities, the Finance, Governance and Resources Portfolio Holder explained that the Council tended to invest its cash balances in cash deposits with banks and other approved financial institutions. For some time now, however, returns on such cash deposits had been at historically low levels. That had an adverse effect on the Council's overall budget as in 2007 investment returns were £1,865,000 or 5.75% based on average balances of £32.1million. Currently in 2013/14 investment returns were £223,000 or 0.86% based on average balances of £26 million.

The Council's treasury management advisors had suggested that interest rates would not rise from their historically low level until late 2015, and even then would only rise gradually. Alongside that the credit outlook remained challenging with the number of institutions accepting deposits being very restricted. Those factors resulted in expectations for returns from cash orientated investments remaining low.

In theory, the Council could increase its exposure limits (i.e. amounts deposited with individual institutions) to the approved financial institutions, or it could revise its minimum credit thresholds lower than the current minimum acceptable thresholds in its policies. However, as the overriding principle in treasury management was security of capital, that course of action was not recommended. It would not in any event increase returns significantly.

With those factors in mind, Officers had undertaken some research into alternative investment opportunities looking specifically at a property fund as a means of securing better returns and limiting exposure to financial institutions failing.

Although there were many managed property funds in the financial market, Officers had made enquiries about the LAMIT (Local Authority Mutual Investment Trust) property fund managed by CCLA (Churches, Charities and Local Authorities) which was owned by the Church of England Investment Fund (56%), the Charities Investment Fund (23%), Local Authorities' Mutual Investment Trust (14%) and others (7%).

As at 31 December 2013, there were 37 local authorities holding units in the fund. The fund was valued at £126m and owned 21 properties. Details of the operation of the property fund were attached at Appendix B.

Members' attention was particularly drawn to Sections 4 and 5 of the report which set out details of the proposal to invest in a pooled property fund and the associated risks and financial implications.

The Finance, Governance and Resources Portfolio Holder emphasised that, should the Council wish to invest in that type of fund, it needed to be aware that it would be investing for a longer time period than usual and must commit itself to the stated monetary investment and time period. He further highlighted the due diligence which would need to be undertaken.

In conclusion, the Finance, Governance and Resources Portfolio Holder moved recommendations (i) and (ii), which were seconded by the Leader.

Summary of options rejected None

DECISION

That the Executive had considered Report RD.006/14 and referred to Overview and Scrutiny:

1. The approval of the investment counterparty limits as outlined at Appendix A and set out in paragraph 2.7 of Report RD.006/14 for recommendation to Council.
2. The approval of the use of the CCLA managed LAMIT Property Fund for inclusion in the Council's investment portfolio for recommendation to Council.

Reasons for Decision

To ensure that the Council's investments were in line with appropriate policies, including the Treasury Management Strategy Statement

EX.41/14 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 11 April 2014 was submitted for information.

The Deputy Chief Executive was scheduled to report on the Playing Pitch Strategy (KD.004/14). Further work / information was required and the matter was therefore deferred.

Summary of options rejected None

DECISION

That, subject to the above, the Notice of Executive Key Decisions dated 11 April 2014 be noted.

Reasons for Decision

Not applicable

EX.42/14 SCHEDULE OF DECISIONS TAKEN BY OFFICERS (Non Key Decision)

Portfolio Communities and Housing

Relevant Overview and Scrutiny Panel Community

Subject Matter

Details of a decision taken under delegated powers by the Town Clerk and Chief Executive, in conjunction with the Communities and Housing Portfolio Holder, were submitted.

Summary of options rejected None

DECISION

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

Reasons for Decision

Not applicable

EX.43/14 JOINT MANAGEMENT TEAM (Non Key Decision)

Portfolio Cross-cutting

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

Subject Matter

The Minutes of the meeting of the Joint Management Team held on 10 March 2014 were submitted for information.

Summary of options rejected None

DECISION

That the Minutes of the meeting of the Joint Management Team held on 10 March 2014, attached as Appendix B, be received.

Reasons for Decision

Not applicable

EX.44/14 **SCRAP METAL DEALERS**
(Non Key Decision)

Portfolio Finance, Governance and Resources

Relevant Overview and Scrutiny Panel Resources

Subject Matter

The Minutes of the Scrap Metal Dealers determination hearings held on 17 March and 9 April 2014 were submitted for information.

Summary of options rejected None

DECISION

That the Minutes of the Scrap Metal Dealers determination hearings held on 17 March and 9 April 2014, attached as Appendix C, be received.

Reasons for Decision

Not applicable

EX.45/14 **RECYCLING**
(Non Key Decision)

Portfolio Environment and Transport

Relevant Overview and Scrutiny Panel Environment and Economy

Subject Matter

Pursuant to Minute EEOSP.26/14, consideration was given to a reference from the Environment and Economy Overview and Scrutiny Panel regarding the final report of the Recycling Task and Finish Group. The Panel had resolved that the Recycling Task and Finish Group Report and recommendations be agreed and referred to the Executive for a formal response.

Copies of Report OS.13/14 and the Minute Excerpt had been circulated.

The Lead Member of the Recycling Task and Finish Group (Councillor Nedved) was in attendance at the meeting. He began by thanking the Executive for the opportunity to speak and to put forward the Task Group's recommendations.

The Lead Member summarised in some detail the criteria, methodology and wide ranging information and data considered by Task Group Members in developing the evidence base for the review. He added that some examples of very good practice were in place at the City Council.

The Lead Member then outlined the following recommendations made by the Task Group:

- “1. That the Council keep to a fortnightly collection of residual waste.
2. That the Re-thinking Waste Project gives consideration to collecting a wider range of recyclables at kerbside including foil, tetra packs and textiles.
3. That consideration is given to the make up of the containers which are provided to residents for their recycling so that they are more durable and have a larger capacity. Members would also like to consider the pros and cons for a co-mingled service with a wheelie bin for all recyclates.
4. That the Waste Services Operatives are requested wherever possible to return the waste containers where they were collected. This should reduce the amount of lost or damaged containers and reduce the amount of unnecessary contact with the Council.
5. That the Council strictly enforce the no side waste policy and publicity is provided to that effect.
6. That consideration is given to how information is provided on the internet to residents so that it is easily accessible and to the point.
7. That priority is given to updating the CRM system for all requests complaints and queries so that an up to date record of actions and responses are available. In order to monitor this recommendation a performance report should be developed and presented to the Economy & Environment Overview and Scrutiny Panel on a quarterly basis.”

In conclusion, the Lead Member stated that the Recycling Task and Finish Group had found the review both very challenging and enjoyable. Members had received a great deal of support in undertaking their work for which he was very grateful. He expressed the hope that the final report would assist the Council in moving above 50% recycling performance.

The Leader thanked the Lead Member for his presentation, commenting that Overview and Scrutiny was at its best when undertaking task and finish reviews. The final report was a very good piece of work which would inform work going forward.

The Deputy Leader, and Environment and Transport Portfolio Holder expressed thanks to the Lead Member, his colleagues and to the Overview and Scrutiny Officer for what was a very objective and detailed report. She also welcomed the opportunity to meet with the Lead Member and the Director of Local Environment to go through the final report in detail.

The Deputy Leader, and Environment and Transport Portfolio Holder advised that, although the entire Waste Strategy was under review, the outcome would not be known for some time. The Executive supported the Task and Finish Group and the Deputy Leader considered that their work would give the Finance, Governance and Resources Portfolio Holder and herself some useful pointers in terms of how the service should be developed in the future.

She responded to the Task and Finish Group's recommendations as follows:

Recommendation 1

There was no reason to depart from the fortnightly collection of residual waste.

Recommendation 2

Consideration would be given to collecting a wider range of recyclables at kerbside as part of the Re-thinking Waste Project.

Recommendation 3

In order to increase recycling performance the collection thereof must be made as easy as possible. Consideration would therefore again be given to the make up of the containers provided to residents for their recycling.

Recommendation 4

The Deputy Leader had also received complaints and thought it important that residents ensure that their waste containers were put out where they should be and that Waste Services Operatives duly return them to those locations.

Recommendation 5

The Executive was 100% behind strict enforcement of the no side waste policy and the provision of publicity to that effect.

Recommendations 6 and 7

The Executive agreed that the provision of easily accessible information was essential to any process. The recent restructure and appointment of a full-time Systems Administrator should be of assistance and it was hoped that a distinct improvement would be seen moving forward.

The Lead Member of the Recycling Task and Finish Group expressed the view that the Council's website required improvement and greater use should be made of green hats.

The Deputy Leader, and Environment and Transport Portfolio Holder replied that improvement of the website was in hand. The use of green hats had been raised at Council and the availability thereof duly advertised.

In conclusion the Deputy Leader, and Environment and Transport Portfolio Holder moved the Executive's responses as detailed above for submission to the Environment and Economy Overview and Scrutiny Panel on 3 July 2014.

The Leader seconded the responses.

Summary of options rejected None

DECISION

1. That the Executive had considered the final report of the Recycling Task and Finish Group.
2. That the Executive's response to each of the Task Group's recommendations, as detailed above, be submitted to the Environment and Economy Overview and Scrutiny Panel on 3 July 2014.

Reasons for Decision

To consider and respond to the recommendations of the Recycling Task and Finish Group

EX.46/14 REFERENCE FROM THE AUDIT COMMITTEE – AUDIT COMMITTEE’S ANNUAL REPORT (Non Key Decision)

Portfolio Finance, Governance and Resources

Relevant Overview and Scrutiny Panel Resources

Subject Matter

Pursuant to Minute AUC.27/14, consideration was given to a reference from the Audit Committee following their consideration of the Committee’s Annual Report. The Committee had resolved:

“(1) That the Annual Report of the Audit Committee, which would be submitted to the City Council on 29 April 2014, be noted and accepted.

(2) That the Executive be requested to consider the wording of Section 6.1 – Attendance of the Audit Committee’s Rules of Governance as identified above.”

Copies of the Minute Excerpt and the Annual Report had been circulated.

The Leader noted that the Chairman of the Audit Committee was not able to attend the meeting today.

The Director of Governance reported that the Chairman of the Audit Committee had written to him requesting that he represent the Committee’s views to the Executive.

The Director of Governance then gave an overview of discussions at the Audit Committee and suggested that the Executive agree to delegate authority to the Director of Resources, the Chairman of the Audit Committee and himself to review and tighten the wording of Section 6.1 of the Committee’s Rules of Governance.

The above course of action was agreed.

Summary of options rejected None

DECISION

That the Executive had given consideration to the reference from the Audit Committee (Minute AUC.27/14); and granted delegated authority to the Director of Resources, the Chairman of the Audit Committee and the Director of Governance to review and amend the wording of Section 6.1 of the Audit Committee’s Rules of Governance within the Council’s Constitution.

Reasons for Decision

To respond to a reference from the Audit Committee

EX.47/14 COMMENTS OF THE LEADER

Since this was the last meeting of the Executive for the 2013/14 Municipal Year, the Leader wished to take the opportunity to express sincere thanks to colleagues on the Executive for all of their dedication and hard work.

The Leader thanked Members of Overview and Scrutiny whose work had significantly informed the decision making process. It had been extremely helpful to get their perspective on various matters.

He also thanked the Senior Management Team and their staff for their immense support, help and guidance which was very much appreciated. Members of SMT were requested to convey those sentiments to their respective teams.

(The meeting ended at 4.32 pm)